

Learning behaviour

The Report of The Practitioners' Group
on School Behaviour and Discipline

Chair: Sir Alan Steer

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Our Core Beliefs

The report which follows is based on a series of six core beliefs, to which the Group collectively subscribes:

- The quality of learning, teaching and behaviour in schools are inseparable issues, and the responsibility of all staff;
- Poor behaviour cannot be tolerated as it is a denial of the right of pupils to learn and teachers to teach. To enable learning to take place preventative action is the most effective, but where this fails, schools must have clear, firm and intelligent strategies in place to help pupils manage their behaviour;
- There is no single solution to the problem of poor behaviour, but all schools have the potential to raise standards if they are consistent in implementing good practice in learning, teaching and behaviour management;
- Respect has to be given in order to be received. Parents and carers, pupils and teachers all need to operate in a culture of mutual regard;
- The support of parents is essential for the maintenance of good behaviour. Parents and schools each need to have a clear understanding of their rights and responsibilities;
- School leaders have a critical role in establishing high standards of learning, teaching and behaviour.

SEVEN KINGS HIGH SCHOOL

A Specialist Science & Technology College

HEADMASTER: SIR ALAN STEER, B.A., F.R.S.A.



"Friendship, Excellence & Opportunity"

Rt. Hon. Jacqui Smith MP
Minister of State for Schools and 14-19 Learners
Department for Education and Skills
Sanctuary Buildings
Great Smith Street
London SW1P 3BT

October 2005

Dear Jacqui,

Learning Behaviour

On behalf of the Practitioner Group on School Behaviour and Discipline, I am pleased to submit this report on pupil behaviour and school discipline. I trust that the report, and its recommendations, will be seen as assisting in the continued progress of our schools and our children and young people.

We have focussed on identifying practical suggestions relating to our terms of reference and drawing on our experiences as Heads and teachers currently working in schools. One major section of our report offers advice to our fellow practitioners on the kinds of practical approaches which can work in schools. Other sections of the report offer policy recommendations that for consideration by the Ministerial Stakeholder Group on Behaviour and Attendance. We wish our report to be seen as being both optimistic and aspirational in tone. This is reflected in a set of Core Beliefs to which, as a Group, we collectively subscribe and on which the report which follows is grounded.

Since commencing our work in June we have been greatly supported by the many excellent submissions, and oral evidence, both from inside and outside the education world. We have drawn upon this expertise in arriving at our conclusions and I would like to record my gratitude to all those contributors. As Chair I have enjoyed the good fortune to have an excellent group of practitioner colleagues, including representatives of the six main teacher professional associations and others with a particular track-record in improving pupil behaviour. We have all benefited greatly from the support of a very able secretariat.

Yours,

Sir Alan Steer
Chair: Practitioners' Group

Contents

	Core Beliefs	2
	Foreword	3
SECTION 1	Introduction	5
SECTION 2	Principles and Practice – What Works in Schools	10
	Consistent Approaches	12
	School Leadership	14
	Classroom Management, Learning and Teaching	16
	Rewards and Sanctions	18
	Behaviour Strategies and the Teaching of Good Behaviour	19
	Staff development and Support	21
	Pupil Support Systems	22
	Liaison with Parents and Other Agencies	24
	Managing Pupil Transition	26
	Organisation and Facilities	27
SECTION 3	Existing Initiatives on Behaviour	29
	Spreading Good Practice	34
	Training in Improving Behaviour	38
	Diet, Sport and the Wider Curriculum	42
	Exclusions and Alternative Provision	47
	Schools Working in Collaboration	57
	Parents	60
	Support and Guidance for Pupils and Parents	67
	School Building Design	76
	New Powers	79
Annex A	Membership of the Group	84
Annex B	Letter from the Prime Minister	86
Annex C	Glossary of Acronyms	88
Annex D	List of Policy Recommendations	89

Section 1: Introduction

The Nature of the Issue

1. Our experience as teachers, supported by evidence from Ofsted¹, is that the great majority of pupils work hard and behave well, and that most schools successfully manage behaviour to create an environment in which learners feel valued, cared for and safe. It is often the case that for pupils, school is a calm place in a disorderly world. We realise that this is not the case in every school, but in our experience, where unsatisfactory behaviour does occur, in the vast majority of cases it involves low level disruption in lessons. Incidents of serious misbehaviour, and especially acts of extreme violence remain exceptionally rare and are carried out by a very small proportion of pupils.
2. In the minority of schools where misbehaviour is more widespread, it is often true that there are failures in other areas too, and that the schools have been deemed by Ofsted to have “Serious Weaknesses” or to require “Special Measures”².
3. However, even for the most well managed schools, pockets of disruptive behaviour can cause problems. The main issue for teachers and for pupils is the effect of frequent, low level disruption. This has a wearing effect on staff, interrupts learning and creates a climate in which it is easier for more serious incidents to occur.

