



Department  
for Education

# **Behaviour in schools**

**Advice for headteachers and school staff**

**September 2022**

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## About this guidance

This publication provides advice to schools on behaviour in schools and the related legal duties of headteachers, and members of staff. It includes guidance on support for pupils to behave well and the powers of staff when responding to misbehaviour.

This non-statutory guidance should not be taken as a complete or definitive statement of the law nor as a substitute for the relevant legislation. Legal advice should be sought as appropriate.

It is for individual schools to develop their own best practice for managing behaviour. The purpose of the document is to provide guidance to schools and multi-academy trusts to support them to improve and maintain high standards of behaviour. Creating a culture with high expectations of behaviour will benefit both staff and pupils, establishing calm, safe and supportive environments conducive to learning.

**The terms “must” and “should” are used throughout the guidance. Where the text uses the word “must”, the person in question is legally required to do something.**

**Where the text uses the word ‘parent’, it should be read as inclusive of carers and any other person with parental responsibility.**

## Expiry or review date

This guidance will be kept under review and updated as necessary.

## Who is this publication for?

This guidance is for:

- school leaders, school staff, governing bodies, trust boards and proprietors in all maintained schools, academies and free schools and independent schools in England;
- local authorities;
- for the purposes of this advice, references to “maintained school” means a community, foundation or voluntary school, community or foundation special school, and maintained nursery school. It also means Pupil Referral Units and non-maintained special schools; and
- for the purpose of this advice, references to “academy” means academy schools (including mainstream and special free schools) and alternative provision academies (including alternative provision free schools).

## Introduction

Good behaviour in schools is central to a good education. Schools need to manage behaviour well so they can provide calm, safe and supportive environments which children and young people want to attend and where they can learn and thrive. Being taught how to behave well and appropriately within the context they're in is vital for all pupils to succeed personally.

Many schools successfully create environments in which behaviour is good and pupils can learn and feel safe. Some schools need to improve their approach to behaviour and even successful schools need to be continually working to maintain high standards of behaviour.

Where behaviour is poor, pupils can suffer from issues as diverse as lost learning time, child-on-child abuse, anxiety, bullying, violence, and distress. It can cause some children to stay away from school, missing vital learning time. Similarly, continually dealing with misbehaviour negatively affects the wellbeing of teachers and, for some, it is a reason why they leave the profession.

Well-managed schools create cultures where pupils and staff flourish in safety and dignity. It is particularly important that headteachers lead the creation and reinforcement of this culture, ensuring it permeates through every aspect of school life. Staff should be trained to make sure that they collectively embody this school culture, upholding the schools' behaviour policy at all times and responding to misbehaviour consistently and fairly.

Schools can create environments where positive behaviours are more likely by proactively supporting pupils to behave appropriately. Pupils should be taught explicitly what good behaviour looks like. Some pupils will need additional support to reach the expected standard of behaviour. Where possible, this support should be identified and put in place as soon as possible to avoid misbehaviour occurring in the first place.

When pupils do misbehave, schools should be able to respond promptly, predictably and with confidence to maintain a calm, safe learning environment, and then consider how such behaviour can be prevented from recurring. To support these aims, this guidance outlines different responses to behaviour that schools can use, including sanctions and pastoral approaches.

In some cases, particularly when a pupil is persistently disruptive and support or sanctions are not deterring misbehaviour, further action may be needed. This guidance provides advice on interventions and approaches schools may wish to take to prevent the recurrence of misbehaviour. In serious instances, a pupil may need to be suspended or excluded and schools should read the Department's specific guidance on [suspension and permanent exclusion](#) to ensure that they use these interventions appropriately.

# Creating and maintaining high standards of behaviour

1. Creating a culture that promotes excellent behaviour requires a clear vision of what good behaviour looks like. Schools' circumstances will vary but every culture should ensure pupils can learn in a calm, safe, and supportive environment and protect them from disruption. Schools should be clear about which behaviours are permitted and prohibited; the values, attitudes, and beliefs they promote and the social norms and routines that should be encouraged throughout the school community. The behaviour policy is the starting point for laying out this vision and is one of the important ways the school culture is communicated to pupils, staff, and parents and carers.<sup>1</sup> It is equally important that the behaviour policy is implemented effectively to create a positive behaviour culture in which pupils are encouraged to reflect the values of the school.
2. All headteachers should take responsibility for implementing measures to secure acceptable standards of behaviour. They should ensure the school's approach to behaviour meets the following national minimum expectation:<sup>2</sup>
  - the school has high expectations of pupils' conduct and behaviour, which is commonly understood by staff and pupils and applied consistently and fairly to help create a calm and safe environment;
  - school leaders visibly and consistently supporting all staff in managing pupil behaviour through following the behaviour policy;
  - measures are in place and both general and targeted interventions are used to improve pupil behaviour and support is provided to all pupils to help them meet behaviour standards, making reasonable adjustments for pupils with a disability as required;
  - pupil behaviour does not normally disrupt teaching, learning or school routines. Disruption is not tolerated, and proportionate action is taken to restore acceptable standards of behaviour;
  - all members of the school community create a positive, safe environment in which bullying, physical threats or abuse and intimidation are not tolerated, in which pupils are safe and feel safe and everyone is treated respectfully; and

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<sup>1</sup> Henceforth, any reference to the term "parent" is inclusive of "carers" and anyone else with parental responsibility.

<sup>2</sup> The national minimum expectation of behaviour is aligned with the [Ofsted 'good' grade descriptor for assessing Behaviour and Attitudes](#).

- any incidents of bullying, discrimination, aggression, and derogatory language (including name calling) are dealt with quickly and effectively.
3. For all schools, establishing and maintaining high standards of behaviour is not only vital in ensuring that teachers can deliver the curriculum, but also plays a critical role in ensuring that the school is a safe environment for all pupils. The behaviour policy should be aligned with the school's legal duties and standards relating to the welfare of children. All staff should be aware of the measures outlined in the school's behaviour policy and how they should implement these measures - this is one of the key systems in place in schools which supports safeguarding.<sup>3</sup> It is essential that all staff are aware of their safeguarding responsibilities, as set out in statutory guidance Part 1 of [Keeping children safe in education \(KCSIE\)](#).
  4. KCSIE is clear that all school staff have a responsibility to provide a safe environment in which pupils can learn. The school behaviour policy should be designed to bear this in mind. As part of taking a whole-school approach to behaviour and safeguarding, it will be important that the respective policies complement one another.
  5. Where circumstances arise that endanger the safety of a pupil or staff member, the school should act swiftly and decisively to remove the threat and reduce the likelihood of its reoccurrence.

