



Background

School Governing Bodies are required to provide a written statement of general principles relating to how the school manages behaviour and discipline. The Department for Education guidance is attached in the Appendix to this statement.

Morden Mount Primary School

The school's behaviour for learning policy ("Policy") was approved in Autumn 2022 and appears on the school website.

The Governing Body of Morden Mount Primary School requires the school policy to

- Ensure that every member of our school community understands that they have the right to feel safe, valued and respected and learn free from the disruption of others.
- Recognise that children want to behave well and should be given support to rectify any incidents of poor behaviour.
- Encourage the use of restorative solutions.
- Promote good behaviour through the use of rewards and, when appropriate, targeted sanctions.
- The school may sanction behaviour which occurs outside school where it is reasonable in all the circumstances (e.g. school trips, online bullying).
- Give clear guidance about the use of physical restraint or force and searching pupils and their property. Although this is not often required it is important that the school has a clear framework which staff must follow.
- The governing body also notes that violence or threatening behaviour, discrimination and sexual harassment will not be tolerated in any circumstances.

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Appendix: DFE Guidance on the role of governors in leading the management of behaviour.

1. Under Section 88(1) of the Education and Inspections Act 2006 (EIA), governing bodies must ensure that policies designed to promote good behaviour and discipline on the part of its pupils are pursued at the school.
2. Section 88(2) of the EIA requires the governing body to:
 - make, and from time to time review, a written statement of general principles to guide the head teacher in determining measures to promote good behaviour and discipline amongst pupils; and
 - notify the headteacher and give him or her related guidance if the governing body wants the school's behaviour policy to include particular measures or address particular issues.
3. When carrying out the functions under Section 88(2), the governing body must have regard to guidance issued by the Secretary of State. Paragraphs 6-11 below provide this statutory guidance.
4. Before making their statement of principles, the governing body must consult (in whatever manner they think appropriate) the head teacher, school staff, parents and pupils.
5. The School Information (England) (Amendment) Regulations 2012 requires schools to publish their written statement of principles on a website.



6. A guide to the law for school governors provides information on governors' other legal duties. See the Associated Resources section below for a link to the guide.

What must the governing body do?

7. The governing body must provide clear advice and guidance to the head teacher on which he/she can base the school behaviour policy.

8. This is particularly important in respect of teachers' powers to search, to use reasonable force and to discipline pupils for misbehaviour outside school. Although these powers may look straightforward in legal terms, they are not always fully understood by staff, pupils and parents, and staff can feel particularly vulnerable to challenge if they use them.

9. Clear advice and guidance from the governing body, which feeds directly into the behaviour policy, will help members of staff better understand the extent of their powers and how to use them. It will also help ensure that staff can be confident of the governing body's support if they follow that guidance.

10. While it is for each governing body to decide their own principles, we would always expect the governing body to notify the head teacher that the following should be covered in the school behaviour policy:

- Screening and searching pupils (including identifying in the school rules items which are banned and which may be searched for);
- The power to use reasonable force or make other physical contact;
- The power to discipline beyond the school gate;
- Pastoral care for school staff accused of misconduct; and

When a multi-agency assessment should be considered for pupils who display continuous disruptive behaviour.

11. In providing guidance to the head teacher, the governing body must not seek to hinder teachers' powers by including 'no searching' or 'no contact' policies, nor to restrict their power to discipline pupils for misbehaviour outside of school.

12. Governing bodies will also wish to consider their duty under section 175 of the Education Act 2002 requiring them to make arrangements to ensure that their functions are carried out with a view to safeguarding and promoting the welfare of children and their general duty to eliminate discrimination under section 149 of the Equality Act 2010.