“The most common forms of misbehaviour are incessant chatter, calling out, inattention and other forms of nuisance that irritate staff and interrupt learning.”

Ofsted, *The Annual Report of HM’s Chief Inspector of Schools 2003/2004*, (February 2005)

4. Ofsted identify that in some schools there are concerns regarding behaviour at Key Stages 3 and 4. However the Group is mindful that learnt poor behaviour becomes manifest early on in pupils’ school careers. If not managed effectively, this can lead to pupils either excluding themselves or being excluded from school.
5. The core message of the 1989 report of the Committee of Enquiry into Discipline in Schools chaired by Lord Elton, about the need for a coherent whole school approach to promoting behaviour that is based on good relationships between all members of the school community, still holds true. Nevertheless, whilst the overall principles of good practice are well established, it is clear that not all school leaders nor all school staff are effectively implementing that practice. We recognise that schools now work in a very different world to that of 16 years ago. Changes in society have created new challenges. Equally, changes in technology have given rise to new opportunities, but also to new problems. We hope to deal with these in this report.

The Group’s Remit

6. We view the work of this Group as contributing to the implementation of *Every Child Matters*. The commitment that every child should have the support they need to be

¹ In 2003/04, Ofsted found that behaviour in 90% of primary schools, and 68% of secondary schools was either excellent or good. Unsatisfactory behaviour was only found in 1% of primary schools and 9% of secondary schools.

² In future, schools will have either a “Notice to Improve” or be placed in “Special Measures.”

healthy, stay safe, enjoy and achieve, make a positive contribution and achieve economic well-being has our full and enthusiastic support. Throughout our work, we kept these principles very much in mind and have aimed to reflect them in the conclusions and recommendations which follow.

7. The Group was established to advise on how good practice found in so many schools can be spread and embedded to the benefit of others. We were also asked to consider whether anything further needed to be done by policy makers to assist teachers and schools in their task, and what more might be done to engage parents' support. Our remit thus relates very much to implementation of good practice throughout schools.
8. We also regard the issue of behaviour and discipline as being integral to the planned development for schools over the next decade, including the introduction of extended schools. The school workforce will have to adapt to these changes, and we welcome the work done by others on workforce reform. In particular, the Chair would like to thank the Workforce Agreement Monitoring Group for allowing him to meet and consult with them.
9. Our Group consisted of 13 professional practitioners (including six members nominated by the main teacher professional associations), supported by two expert advisers. A list of Group members is attached at **Annex A**. As school leaders and members of the teaching profession, with particular interests and experience in successfully improving pupil behaviour, we were asked to identify key practical proposals to help raise standards of behaviour and discipline. We met over a period of four months, and our remit related specifically to England. We were asked to report our conclusions to a high level Ministerial Stakeholder Group, responsible for wider issues of behaviour and attendance.
10. Our full terms of reference were:

To consider and report to the Ministerial Stakeholder Group by the end of October 2005 on:

- *How effective practice in promoting positive behaviour and preventing misbehaviour can be embedded in all schools, drawing on the approaches currently used by successful schools, including specific consideration of:*
 - *how we can build up effective collaboration between schools;*
 - *whether teachers need further support through initial teacher training or professional development in managing behaviour;*
 - *whether there is merit in a national code of behaviour setting out the responsibilities of schools, pupils and parents in promoting good behaviour;*
- *whether there are any further developments in policy or new powers for head teachers which would help in enforcing school discipline, including specific consideration of the process for exclusion appeal panels; and*
- *how parents can be more effectively engaged in supporting schools in promoting good behaviour and respect.*

The Leadership Group will be expected to focus on practical proposals in those areas which are most likely to have the most significant impact on behaviour in schools.

11. Key aspects of these terms of reference – particularly as regards spreading good practice, making more effective use of exclusions and parental responsibility – were emphasised in a letter which the Prime Minister sent us on 18 July. A copy of the letter is attached at **Annex B**.