## Developing a school behaviour policy

6. A school's culture and values are manifested through the behaviour of all its members. High standards and clear rules should reflect the values of the school and outline the expectations and consequences of behaviour for everyone. The school's behaviour policy should provide details on how staff will support pupils to meet these expectations.
7. The headteacher of a maintained school must determine measures which aim to:
  - encourage good behaviour and respect for others;
  - secure an acceptable standard of behaviour of pupils;
  - promote, among pupils, self-discipline and proper regard for authority;

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<sup>3</sup> Other systems all staff should be aware of include the school's child protection policy, the staff behaviour policy/code of conduct, the safeguarding response to children who go missing from education and the role and identity of the designated safeguarding lead and any deputies.

- prevent all forms of bullying (including cyberbullying, prejudice-based and discriminatory bullying);
  - ensure that pupils complete any tasks reasonably assigned to them in connection with their education; and
  - otherwise regulate the conduct of pupils.<sup>4</sup>
8. The headteacher of a maintained school must act in accordance with the current statement of behaviour principles made by the governing body and have regard to any guidance provided by the governing body on promoting good behaviour at the school.<sup>5</sup> This is a core responsibility of a headteacher. It cannot be delegated. Detailed advice for governors is available in [Behaviour and discipline in schools: Guidance for governing bodies](#).
9. The proprietor of an academy or independent school must ensure that a written policy to promote good behaviour among pupils is drawn up and implemented effectively. The behaviour policy must also set out the disciplinary sanctions.<sup>6</sup> The proprietor must also ensure that an effective anti-bullying strategy is drawn up and implemented so that bullying is prevented, as far as is reasonably practicable.<sup>7</sup>
10. A behaviour policy should include detail on the following:
- **purpose** – including the underlying objectives of the policy, and how it creates a safe environment in which all pupils can learn and reach their full potential;
  - **leadership and management** – including the role of designated staff and leaders, any systems used, the resources allocated and engagement of governors/trustees;
  - **school systems and social norms** – including rules, routines, and consequence systems;
  - **staff induction, development and support** – including regular training for staff on behaviour;
  - **pupil transition** – including induction and re-induction into behaviour systems, rules, and routines;

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<sup>4</sup> [Section 89\(1\)](#) of the Education and Inspections Act 2006.

<sup>5</sup> [Sections 88\(2\)](#) and [89\(2\)](#) of the Education and Inspections Act 2006.

<sup>6</sup> [Education \(Independent School Standards\) \(England\) Regulations 2014, Schedule 1, paragraph 9.](#)

<sup>7</sup> [Education \(Independent School Standards\) \(England\) Regulations 2014, Schedule 1, paragraph 10.](#)



- **pupil support** – including the roles and responsibilities of designated staff and the support provided to pupils with additional needs where those needs might affect behaviour;
- **child-on-child abuse** – including measures to prevent child-on-child abuse and the response to incidents of such abuse; and
- **banned items** – a list of items which are banned by the school and for which a search can be made.

11. The school behaviour policy should adhere to the following principles:

- **accessible and easily understood:** clear and easily understood by pupils, staff and parents;
- **aligned and coherent:** aligned to other key policy documents;<sup>8</sup>
- **inclusive:** consider the needs of all pupils and staff, so all members of the school community can feel safe and that they belong;<sup>9</sup>
- **consistent and detailed:** have sufficient detail to ensure meaningful and consistent implementation by all members; and
- **supportive:** address how pupils will be supported to meet high standards of behaviour.

## Communicating the behaviour policy

12. Communicating the school policy to all members of the community is an important way of building and maintaining the school's culture. It helps make behaviour expectations transparent to all pupils, parents, and staff members, and provides reassurance that expectations of, and responses to, behaviour are consistent, fair, proportionate, and predictable.
13. For maintained schools, the headteacher must publicise the school behaviour policy in writing to parents, staff, and pupils at least once a year.<sup>10</sup> The school's

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<sup>8</sup> Key policy documents include, if applicable, special educational needs and disability policy, school uniform policy, the staff behaviour policy/code of conduct, and safeguarding arrangements, in particular the child protection policy.

<sup>9</sup> Headteachers should have regard to the [Mental health and behaviour in schools guidance](#) and must have regard to the [Special educational needs and disability 0-25 years code of practice](#) so that appropriate support can be provided to pupils who have additional needs.

<sup>10</sup> [Section 89\(6\)](#) of the Education and Inspections Act 2006.

behaviour policy must also be published on the school website.<sup>11</sup> Where the school does not have a website, the governing body must make arrangements for the behaviour policy to be put on a website and to make the address and details (of the website) known to parents.

14. Academies and independent schools should publish details of the school's behaviour policy.

## **A whole-school approach to behaviour**

15. Schools should ensure that high standards and expectations of good behaviour pervade all aspects of school life including the culture, ethos, and values of the school, how pupils are taught and encouraged to behave,<sup>12</sup> the response to misbehaviour and the relationships between staff, pupils and parents. The school's approach to behaviour should be easily apparent to anyone joining or visiting the school. Everyone should treat one another with dignity, kindness and respect.
16. The consistent and fair implementation of the measures outlined in the behaviour policy is central to an effective whole-school approach to behaviour. Consistent implementation helps to create a predictable environment. Some pupils may require additional support to meet a school's behaviour expectations. This support should be given consistently and predictably, applied fairly and only where necessary.
17. By having simple, clear and well communicated expectations of behaviour and providing staff with bespoke training on the needs of the pupils at the school, behaviour can be managed consistently so that both pupils and staff can thrive, achieve and build positive relationships based on predictability, fairness and trust.

## **The school behaviour curriculum**

18. Positive behaviour reflects the values of the school, readiness to learn and respect for others. It is established through creating an environment where good conduct is more likely and poor conduct less likely. This behaviour should be taught to all pupils, so that they understand what behaviour is expected and encouraged and what is prohibited. This then requires positive reinforcement when expectations are met, while sanctions are required where rules are broken.

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<sup>11</sup> [School Information \(England\) Regulations 2008](#).

<sup>12</sup> More guidance is provided in the sections on the school behaviour curriculum (paragraphs 18-22) and preventing the recurrence of misbehaviour (paragraphs 95-110).

Positive reinforcement and sanctions are both important and necessary to support the whole-school culture.

