



The school behaviour policy: the role of the governing body

Purpose of this document: To provide advice to governing bodies on issues to consider when preparing their written statement of behaviour principles. This document is intended to signpost you to such areas where there is some departmental information which may be of assistance to you.

Background: The governing body has a duty to produce, and review, a written statement of general principles to guide the head teacher in determining measures to promote good behaviour and discipline amongst pupils. When doing this, it is important to inform the head teacher of any legislative changes that may affect the policy. Your behaviour statement and advice should reflect a range of issues to ensure that it is sensible and inclusive. It needs to convey the overarching principles and does not need to include specific details of the school's behaviour policy.

The school behaviour policy

Schools are required to have a behaviour policy, which must include the school rules. As a governor, your role is not to write the policy, but to provide the head teacher with a clear written statement of principles. These principles should then be reviewed regularly and take into account any legislative or other changes that will affect your behaviour principles. Before making your statement, you must also consult parents, pupils, school staff and the head teacher (in whatever manner you think appropriate). From September 2012, schools are required to publish this set of principles on their website (The School Information (England) (Amendment) Regulations 2012).

Communicating information to the head teacher

While it is for each governing body to decide their own principles, statutory guidance from the Secretary of State recommends that you 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.

To create an effective and coherent behaviour policy statement, you need to reflect on a range of separate but related areas. You should continue to review the statutory [guidance](#) on behaviour, which is available on the

Department's [website](#). To ensure you comply with all of your legal duties, you may also wish to refer to the [Governor's guide to the law](#) as you review your school's behaviour, and any other, policies.

Checklist of key areas to consider when writing and reviewing your statement and principles

What	Important information to consider
Equalities	<p>In carrying out their duties (under section 88 of the Education and Inspections Act), governors must ensure that they comply with their duties under the Equality Act (EA) 2010. Of particular note is the public sector equality duty, set out in section 149 EA 2010. This requires that public authorities must, in the exercise of their functions, have due regard to the need to:</p> <ul style="list-style-type: none"> (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the EA 2010; (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
<p>Behaviour, including Anti-bullying</p>	<p>Section 89 of the Education and Inspections Act 2006:</p> <ul style="list-style-type: none"> • provides that every school must have measures to encourage good behaviour and prevent all forms of bullying amongst pupils. These measures should be part of the school's behaviour policy which must be communicated to all pupils, school staff and parents; and • gives head teachers the ability to discipline pupils for poor behaviour even when the pupil is not on school premises or under the lawful control of school staff.
<p>Pupils with special educational needs (SEN) and disabilities</p>	<p>The term SEN encompasses a wide range of types of need. The established categories of SEN are: specific learning difficulty, moderate learning difficulty, severe learning difficulty, profound and multiple learning difficulty, behavioural, emotional and social difficulties, speech, language and communications needs, hearing impairment, visual impairment, multi-sensory impairment, physical disability and autistic spectrum disorder. According to current research one in five pupils has SEN.</p> <p>Further to section 85 and Schedule 10 to the Equality Act 2010 schools (and local authorities) are required,</p>

	<p>amongst other things:</p> <ul style="list-style-type: none"> • not to discriminate against disabled people in their access to education for reasons relating to their disability; • to plan to increase progressively, and over time, access to schools by disabled pupils and prospective pupils. <p>Any policy on the use of reasonable force should acknowledge their legal duty to make reasonable adjustments for disabled children and children with special educational needs (SEN).</p>
Health and safety	<p>With regard to the Health and Safety at Work etc. Act 1974 and related Regulations, the EA 2010 does not require governors to place employees or pupils at an inappropriate risk if a health and safety issue arises. However, changes to policies and procedures and/or the provision of training may mitigate any health and safety risks that arise in relation to disabled people or pupils. The risk assessment process carried out to comply with health and safety legislation may provide an opportunity to consider adjustments required by the EA 2010.</p>
Exclusions	<p>The principles should properly reflect the school's approach to exclusions. Please note the system by which a governing body's decision to uphold a permanent exclusion can be challenged will change from September 2012.</p>
Pupil safety	<p>Governing bodies have a duty 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.</p>