Working Methods

12. Issues around behaviour and discipline are complex and wide-ranging. In producing this report, we have focused particularly on the key issues within our remit and on issues that we feel most appropriately qualified to advise on from the perspective of the teaching profession. That includes views from different levels within the teaching profession - as reflected in a change in the name of the Group, agreed shortly after we began our work, from “Leadership Group” to “Practitioners’ Group”. We acknowledge that while our time and remit did not allow for significant consideration of pupil attendance or Special Educational Needs (SEN), these are extremely important issues with great relevance to pupil behaviour.

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The Group at 10 Downing Street

13. We met as a Group five times, and had a sixth meeting at 10 Downing Street on 20 July to discuss our emerging findings with the Prime Minister, the Secretary of State for Education and Skills and the Minister for Schools and 14-19 Learners. We were grateful to receive a wide range of excellent and very helpful evidence, from the teacher professional associations, a range of other national and local bodies, officials and individual experts in the field of school behaviour and attendance. In addition, we contacted the Department for Education and Skills’ Headteacher

Reference Groups for primary and secondary education; and with the Workforce Agreement Monitoring Group. We wish to record our appreciation of all the contributions we received, which have greatly informed and enriched our work. We should however emphasise that, while taking into account a variety of views and perspectives, the conclusions and recommendations in this report represent our own independent view as professional practitioners.

Issues for Further Consideration

14. The time scale of our work means that it was necessary to be selective about the issues we covered in detail, and those which we left for further consideration elsewhere. This was particularly the case with regards to further investigation of the issues around behaviour and pupils with SEN, and the specialist provision made available to them. We include some SEN related recommendations in chapter 5 of our report. We believe however that this is an extremely important issue, needing separate and further consideration.

Recommendation 1.1.1: the DfES should look separately at how to improve the quality of provision for those with behavioural, emotional and social difficulties (BESD), in particular the recruitment and retention of high quality staff and minimising bureaucracy.

15. We also note that there has been no major recent international study to compare and evaluate behaviour policies in countries with highly developed economies like the UK. We believe that such a study would be extremely useful, both in terms of securing an independent external evaluation of the effectiveness of UK initiatives and to draw on relevant experience from other countries facing similar issues. The lack of such a recent study is, we understand, a significant gap in the work programme of the Organisation for Economic Co-operation and Development (OECD), which has produced a series of high quality studies of other key areas of education policy. We understand the OECD has established an international network on school bullying and violence, in which the UK is participating, but this has a more specific focus. We hope that the UK will actively encourage the OECD to mount a broader, in-depth review across the range of behaviour related issues.

Recommendation 1.1.2: the UK should urge Organisation for Economic Co-operation and Development (OECD) to undertake a comparative international study to evaluate and share good practice on school discipline and behaviour management, as part of the on-going OECD programme of international thematic reviews.

16. Finally, as a Group we are concerned about pupil mobility; how it impacts on the pupil and their behaviour; how high levels of pupil mobility can impact on a school at large and the scope there is for a pupil to be 'lost' from the school system. This is particularly true when a pupil is removed from school because of a dispute between their parents and the school or local authority.

Recommendation 1.1.3: the DfES should commission research on how school admissions systems can be managed to help schools affected by high levels of pupil mobility.

Structure of the Report

17. The report is grounded on a set of Core Beliefs, to which the Group collectively subscribes. We set these out at the very beginning of our report, together with a letter from our Chair to the Minister for Schools and 14-19 Learners. Following this, the report falls into the following sections:
 - **Section 1:** Introduction: setting out the nature of the issue, the Group's remit and working methods, and our recommendations on issues which we believe need separate and further consideration.
 - **Section 2:** Principles and practice: what works in schools. This identifies those practices which we believe should be found in all schools, with some case study examples.
 - **Section 3:** Policy recommendations.
 - **Recommendations:** a chronological list, drawn from the 3 earlier sections of the report.
 - **Annexes**

18. We welcome the decision to consult the teaching profession through the use of a practitioners' group. We realise that we have only been able to consider part of what is a profound issue, but believe that our recommendations, if acted upon, will contribute to raising standards of learning and behaviour within our schools. We have found our work both stimulating and challenging and we hope that the government will consult with other practitioners' groups in the future.