19. A behaviour curriculum defines the expected behaviours in school, rather than only a list of prohibited behaviours. It is centred on what successful behaviour looks like and defines it clearly for all parties. For example, 'pupils are expected to line up quietly outside a classroom. A behaviour curriculum does not need to be exhaustive, but represent the key habits and routines required in the school.
20. Routines should be used to teach and reinforce the behaviours expected of all pupils. Repeated practices promote the values of the school, positive behavioural norms, and certainty on the consequences of unacceptable behaviour. Any aspect of behaviour expected from pupils should be made into a commonly understood routine, for example, entering class or clearing tables at lunchtime. These routines should be simple for everyone to understand and follow.
21. Adjustments can be made to routines for pupils with additional needs, where appropriate and reasonable, to ensure all pupils can meet behavioural expectations. These adjustments may be temporary. Adjustments should be made proactively and by design where possible. For example, a pupil who has recently experienced a bereavement may need to be pre-emptively excused from a routine to give them time and space away from their peers. The adjustments needed for those pupils with Special Educational Needs and/or Disability (SEND), whose condition may at times affect their behaviour, are set out in the section 'Behaviour expectations and pupils with Special Educational Needs and/or Disability (SEND)' (paragraphs 34-38). Schools should be mindful that not all pupils requiring support with behaviour will have identified special educational needs or disabilities.
22. Consistent and clear language should be used when acknowledging positive behaviour and addressing misbehaviour.

## **The role of school leaders**

23. The school leadership team should be highly visible, with leaders routinely engaging with pupils, parents and staff on setting and maintaining the behaviour culture and an environment where everyone feels safe and supported.
24. School leaders have a crucial role to play in making sure all staff understand the behavioural expectations and the importance of maintaining them. School leaders should make sure that all new staff are inducted clearly into the school's behaviour culture to ensure they understand its rules and routines and how best to support all pupils to participate in creating the culture of the school.
25. School leaders should consider any appropriate training which is required for staff to meet their duties and functions within the behaviour policy. Schools should

consider aligning this training with the new [Initial Teacher Training \(ITT\) Core Content Framework](#) and the [Early Career Framework \(ECF\)](#) together with the reformed suite of [National Professional Qualifications](#).

26. The National Professional Qualification in Leading Behaviour and Culture (NPQLBC) is available for primary and secondary school teachers who have, or are aspiring to have, responsibilities for leading behaviour or supporting pupil wellbeing in their school. The NPQLBC provides essential knowledge, skills and concepts that underpin successful leadership of behaviour and culture. All teachers and school leaders in state-funded schools, as well as state-funded 16-19 organisations, are now eligible to undertake NPQs funded by the Department for Education.
27. Schools will also wish to ensure that their staff have adequate training on matters such as how certain special educational needs, disabilities, or mental health needs<sup>13</sup> may at times affect a pupil's behaviour. Ongoing engagement with experts, such as Educational Psychologists and other support staff such as counsellors and Mental Health Support Teams, can help to inform effective implementation, and even design, of behaviour policies – making links to whole school approaches to mental health and wellbeing as set out in the [Mental health and behaviour in schools guidance](#).

## **The role of teachers and staff**

28. Staff have an important role in developing a calm and safe environment for pupils and establishing clear boundaries of acceptable pupil behaviour. Staff should uphold the whole-school approach to behaviour by teaching and modelling expected behaviour and positive relationships, as defined by the school behaviour policy, so that pupils can see examples of good habits and are confident to ask for help when needed. Staff should also challenge pupils to meet the school expectations and maintain the boundaries of acceptable conduct.
29. All staff should communicate the school expectations, routines, values and standards both explicitly through teaching behaviour and in every interaction with pupils. Staff should consider the impact of their own behaviour on the school culture and how they can uphold the school rules and expectations. Staff should

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<sup>13</sup> See the [Mental health and behaviour in schools guidance](#) for advice on supporting pupils whose mental health issues manifest themselves in behaviour.

also receive clear guidance about school expectations of their own conduct at school.<sup>14</sup>

## The role of pupils

30. All pupils deserve to learn in an environment that is calm, safe, supportive and where they are treated with dignity. To achieve this, every pupil should be made aware of the school behaviour standards, expectations, pastoral support, and consequence processes. Pupils should be taught that they have a duty to follow the school behaviour policy and uphold the school rules, and should contribute to the school culture. Pupils should be asked about their experience of behaviour and provide feedback on the school's behaviour culture. This can help support the evaluation, improvement and implementation of the behaviour policy. Every pupil should be supported to achieve the behaviour standards, including an induction process that familiarises them with the school behaviour culture. Schools might wish to repeat elements of this induction for all pupils at suitable points in the academic year.
31. Provision should be made for all new pupils to ensure they understand the school's behaviour policy and wider culture. Where necessary, extra support and induction should be provided for pupils who are mid-phase arrivals.

## The role of parents

32. The role of parents is crucial in helping schools develop and maintain good behaviour. To support the school, parents should be encouraged to get to know the school's behaviour policy and, where possible, take part in the life of the school and its culture. Parents have an important role in supporting the school's behaviour policy and should be encouraged to reinforce the policy at home as appropriate. Where a parent has a concern about management of behaviour, they should raise this directly with the school while continuing to work in partnership with them.
33. Schools should reinforce the whole-school approach by building and maintaining positive relationships with parents, for example, by keeping parents updated about their children's behaviour, encouraging parents to celebrate pupils' successes, or holding sessions for parents to help them understand the school's behaviour policy. Where appropriate, parents should be included in any pastoral

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<sup>14</sup> See part 2 of the [Teachers' Standards](#) which outlines the high standards of personal and professional conduct expected of teachers.

work following misbehaviour, including attending reviews of specific behaviour interventions in place.

## **Behaviour expectations and pupils with Special Educational Needs and/or Disability (SEND)**

34. A school's culture should consistently promote high standards of behaviour and provide the necessary support to ensure all pupils can achieve and thrive both in and out of the classroom. Schools should consider how a whole-school approach meets the needs of all pupils in the school, including pupils with SEND, so that everyone can feel they belong in the school community and high expectations are maintained for all pupils. Schools with good behaviour cultures will create calm environments which will benefit pupils with SEND, enabling them to learn.
35. Some behaviours are more likely be associated with particular types of SEND, such as a pupil with speech, language and communication needs who may not understand a verbal instruction. Behaviour will often need to be considered in relation to a pupil's SEND, although it does not follow that every incident of misbehaviour will be connected to their SEND.
36. Schools need to manage pupil behaviour effectively, whether or not the pupil has underlying needs. When a pupil is identified as having SEND, the graduated approach should be used to assess, plan, deliver and then review the impact of the support being provided.<sup>15</sup>
37. The law also requires schools to balance a number of duties which will have bearing on their behaviour policy and practice, particularly where a pupil has SEND that at times affects their behaviour. In particular:
  - schools have duties under the Equality Act 2010 to take such steps as is reasonable to avoid any substantial disadvantage to a disabled pupil caused by the school's policies or practices;<sup>16</sup>
  - under the Children and Families Act 2014, relevant settings have a duty to use their 'best endeavours' to meet the needs of those with SEND;<sup>17</sup> and

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<sup>15</sup> See chapter 6 of the [SEND code of practice: 0 to 25 years](#).

<sup>16</sup> [Section 20](#) of the Equality Act 2010.

<sup>17</sup> [Section 66 of the Children and Families Act 2014](#) applies to certain settings, including mainstream schools, maintained nursery schools, academies, alternative provision academies and pupil referral units.

- if a pupil has an Education, Health and Care plan, the provisions set out in that plan must be secured and the school must co-operate with the local authority and other bodies.<sup>18</sup>

38. As part of meeting any of these duties, schools should, as far as possible, anticipate likely triggers of misbehaviour and put in place support to prevent these. Illustrative examples of preventative measures include (but are not limited to):

- short, planned movement breaks for a pupil whose SEND means that they find it difficult to sit still for long;
- adjusting seating plans to allow a pupil with visual or hearing impairment to sit in sight of the teacher;
- adjusting uniform requirements for a pupil with sensory issues or who has severe eczema;
- training for staff in understanding conditions such as autism.

Any preventative measure should take into account the specific circumstances and requirements of the pupil concerned.

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<sup>18</sup> [Section 29](#) and [Section 42](#) of the Children and Families Act 2014.

## Responding to behaviour

39. Maintaining a positive culture requires constant work and schools should positively reinforce the behaviour which reflects the values of the school and prepares pupils to engage in their learning. Sometimes a pupil's behaviour will be unacceptable, and pupils need to understand that there are consequences for their behaviour. Often this will involve the use of reasonable and proportionate sanctions.

## Responding to good behaviour

40. Acknowledging good behaviour encourages repetition and communicates the school community's expectations and values to all pupils. Using positive recognition and rewards provides an opportunity for all staff to reinforce the school's culture and ethos. Positive reinforcements and rewards should be applied clearly and fairly to reinforce the routines, expectations, and norms of the school's behaviour culture. Examples of rewards may include:
- verbal praise;
  - communicating praise to parents via phone call or written correspondence;
  - certificates, prize ceremonies or special assemblies;
  - positions of responsibility, such as prefect status or being entrusted with a particular decision or project; and
  - whole-class or year group rewards, such as a popular activity.

## Responding to misbehaviour

41. When a member of school staff becomes aware of misbehaviour, they should respond predictably, promptly, and assertively in accordance with the school behaviour policy. The first priority should be to ensure the safety of pupils and staff and to restore a calm environment. It is important that staff across a school respond in a consistent, fair, and proportionate manner so pupils know with certainty that misbehaviour will always be addressed. De-escalation techniques can be used to help prevent further behaviour issues arising and recurring and schools may use pre-agreed scripts and phrases to help restore calm.
42. The aims of any response to misbehaviour should be to maintain the culture of the school, restore a calm and safe environment in which all pupils can learn and thrive, and prevent the recurrence of misbehaviour.



43. To achieve these aims, a response to behaviour may have various purposes. These include:

- **deterrence:** sanctions can often be effective deterrents for a specific pupil or a general deterrent for all pupils at the school.
- **protection:** keeping pupils safe is a legal duty of all staff. A protective measure in response to inappropriate behaviour, for example, removing a pupil from a lesson, may be immediate or after assessment of risk.
- **improvement:** to support pupils to understand and meet the behaviour expectations of the school and reengage in meaningful education. Pupils will test boundaries, may find their emotions difficult to manage, or may have misinterpreted the rules. Pupils should be supported to understand and follow the rules. This may be via sanctions, reflective conversations or targeted pastoral support.

44. Where appropriate, staff should take account of any contributing factors that are identified after a behaviour incident has occurred: for example, if the pupil has suffered bereavement, experienced abuse or neglect, has mental health needs,<sup>19</sup> has been subject to bullying, has needs including SEND (including any not previously identified), has been subject to criminal exploitation, or is experiencing significant challenges at home.

## Acceptable forms of sanction

45. The behaviour policy should include a range of possible sanctions clearly communicated to and understood by pupils, staff, and parents.

Examples of sanctions may include:

- a verbal reprimand and reminder of the expectations of behaviour;
- the setting of written tasks such as an account of their behaviour;
- loss of privileges – for instance, the loss of a prized responsibility;
- detention (see paragraphs 62 to 70);
- school based community service, such as tidying a classroom;
- regular reporting including early morning reporting; scheduled uniform checks; or

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<sup>19</sup> See the [Mental health and behaviour in schools guidance](#).

being placed “on report” for behaviour monitoring;

- suspension; and
  - in the most serious of circumstances, permanent exclusion.<sup>20</sup>
46. Taking disciplinary action and providing appropriate support are not mutually exclusive actions. They can and should occur at the same time if necessary. The school should be clear about its approach and in which category any action falls, ensuring that the action complies with the law relating to each category.
47. Schools should consider whether the misbehaviour gives cause to suspect that a pupil is suffering, or is likely to suffer, harm. Where this may be the case as set out in [Part 1 of Keeping children safe in education](#), school staff should follow the school’s child protection policy and speak to the designated safeguarding lead (or deputy). They will consider if pastoral support, an early help intervention or a referral to children’s social care is appropriate.
48. Alternative arrangements for sanctions can be considered on a case-by-case basis for any pupil where the school believes an alternative arrangement would be more effective for that particular pupil, based on their knowledge of that pupil’s personal circumstances. The school should have regard to the impact on consistency and perceived fairness overall when considering any alternative arrangements.
49. If a pupil in these circumstances has SEND that has affected their behaviour, the school will need to consider what the law requires (see section on responding to the behaviour of pupils with SEND in paragraphs 55 - 59).

## What the law allows

50. Teachers can sanction pupils whose conduct falls below the standard which could reasonably be expected of them. This means that if a pupil misbehaves, breaks a rule or fails to follow a reasonable instruction, the teacher can apply a sanction on that pupil.<sup>21</sup>
51. Staff can issue sanctions any time pupils are in school or elsewhere under the charge of a member of staff, including on school visits. This also applies in certain

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<sup>20</sup> Headteachers at all maintained schools (including special schools), pupil referral units, academy schools and alternative provision academies in England must have regard to the Suspension and permanent exclusion guidance when considering either of these sanctions.