Section 2: Principles and Practice - What Works in Schools

19. The Group was asked to identify practical examples of good practice that promote good behaviour and that can be adopted by all schools. In this section of our report we have identified aspects of practice that create the right conditions for good behaviour to be learnt. As practitioners, we recognise that most school staff work hard to support pupils in managing their behaviour and are successful. Some staff, however, do not find this easy and systems in school should ensure a minimum level of support to help them carry out their duties.
20. Examples of good practice come from primary and secondary schools. While we accept some practice is phase specific, we also believe it is important for pupils' emotional, social and behavioural skills developed at primary school to be reinforced and extended as pupils move through secondary schools. There is a similar need for pupils' skills to be developed when transferring into special schools or Pupil Referral Units.
21. The Elton Report noted that "bad behaviour in schools is a complex problem which does not lend itself to simple solutions".³ As practitioners, we believe that remains as true and relevant today as it was in 1989. However, there are strategies and practices that if applied consistently will do much to raise standards of behaviour.
22. Consistent experience of good teaching promotes good behaviour. But schools also need to have positive strategies for managing pupil behaviour that help pupils understand their school's expectations, underpinned by a clear range of rewards and sanctions, which are applied fairly and consistently by all staff. It is also vital to teach pupils how to behave – good behaviour has to be learned – so schools must adopt procedures and practices that help pupils learn how to behave. Good behaviour has to be modelled by all staff all of the time in their interaction with pupils. For their part, staff need training and support to understand and manage pupil behaviour effectively.

"The great majority of pupils enjoy school, work hard and behave well. A strong sense of community and positive engagement with parents are features of schools where behaviour is good."

Ofsted, *The Annual Report of HM's Chief Inspector of Schools 2003/2004*, (February 2005)

"Well disciplined schools create a whole school environment that is conducive to good discipline rather than reacting to particular incidents...There is collaboration and co-operation at the whole school level, the school is student oriented and focuses on the causes of indiscipline rather than the symptoms. Prevention rather than punishment is central. Head teachers play a key role in developing policies and practices alongside other key members of staff and teachers as a whole are committed to the pupils and their work. Most routine discipline problems are dealt with by teachers themselves and there are strong links with parents and community agencies."

Wayson et al 1982, quoted in British Psychological Society, *Submission to the Group*

³ Committee of Enquiry chaired by Lord Elton, *Discipline in Schools*, (January 1989) Section 2, Paragraph 25

23. Schools are not value free communities and the effectiveness of any practice will be determined by the values and expectations that are agreed by all. Schools work hard to promote respect for all, but this work can be undermined when pupils, staff or parents and carers do not comply with the general expectation. The key to being able to articulate the values a school stands for should be contained in coherent, clear and well communicated policies that are supported by effective practice.

Recommendation 2.1.1: Schools should review their behaviour, learning and teaching policies and undertake an audit of pupil behaviour.

24. In undertaking the audit schools should reflect on **ten aspects** of school practice that, when effective, contribute to the quality of pupil behaviour:

- a consistent approach to behaviour management, teaching and learning;
- school leadership;
- classroom management, learning and teaching;
- rewards and sanctions;
- behaviour strategies and the teaching of good behaviour;
- staff development and support;
- pupil support systems;
- liaison with parents and other agencies;
- managing pupil transition; and
- organisation and facilities.

25. The Primary and Secondary National Strategies have developed tools to help schools audit these aspects of practice, together with case studies. We hope schools staff will review their practice, assessing their needs and using specific case studies to support them improve pupils' behaviour.

A Consistent Approach to Behaviour Management, Teaching and Learning

26. There are a number of ways to achieve a consistent approach to behaviour management, teaching and learning. For example, some primary schools have a “yellow card” system at lunchtimes. If any pupil presents poor behaviour they are given a yellow card. If they have three cards at any one time they get an automatic detention.

“Any member of staff teaching or support staff can issue a card. The pupil must get a member of staff to acknowledge them presenting good behaviour on two separate occasions before the pupil can hand the yellow card back to a member of staff.

“Initially we were inundated with cards but now the system acts as a deterrent and so we find that the number of cards in circulation is very small. A consistent approach to the use of the system by all staff is what has made it so successful.”