<sup>21</sup> [Section 91\(3\)](#) of the Education and Inspections Act 2006.

circumstances when a pupil's misbehaviour occurs outside of school (see paragraphs 91 to 94).

52. A sanction will be lawful if it satisfies the following three conditions:

- a) The decision to sanction a pupil is made by a paid member of school staff (but not one who the headteacher has decided should not do so) or an unpaid member of staff authorised by the headteacher;
- b) The decision to sanction the pupil and the sanction itself are made on the school premises or while the pupil is under the lawful charge of the member of staff; and
- c) It does not breach any other legislation (for example in respect of equality, special educational needs and human rights) and it is reasonable in all the circumstances.<sup>22</sup>

53. In considering whether a sanction is reasonable in all circumstances, one must consider whether it is proportionate in the circumstances of the case and consider any special circumstances relevant to its imposition including the pupil's age, any special educational needs or disability they may have, and any religious requirements affecting them.<sup>23</sup>

54. The headteacher may limit the power to apply particular sanctions, or to sanction particular pupils or types of pupils, 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.

55. Corporal punishment by school staff is illegal in all circumstances.

## **Responding to the behaviour of pupils with Special Educational Needs and/or Disability (SEND)**

56. Schools should consistently and fairly promote high standards of behaviour for all pupils and provide additional support where needed to ensure pupils can achieve and learn as well as possible.

57. A school should not assume that because a pupil has SEND, it must have affected their behaviour on a particular occasion – this is a question of judgement for the school on the facts of the situation.

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<sup>22</sup> [Section 91](#) of the Education and Inspections Act 2006.

<sup>23</sup> [Section 91\(6\)\(b\)](#) of the Education and Inspections Act 2006.

58. Schools should consider whether a pupil's SEND has contributed to the misbehaviour and if so, whether it is appropriate and lawful to sanction the pupil. In considering this, schools should refer to the [Equality Act 2010 and schools guidance](#).
59. The school should also consider whether any reasonable adjustments need to be made to the sanction in response to any disability the pupil may have. It is also important for the schools to seek to try and understand the underlying causes of behaviour and whether additional support is needed.
60. In 2018 an Upper Tribunal judgment found that if a child in education has a recognised condition that is more likely to result in a tendency to physical abuse, that can be a disability.<sup>24</sup> As is explained above in paragraphs 57 and 58, this does not necessarily mean that a disabled child will be exempt from sanction.

## Supporting pupils following a sanction

61. Following a sanction, strategies should be considered to help all pupils to understand how to improve their behaviour and meet the behaviour expectations of the school. These might include:
- a targeted discussion with the pupil, including explaining what they did wrong, the impact of their actions, how they can do better in the future and what will happen if their behaviour fails to improve. This may also include advising them to apologise to the relevant person, if appropriate;
  - a phone call with parents, and the Virtual School Head for looked after children;
  - inquiries into the pupil's conduct with staff involved in teaching, supporting or supervising the pupil in school;
  - inquiries into circumstances outside of school, including at home, conducted by the designated safeguarding lead or a deputy; or
  - considering whether the support for behaviour management being provided remains appropriate (see paragraphs 95- 99).
62. Designated staff should be appropriately trained to deliver these interventions. These interventions are often part of a wider approach that involves the wellbeing and mental health of the pupil.

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<sup>24</sup> [\[2019\] AACR 10 \(C & C v The Governing Body of a School, The Secretary of State for Education \(First Interested Party\) and The National Autistic Society \(Second Interested Party\) \(SEN\) \[2018\] UKUT 269\(AAC\)\)](#).

## Detentions

63. A detention is a commonly used sanction, often used as a deterrent to future misbehaviour. It is typically a short period where the pupil is required to remain under supervision of school staff when their peers have been allowed to go home or to break.
64. When used, it should be done so consistently and fairly by staff. This process should be well known to all pupils and staff.

## What the law allows

65. Teachers have authority to issue detention to pupils, including same-day detentions.
66. A school's behaviour policy should make clear that detention (including detention outside of school hours) can be used as a possible sanction.
67. A detention outside normal school hours will be lawful if it meets the following conditions:
  - the conditions outlined in paragraph 70 below;
  - the pupil is under 18 (unless the detention is during lunch break);
  - the headteacher has communicated to pupils and parents that detentions outside school sessions may be used; and
  - the detention is held at any of the following times:
    - a) any school day where the pupil does not have permission to be absent;
    - b) weekends during term - except a weekend during, preceding or following the half term break; or
    - c) non-teaching days – usually referred to as 'training days', 'INSET days' or 'non-contact days', except if it falls on a public holiday, on a day which precedes the first day of term, during the half-term break, or after the last school day of the term.<sup>25</sup>
68. The headteacher can decide which members of staff can issue detentions. For example, a headteacher could limit the power to heads of year or heads of

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<sup>25</sup> [Education \(Excluded Days of Detention\) \(England\) Regulations 2007.](#)

department only, or they could decide that all members of staff, including support staff, can impose detentions. This should be laid out clearly in the behaviour policy and communicated clearly to all pupils, parents, and staff.

### **Matters schools should consider when imposing detentions**

69. Parental consent is not required for detentions that satisfy the conditions mentioned in paragraphs 65 - 66.
70. With lunchtime detentions, staff should allow reasonable time for the pupil to eat, drink and use the toilet.
71. School staff should not issue a detention where there is any reasonable concern that doing so would compromise a pupil's safety. When ensuring that a detention outside school hours is reasonable, staff issuing the detention should consider the following points:
  - whether the detention is likely to put the pupil at increased risk;
  - whether the pupil has known caring responsibilities;
  - whether the detention timing conflicts with a medical appointment;
  - whether 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 reasonably be made by the parent for the pupil. It does not matter if making these arrangements is inconvenient for the parent.

### **The use of reasonable force**

72. Detailed advice is available in [Use of Reasonable Force – advice for school leaders, staff and governing bodies](#). Headteachers and all school staff should read this guidance.
73. There are circumstances when it is appropriate for staff in schools to use reasonable force to safeguard children. The term 'reasonable force' covers the broad range of actions used by staff that involve a degree of physical contact to control or restrain children. 'Reasonable' in these circumstances means 'using no more force than is needed'.

74. 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 at the school or among pupils.<sup>26</sup>
75. Headteachers and authorised school staff may also use such force as is reasonable given the circumstances when conducting a search for knives or weapons, alcohol, illegal drugs, stolen items, tobacco, fireworks, pornographic images or articles that they reasonably suspect have been or are likely to be used to commit an offence or cause harm. Force may not be used to search for other items banned under the school rules.<sup>27</sup>
76. When considering using reasonable force staff should, in considering the risks, carefully recognise any specific vulnerabilities of the pupil, including SEND, mental health needs or medical conditions.

## Searching, screening and confiscation

77. Detailed guidance for schools can be found in [Searching, screening and confiscation at school](#). Headteachers and school staff should read this guidance.
78. School staff can confiscate, retain or dispose of a pupil's property as a disciplinary penalty in the same circumstances as other disciplinary penalties. The law protects staff from liability in any proceedings brought against them for any loss or damage to items they have confiscated, provided they acted lawfully. Staff should consider whether the confiscation is proportionate and consider any special circumstances relevant to the case.<sup>28</sup>

## Removal from classrooms

79. Removal is where a pupil, for serious disciplinary reasons, is required to spend a limited time out of the classroom at the instruction of a member of staff. This is to be differentiated from circumstances in which a pupil is asked to step outside of the classroom briefly for a conversation with a staff member and asked to return following this. The use of removal should allow for continuation of the pupil's education in a supervised setting. The continuous education provided may differ to the mainstream curriculum but should still be meaningful for the pupil.

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<sup>26</sup> [Section 93 of Education and Inspections Act 2006.](#)

<sup>27</sup> [Section 550ZB of the Education Act 1996.](#)

<sup>28</sup> [Section 94 of Education and Inspections Act 2006.](#)

80. Removal from the classroom should be considered a serious sanction. It should only be used when necessary and once other behavioural strategies in the classroom have been attempted, unless the behaviour is so extreme as to warrant immediate removal. Parents should be informed on the same day if their child has been removed from the classroom. As with all disciplinary measures, schools must consider whether the sanction is proportionate and consider whether there are any special considerations relevant to its imposition (see paragraphs 51 and 55 - 59).
81. Removal should be used for the following reasons:
- a) to maintain the safety of all pupils and to restore stability following an unreasonably high level of disruption;
  - b) to enable disruptive pupils to be taken to a place where education can be continued in a managed environment; and
  - c) to allow the pupil to regain calm in a safe space.
82. Removal should be distinguished from the use of separation spaces (sometimes known as sensory or nurture rooms) for non-disciplinary reasons. For instance, where a pupil is taken out of the classroom to regulate his or her emotions because of identified sensory overload as part of a planned response.

## **Governance of removal**

83. Headteachers should:
- a) make clear in the school behaviour policy that removal may be used as a response to serious misbehaviour;
  - b) maintain overall strategic oversight of the school's arrangements for any removals, as set out in the school's behaviour policy;
  - c) make sure the reasons that may lead to pupils being removed are transparent and known to all staff and pupils;
  - d) outline in the behaviour policy the principles governing the length of time that it is appropriate for a pupil to be in removal;
  - e) ensure that the removal location is in an appropriate area of the school and stocked with appropriate resources, is a suitable place to learn and refocus, and is supervised by trained members of staff; and
  - f) design a clear process for the reintegration of any pupil in removal into the classroom when appropriate and safe to do so.
84. Schools should collect, monitor and analyse removal data internally in order to interrogate repeat patterns and the effectiveness of the use of removal. Schools



should make data-based decisions to consider whether frequently removed pupils may benefit from additional and alternative approaches (see the section on initial intervention in paragraphs 95 - 99), a pastoral review or investigation by the Special Educational Needs Co-ordinator (SENCo), or whether specific departments or teachers may require more support.

85. Separately, schools should analyse the collected data to identify patterns relating to pupils sharing any of the protected characteristics and the removal policy is not having a disproportionate effect on pupils sharing particular protected characteristics (see also paragraphs 107-109.)<sup>29</sup>
86. When dealing with individual removal cases, headteachers and teachers should:
- a) consider whether any assessment of underlying factors of disruptive behaviour is needed;
  - b) facilitate reflection by the pupil on the behaviour that led to their removal from the classroom and what they can do to improve and avoid such behaviour in the future;
  - c) ensure that pupils are never locked in the room of their removal. There may be exceptional situations in which it is necessary to physically prevent a pupil from leaving a room in order to protect the safety of pupils and staff from immediate risk, but this would be a safety measure and not a disciplinary sanction and therefore is not covered by this section;
  - d) ensure that the Children and Families Act 2014, the Equality Act 2010 and regulations under those Acts are being complied with;<sup>30</sup> and
  - e) if a pupil has a social worker, including if they have a Child in Need plan, a Child Protection plan or are looked-after, notify their social worker. If the pupil is looked-after, ensure their Personal Education Plan is appropriately reviewed and amended and notify their Virtual School Head.
87. Pupils should not be removed from classrooms for prolonged periods of time without the explicit agreement of the headteacher. These pupils should be given extensive support to continue their education including targeted pastoral support aimed to improve behaviour so they can be reintegrated and succeed within the mainstream school community.

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<sup>29</sup> See [Equality Act 2010 and schools](#).

<sup>30</sup> See [Equality Act 2010 and schools](#).

88. Staff supervising areas used for removal should be suitably trained in both the school behaviour policy and the interpersonal skills necessary to manage pupils with a variety of challenging behaviours and contexts.

## **Suspension and permanent exclusion**

89. All pupils are entitled to an education where they are protected from disruption and can learn in a calm, safe and supportive environment. Headteachers can use suspension and permanent exclusion in response to serious incidents or in response to persistent poor behaviour which has not improved following in-school sanctions and interventions.
90. We are clear that we trust headteachers to use their own professional judgement based on individual circumstances when considering whether to suspend or permanently exclude a pupil. The circumstances that may warrant a suspension or permanent exclusion to occur can be found within the section 'Reasons and recording exclusions' within the ['Suspension and Permanent Exclusion from maintained schools, academies and pupil referral units in England including pupil movement guidance'](#).

## **Managed moves**

91. A managed move is used to initiate a process which leads to the transfer of a pupil to another mainstream school permanently. If a temporary move needs to occur to improve a pupil's behaviour, then off-site direction (as described in paragraphs 33 to 42 of the Suspension and Permanent Exclusion guidance) should be used. Managed moves should only occur when it is in the pupil's best interests.