27. Similarly, many secondary schools identify pupils who are persistent offenders or are beginning to be noticed because of “low level” disruption. Where this occurs, **all schools should:**
- ensure staff follow through issues with pupils indicating what must be done to improve;
 - ensure that staff discuss with parents the school's concerns and agree a common way of working to help pupils make improvements to their behaviour; and
 - establish the best way of communicating with parents and provide regular feedback on the progress being made.
28. **We believe consistent experience of good teaching engages pupils in their learning and this reduces instances of poor behaviour.** The consistent application of good behaviour management strategies helps pupils understand the school's expectations and allows staff to be mutually supportive.

All schools should:

- assess staff's needs and build into their in-service training programmes specific opportunities to discuss and learn about behaviour. In doing this, schools should consider the range of professional support they can buy in, taking advice as appropriate from the local authority;
- identify those pupils who have learning and behavioural difficulties, or come from communities or homes that are in crisis, and agree with staff common ways of managing and meeting their particular needs;
- ensure that senior colleagues are highly visible at particular times of the day, to support staff and maintain a sense of calm and order. Critical times in a school day are at the beginning, break and lunch times, changes of lessons (in secondary schools), and the end of the school day; and

- ensure that senior managers regularly walk their building, going into classrooms and assessing how well staff are consistently applying the school's policies on behaviour improvement.
29. Senior staff's regular presence around the school building helps them to observe how policies on behaviour, discipline, rewards and sanctions are being implemented. Along with more formal evaluation mechanisms, this enables senior staff to assess the effectiveness of the policies and to ensure that the policies are being consistently applied. We believe that no school policy is of any value if it is not understood and applied consistently by all staff.

School Leadership

30. Effective leadership in schools is central when creating a climate of security and good order that supports pupils in managing their behaviour. Head teachers and governors have a critical role in identifying and developing values and expectations that are shared by pupils, parents and staff.
31. Head teachers and members of the school leadership team have a responsibility to 'lead from the front'. However leadership to support positive behaviour must be shared across the whole staff, including senior and subject leaders, pastoral staff, classroom teachers and support staff. Parents have a responsibility to support the high expectations of the school. Governors play a pivotal role in monitoring and supporting the policies they have adopted.

"As a senior leadership team we pay a lot of attention to problem areas in the school day and environment. Our job is strategic – to identify where those problem areas are and plan a system to deal with them. But we also need to model the systems – I am out on bus duty most days, for example. If I wasn't visible to pupils, staff and parents I would soon lose my credibility as a leader."

32. There are many ways in which senior managers can support their colleagues:

"To support the all members of staff we have a member of the leadership or middle leader team on duty every lesson of the week. This person walks the school 'on duty' to ask any pupil out of a lesson who has given them permission to be out and why. They carry a duty mobile phone so that they can be contacted immediately if any member of staff needs support.

Since we instigated the system the number of referrals has decreased due to the immediate action that can be taken. Records of pupils out of class are made and a member of the support staff undertakes an analysis to look for patterns or individual pupils who are out of class. Staff say they like the system as they feel more visibly supported."

All schools should:

- in partnership with parents, set high expectation for pupils and staff in all aspects of the school's life and show how they are to be met. For example:
 - by clear codes of conduct
 - by guidance on how to improve their work
 - a dress code
- ensure senior leaders use opportunities such as assemblies to articulate their expectations and reinforce them by their visibility around the building during the day;
- ensure senior leaders model the behaviour and social skills they want pupils and staff to use;
- ensure staff are sufficiently trained and supported and know how to exercise their individual responsibility in the implementation of the school's behaviour policy;

- recognise that leaders at all levels require training if they are to act as mentors to less experienced staff; and
- clearly identify the responsibilities and roles of senior staff for behaviour improvement.

Classroom Management, Learning and Teaching

33. Schools must ensure an appropriate curriculum is offered, which must be accessible to pupils of all abilities and aptitudes. Schools should develop a Learning and Teaching policy that identifies the teaching and classroom management strategies to be followed by all staff. Consultation on the policy would involve all members of the school community. We believe that this approach, when supported by high quality assessment, assists pupils to learn and teachers to teach. By engaging pupils more effectively, standards of behaviour improves.

“Our Learning and Teaching policy identifies teaching and classroom management strategies which we all follow. It is a ‘must do’ document, but we find this to be supportive rather than restrictive. By having a common approach to what we call baseline issues we support each other and pupils understand our expectations. Above that common baseline the school culture is to encourage us all to be innovative and creative. Our policy is reviewed each year by teachers and is a subject for constant discussion. It links to our training programme so we have the support to improve our teaching. The focus on learning and teaching makes feel truly professional and the impact on pupil’ attitude and behaviour is striking.”