## **Behaviour outside of school premises**

92. Schools have the power to sanction pupils for misbehaviour outside of the school premises to such an extent as is reasonable.
93. Maintained schools and academies' behaviour policies should set out what the school will do in response to non-criminal poor behaviour and bullying which occurs off the school premises or online and which is witnessed by a staff member or reported to the school, including the sanctions that will be imposed on pupils (see paragraphs 124 – 126 on suspected criminal behaviour). Schools should collaborate with local authorities to promote good behaviour on school transport.
94. Conduct outside the school premises, including online conduct, that schools might sanction pupils for include misbehaviour:

- when taking part in any school-organised or school-related activity;
- when travelling to or from school;
- when wearing school uniform;
- when in some other way identifiable as a pupil at the school;
- that could have repercussions for the orderly running of the school;
- that poses a threat to another pupil; or
- that could adversely affect the reputation of the school.

95. The decision to sanction a pupil will be lawful if it is made on the school premises or elsewhere at a time when the pupil is under the control or charge of a member of staff of the school.<sup>31</sup>

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<sup>31</sup> [Section 91 of the Education and Inspections Act 2006.](#)

# Preventing recurrence of misbehaviour

## Initial intervention following behavioural incidents

96. Schools should adopt a range of initial intervention strategies to help pupils manage their behaviour and to reduce the likelihood of suspension and permanent exclusion. This is achieved by helping pupils understand behavioural expectations and by providing support for pupils who struggle to meet those expectations. Some pupils will need more support than others and this should be provided as proactively as possible. It will often be necessary to deliver this support outside of the classroom, in small groups, or in one-to-one activities.
97. Schools should have a system in place to ensure relevant members of leadership and pastoral staff are aware of any pupil persistently misbehaving, whose behaviour is not improving following low-level sanctions, or whose behaviour reflects a sudden change from previous patterns of behaviour.
98. Examples of interventions schools can consider include:
  - frequent and open engagement with parents, including home visits if deemed necessary;
  - providing mentoring and coaching;
  - short-term behaviour report cards or longer-term behaviour plans;
  - pupil support units (see paragraphs 100 - 106); and
  - engaging with local partners and agencies to address specific challenges such as poor anger management, a lack of resilience and difficulties with peer relationships and social skills.
99. Initial intervention to address underlying factors leading to misbehaviour should include an assessment of whether appropriate provision is in place to support any SEND that a pupil may have. The 'graduated response' should be used to assess, plan, deliver and then review the needs of the pupil and the impact of the support being provided. If the pupil has an Education, Health and Care (EHC) plan, early contact with the local authority about the behavioural issues would be appropriate and an emergency review of the plan might be needed.
100. Where a school has serious concerns about a pupil's behaviour, it should consider whether a multi-agency assessment such as an early help assessment or statutory assessment that goes beyond the pupil's educational needs is required (see guidance [Working together to safeguard children](#)).

## Pupil support units

101. A pupil support unit is a planned intervention occurring in small groups and in place of mainstream lessons. The purpose of this unit can be two-fold:

- a) as a planned intervention for behavioural or pastoral reasons
- b) as a final preventative measure to support pupils at risk of exclusion.

In both circumstances, the underlying ambition should be to improve behaviour and maintain learning with the goal to successfully reintegrate pupils into mainstream lessons. The approach in the unit should be aligned to the culture of the whole school and compatible with the school's behaviour policy.

102. Most pupil support units are established solely to accommodate pupils from the school in which they are located, whilst some units, often termed 'in-school Alternative Provision (AP) units', are established to accommodate pupils from other schools as well. The placement of pupils from the local authority or a separate school into a unit is a form of alternative provision and those arranging and providing the placement must adhere to their legal duties, which are set out in legislation and summarised in the [Alternative Provision Statutory Guidance](#). When a placement is commissioned by another school, the pupils must be admitted in accordance with the 'host' school's published admissions arrangements and registered as a pupil at the 'host' school in accordance with the Education (Pupil Registration) (England) Regulations 2006. The pupil should remain dual-registered at the referring school.

103. All staff should ensure that the Children and Families Act 2014, the Equality Act 2010 and regulations under those Acts are being complied with.

104. Where a pupil has an Education, Health and Care (EHC) plan, the relevant statutory duties on the referring school and local authority will also continue to apply. The referring school should, where possible, contact the relevant authority at an early stage if it is contemplating a placement for a pupil with an EHC plan in a pupil support unit that is in another school. If the referring school wants to place a pupil with a plan in a unit that is in another school, the local authority will need to follow the statutory procedures for amending the setting on the plan.<sup>32</sup>

When developing a pupil support unit, schools should consider:

- referring pupils based on their needs, including sharing information on previous

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<sup>32</sup> The processes for amending a plan are set out in [Section 37](#) and [Section 44](#) of the [Children and Families Act 2014](#) and [Regulation 22](#) and [Regulation 28](#) of the [Special Educational Needs and Disability Regulations 2014](#).

behaviour incidents with multi-agency partners if appropriate and consulting with parents on the pupil support unit placement;

- delivering a broad and balanced curriculum offer that aligns to the curriculum in mainstream lessons, satisfies any relevant legal requirements regarding the school's curriculum,<sup>33</sup> and supports reintegration. The curriculum can be personalised to address specific support needs individual pupils may have;
- maintaining a positive, visible presence from school leaders to make the pupil support unit an integral part of the school;
- deploying staff with the appropriate skills set to the pupil support unit so pupils can be supported with their behaviour and learning needs to ensure effective impact and progress;
- reviewing reintegration plans at regular intervals; and
- actively involving pupils and parents in reintegration discussions.

105. Home schools should actively monitor the progress of all pupils in pupil support units, including those attending a unit at a different school.

106. Home schools should consider the distance and transport to the host unit when a pupil is attending a pupil support unit in a different school to the home school. This may involve collaborating with the local authority when the pupil is eligible for free home-to-school travel.

## Reintegration

107. Schools should have a strategy for reintegrating pupils following removal from the classroom, time spent in a pupil support unit, in another setting under off-site direction or following suspension. This may involve reintegration meetings between the school, pupils, parents and, if relevant, other agencies. Schools should consider what support is needed to help the pupil return to mainstream education and meet the expected standards of behaviour.

## Monitoring and evaluating school behaviour

108. Schools are encouraged to have strong and effective systems for data capture, including all components of the behaviour culture. This should be monitored and objectively analysed regularly by skilled staff. Schools should have a clear

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<sup>33</sup> [National curriculum in England: framework for key stages 1 to 4](#)

monitoring and evaluation cycle with engagement from school leaders; doing so assists with reporting on behaviour culture clearly and accurately.

109. Schools are encouraged to collect data from the following sources:

- behaviour incident data, including on removal from the classroom;
- attendance, permanent exclusion and suspension data;
- use of pupil support units, off-site directions and managed moves;
- incidents of searching, screening and confiscation; and
- anonymous surveys for staff, pupils, governors, trustees and other stakeholders on their perceptions and experiences of the school behaviour culture.

110. School leaders and staff should analyse data with an objective lens and from multiple perspectives: at school level, group level and individual staff and pupil level. School leaders should pose questions to drill down further to identify possible factors contributing to the behaviour, system problems or failure to provide appropriate support. Analysing the data by protected characteristic and using those findings to inform policy and practice may help a school ensure that it is meeting its duties under the Equality Act 2010.

## Guidance on specific behaviour issues

### Child-on-child sexual violence and sexual harassment

111. Following any report of child-on-child sexual violence or sexual harassment offline or online, schools should follow the general safeguarding principles set out in [Keeping children safe in education \(KCSIE\)](#) - especially Part 5. The designated safeguarding lead (or deputy) is the most appropriate person to advise on the school's initial response. Each incident should be considered on a case-by-case basis.
112. Schools should be clear in every aspect of their culture that sexual violence and sexual harassment are never acceptable, will not be tolerated and that pupils whose behaviour falls below expectations will be sanctioned. Schools should make clear to all staff the importance of challenging all inappropriate language and behaviour between pupils. Schools should refer to the [Respectful School Communities toolkit](#) for advice on creating a culture in which sexual harassment of all kinds is treated as unacceptable.
113. Schools should never normalise sexually abusive language or behaviour by treating it as 'banter', an inevitable fact of life or an expected part of growing up. They should advocate strenuously for high standards of conduct between pupils and staff; they should demonstrate and model manners, courtesy and dignified/respectful relationships.
114. Where relevant, pupils who fall short of these behaviour expectations may be sanctioned whilst other investigations by the police and/or children's social care are ongoing (see paragraphs 124-126 for suspected criminal behaviour).
115. Responding assertively to sexually inappropriate behaviour is an important intervention that helps prevent challenging, abusive and/or violent behaviour in the future. Part 5 of [KCSIE](#) provides guidance and links to external support for schools to access appropriate support for pupils exhibiting sexually inappropriate and/or harmful sexual behaviour.
116. It is essential that all victims are reassured they will be supported, kept safe, and are being taken seriously, regardless of how long it has taken them to come forward. Abuse that occurs online or outside of the school should not be downplayed and should be treated equally seriously. A victim should never be given the impression that they are creating a problem by reporting sexual violence or sexual harassment. Nor should a victim ever be made to feel ashamed for making a report or their experience minimised.
117. In instances where reports of sexual abuse or harassment are proven to be deliberately invented or malicious, the school should consider whether any



disciplinary action is appropriate for the individual who made it as per its own behaviour policy. As with all safeguarding matters, it will be important that the designated safeguarding lead is engaged and makes referrals into support services as appropriate.

## Behaviour incidents online

118. The way in which pupils relate to one another online can have a significant impact on the culture at school. Negative interactions online can damage the school's culture and can lead to school feeling like an unsafe place. Behaviour issues online can be very difficult to manage given issues of anonymity, and online incidents occur both on and off the school premises. Schools should be clear that even though the online space differs in many ways, the same standards of behaviour are expected online as apply offline, and that everyone should be treated with kindness, respect and dignity.
119. Inappropriate online behaviour including bullying, the use of inappropriate language, the soliciting and sharing of nude or semi-nude images and videos<sup>34</sup> and sexual harassment should be addressed in accordance with the same principles as offline behaviour, including following the child protection policy and speaking to the designated safeguarding lead (or deputy) when an incident raises a safeguarding concern. In cases where a school suspects a pupil of criminal behaviour online, they should follow the guidance in paragraphs 124-126.
120. When an incident involves nude or semi-nude images and/or videos, the member of staff should refer the incident to the designated safeguarding lead (or deputy) as the most appropriate person to advise on the school's response. Handling such reports or concerns can be especially complicated and schools should follow the principles as set out in [Keeping children safe in education](#). The UK Council for Internet Safety also provides the following guidance to support school staff and designated safeguarding leads: [Sharing nudes and semi-nudes: advice for education settings working with children and young people](#).
121. Many online behaviour incidents amongst young people occur outside the school day and off the school premises. Parents are responsible for this behaviour. However, often incidents that occur online will affect the school culture. Schools should have the confidence to sanction pupils when their behaviour online poses a threat or causes harm to another pupil, and/or could have repercussions for the

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<sup>34</sup> More information can be found in [Sharing nudes and semi-nudes: advice for education settings working with children and young people](#).

orderly running of the school, when the pupil is identifiable as a member of the school or if the behaviour could adversely affect the reputation of the school.

## Mobile phones

122. Headteachers should decide if mobile phones can be used during the school day. Many pupils, especially as they get older, will have one of their own. Allowing access to mobiles in school introduces complexity and risks, including distraction, disruption, bullying and abuse, and can be a detriment to learning. Headteachers should consider restricting or prohibiting mobile phones to reduce these risks.
123. If headteachers decide not to impose any restrictions on mobile phones, they should have a clear plan to mitigate the risks of allowing access to phones. This plan, as part of the school's behaviour policy, should outline the approach to mobile phones and be reiterated to all pupils, staff and parents throughout the school year. Headteachers should ensure it is consistently and fairly applied.

## Suspected criminal behaviour

124. In cases when a member of staff or headteacher suspects criminal behaviour, the school should make an initial assessment of whether an incident should be reported to the police only by gathering enough information to establish the facts of the case. These initial investigations should be fully documented, and schools should make every effort to preserve any relevant evidence. Once a decision is made to report the incident to police, schools should ensure any further action they take does not interfere with any police action taken. However, schools retain the discretion to continue investigations and enforce their own sanctions so long as it does not conflict with police action.<sup>35</sup>
125. When making a report to the police, it will often be appropriate to make in tandem a report to local children's social care. As set out in [Keeping children safe in education \(KCSIE\)](#), it would be expected in most cases that the designated safeguarding lead (or deputy) would take the lead.
126. Reports of child-on-child sexual violence and abuse can be especially difficult to manage and [Part 5 of KCSIE](#) provides guidance.

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<sup>35</sup> More information can be found in [When to call the police \(NPCC GUIDANCE\)](#).



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for Education

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