34. To ensure pupils, teachers and support staff all understand the school’s expectation there is a need for a clear and positively worded Code of Conduct.

“Every classroom has a ‘Code of Conduct’ notice on the wall. This code has been agreed by all staff and we involved all pupils in discussions as to what should be allowed and what should not be acceptable in lessons. We decide as a staff to remind all pupils of the code on a different lesson each week. We announce at briefing which lesson we all agree to reinforce the messages in the Code.”

35. Similarly, there need to be agreed procedures for support staff.

All schools should:

- ensure all staff follow the learning and teaching policy and behaviour code and apply agreed procedures;
- plan lessons well, using strategies appropriate to the ability of the pupils;
- use commonly agreed classroom management and behaviour strategies; such as a formal way to start lessons. In secondary schools this could include: all pupils being greeted by the door, brought into the classroom, stood behind their chairs, formally welcomed, asked to sit and the teacher explaining the purpose of the lesson;
- offer pupils the opportunity to take responsibility for aspects of their learning, work together in pairs, groups and as a whole class;
- use Assessment for Learning techniques, such as peer and self assessment, to increase pupils’ involvement in their learning and promote good behaviour;
- collect data on pupils’ behaviour and learning and use it, for example, to plan future groupings and to target support on areas where pupils have the greatest

difficulty;

- ensure that all teachers operate a classroom seating plan. This practice needs to be continued after transfer to secondary school. Educational research shows that where pupils are allowed to determine where they sit, their social interactions can inhibit teaching and create behaviour problems;
- ensure teachers build into their lessons opportunities to receive feedback from pupils on their progress and their future learning needs;
- recognise that pupils are knowledgeable about their school experience, and have views about what helps them learn and how others' poor behaviour stops them from learning; and
- give opportunities for class, year and school councils to discuss and make recommendations about behaviour, including bullying, and the effectiveness of rewards and sanctions.

“As a staff we have drawn up agreed guidelines of how support staff can be involved in managing pupil behaviour in classrooms. Before we did this both teachers and support staff were unsure of what each could expect of each other.”

36. We believe homework can be a major source of challenge that often results in confrontation. Planning homework carefully and setting it early in a lesson can significantly increase the number of pupils who subsequently have a clear understanding of what is expected of them. This is particularly helpful to pupils with special educational needs, who can be disadvantaged by the volume of work presented.

Rewards and Sanctions

37. As experienced practitioners we know many schools have excellent systems in place to reward good work and behaviour. However we believe some schools use sanctions to enforce good behaviour and neglect the use of appropriate rewards.

“We introduced reward postcards. Each day every teacher was expected to send one reward postcard home to a set of parents/carers. The focus for the reward would change on a weekly basis to ensure that the widest possible number of students became eligible.

“One week the focus might be on best homework produced, on another biggest improvement in effort, or highest quality of work achieved today. This had the effect of improving relationships with parents who were tired of receiving letters and phone calls when things went wrong.

38. Schools should provide a range of opportunities in which pupils can excel and be rewarded. Of equal importance is a practical set of sanctions that deal appropriately with poor behaviour.

“Simple sanctions are more effective than exclusion from class. We use sanctions in a matter of fact way expressed as a consequence of the way the pupil has chosen to behave, always trying to avoid escalating conflict. It is vital to pre-empt dispute. A teacher may ‘tow’ a pupil around with them all day. We always have a stock of clean school uniform and P.E. kit available and just expect pupils to put them on.”

“There is a room for withdrawal at certain points, but not a permanent ‘sin bin’. We plan week by week asking ourselves – do we need to have a withdrawal room this week, or not? We might feel that we need to have a room to tighten up on behaviour. When we have a room we log all children sent there – which children, which lessons, which teacher, which times of day. This gives us valuable management information, which we follow up with class teachers, subject heads of department, pastoral staff and parents.”

All schools should:

- have a wide range of appropriate rewards and sanctions and ensure they are applied fairly and consistently by all staff;
 - ensure that planning about behaviour improvement is informed by statistical information about the use of rewards and sanctions – for example, how many pupils in a given period have received rewards for completion of homework on time, and how many have had a detention for failing to do so; and
 - ensure their systems identify which matters should be dealt with by classroom teachers and those which require referral to a more senior member of staff;
39. In schools with good standards of behaviour, there is a balance between the use of rewards and sanctions. Praise is used to motivate and encourage pupils. At the same time, pupils are aware of sanctions that will be applied for poor behaviour.

Behaviour Strategies and the Teaching of Good Behaviour

40. The school's policies on behaviour and learning and teaching will create an ordered school climate that is supported by clear rewards and sanctions. It is critical that these policies are communicated to all staff (particularly part time, new and supply staff) and of course, pupils and their parents.

“As a staff we reinforce the behaviour we expect from pupils on a regular basis. Pupils who are struggling to behave well in class are identified and get special one to one coaching by a member of the support staff who has received specific training on behaviour and anger management strategies.”

All schools should:

- ensure all staff understand and use consistently, the behaviour management strategies agreed by the governing body and school community;
- effective policy and practice is based on accurate information. School staff should use pupil tracking systems to identify positive and negative behaviour; and
- ensure all staff joining the school (including supply teachers) are given clear guidance and use the school's systems and its expectations for behaviour.

“We found that 50% of our behaviour issues emanated from the 7% of lessons taught by supply teachers. So now we have someone who is head of this department who monitors the quality of learning and teaching in these lessons. Lessons set by absent staff all go through this postholder. There is evidence that lessons have improved and as a result there are fewer behaviour problems. We have now changed our policy on supply and are employing our own cover teachers.”

41. Understanding how to behave has to be taught. Schools must adopt procedure and practices that help pupil learn how to behave appropriately Good behaviour must be modelled by adults in their interactions with pupils.
42. The National Primary and Secondary Strategies on Behaviour and Attendance offer schools practical materials to help develop pupil's emotional, social and behaviour skills.

All schools should:

- use the National Strategies materials to develop pupil's emotional, social and behavioural skills. This would involve:
 - familiarising staff with the SEAL and SEBS materials⁴ that can be used through the taught curriculum to develop pupils' emotional literacy;
 - developing and using a common language to describe behaviour;
 - agreeing with staff how they will teach pupils to manage strong feelings, resolve conflict, work and play cooperatively and be respectful and

⁴ See Section 3, Chapter 1, for further details.

considerate; and

- arranging additional small group support for pupils who need it.

43. As Practitioners we are aware that there are many policies and practices to develop good behaviour in the early years of education that are applicable to older pupils. It is important that schools build on the skills pupils have developed. We recognise that children learn respect by receiving it. How staff speak to pupils and praise them helps motivate them to do well. By not taking account of pupil's prior learning, secondary schools can inadvertently deskill and de-motivate them. For some pupils this will result in alienation by the end of Year 8.

Staff Development and Support

44. All staff in schools should be provided with the skills to understand and manage pupil behaviour effectively. This as important for heads as it is for Newly Qualified Teachers and support staff. Training and coaching are both vital elements of a high quality professional development programme. These must be made available for staff taking up a new post and form part of a regular training programme.

“Our senior managers recognise that, as the term goes on and we get tired, we sometimes forget to follow through agreed practices. In briefings, they gently remind us, about simple things like smiling at children, saying good morning and getting to classrooms on time. You can’t do this once, or twice a year; it has to be every two, or three weeks. Then we take a shared whole staff focus for our own behaviour. We might identify a group of children whose behaviour presents problems and all make a point of saying something positive to them when we meet them in lessons, or around the school.”

“As part of staff induction we provide a series of relaxed after school sessions, over a cup of coffee, for all new staff. We encourage teaching and support staff to attend these sessions and cover all aspects of school life during the term with a different speaker each time and then discussion. We find that the mix of leadership team members through Newly Qualified Teachers to support staff leads to a rich exchange of ideas and is a great way for people to meet and get to know each other.”

“Our performance management system is key. All staff grade themselves as needing support, doing well, or having strengths they can offer to others. This is then drawn together so a teacher who is good in one aspect of classroom management can work with others who have identified a learning need.”

All schools should:

- provide regular opportunities for all staff to share and develop their skills in promoting positive behaviour;
- monitor the effectiveness of the behaviour management techniques used by the school as part of the school performance management system;
- ensure funds are allocated within training budgets to enable support staff to be involved in training programmes with teachers using a variety of expertise including specialist advisory teachers;
- ensure that all staff joining the school receive induction training. This need applies equally to Newly Qualified Teachers, senior managers and experienced teachers from other schools whose needs are often neglected;
- create opportunities for staff to learn from the expertise of those with a particular responsibility for pupils whose behaviour is challenging. This could include teachers who manage Nurture Groups, Learning Support Units or other provision, and specialist advisory staff; and
- develop the specialist skills of staff who have particular leadership responsibilities for improving behaviour.

Pupil Support Systems

45. We believe it is important for schools to have effective pastoral support systems. We recognise that in primary and special schools this is the responsibility of the head teacher and often their deputy. Secondary schools use pastoral support teams. Dealing with the pastoral needs of pupils can requires the school to use external agencies, such as those services provided by the local authority, police, health, social services and other agencies.

All schools should:

- recognise that a good pastoral system involves teachers and support staff. Schools should use Teaching and Learning Responsibility points to support this work;
 - ensure that staff allocated with pastoral responsibilities:
 - have appropriate time to carry out their task;
 - are appropriately trained;
 - have adequate administration support; and
 - have access to specialist support. These might include, as appropriate services such as educational psychologists, Education Welfare Officers, Child and Adolescent Mental Health Services, and Speech and Language Specialists. For secondary schools, it would in future, include Targeted Youth Support Teams.
 - recognise that pupil support is not just about behaviour. Poor pastoral support just focuses on 'naughty pupils'. Good pastoral support is concerned with academic attainment and developing pupils' ability to become good citizens;
 - ensure that pastoral staff understand and are responsive to the needs of particular groups within the school and wider community; and
 - ensure that pupils are helped to identify as belonging to a community by sharing a common dress code. The dress code should be arrived at after consultation with parents.
46. A society is judged by how it cares for the most vulnerable. Similarly, schools are often judged by parents by how they ensure that pupils are not victimised, bullied or harassed. *Every Child Matters* identifies that children should feel safe, be healthy, and enjoy and achieve in school. This cannot take place in a climate that allows bullying, harassment and oppressive behaviour to thrive.

“As part of our anti-bullying strategy we placed a post box near reception so that any pupil could, anonymously, report any incidence of bullying. All referrals were followed up. Whilst initially the number of *reported* incidents of bullying increased, we believe that incidents of bullying across the whole school actually declined.”

All schools should:

- regularly make clear to pupils, parents and staff, that bullying, harassment and oppressive behaviour in any form is totally unacceptable and will not be tolerated;
- ensure that bullying, harassment and oppressive behaviour is punished;
- adopt the Anti-Bullying Charter for Action; and
- use the Anti-Bullying Charter for Action to involve pupils in creating systems to support each other. Schools should consider the use of strategies such as Restorative Justice or “buddying” and “befriending” systems.

47. We applaud those schools that have appointed a range of support staff to work with parents, allowing for early intervention and support when problems arise. In the next section of our report, we will suggest how this might be developed further for all schools.

“We pooled our local authority’s inclusion budget with our Education Action Zone schools to appoint a Social Worker whose time was split between the schools. When working for a particular school she worked under the direction of the head teacher with a range of hard to reach pupils. As a result of being free of her social services commitments she had more flexibility to respond to the schools needs and time to liaise with school colleagues and Education Welfare Officers. She was particularly effective in facilitating meetings between the school and home where relationships had broken down.”

Liaison with Parents and other Agencies

48. In managing pupil behaviour schools need the support of parents and carers. Primary schools have more opportunities to meet on a daily basis with parents and carers than secondary schools. Primary schools can more easily identify that where they work in partnership with parents and carers there is an improvement in pupil behaviour. Where parents and carers do not cooperate with the school, improvement is minimal.
49. Opportunities to meet with parents and carers at secondary school are more limited, as pupils by and large make their own way to school. This means that secondary schools need to be more active in linking with parents and carers to help pupils who have difficulty with their attitudes and behaviour.

“We identified a core team of professionals including the school counsellor, Education Welfare Officer, Connexions Adviser, Youth Tutor, Head of Year, School Nurse, and others as appropriate to run parent “information” evenings that focused on building relationships/communication issues with adolescents. By running the evenings as information sharing it avoided the concept of “poor parenting.”

“We trained a member of our existing support staff team to organise first day absence phone calls. We found that this person already possessed excellent negotiation skills, which we developed further with training and he soon built a rapport with many of our parents that had been considered unsupportive to the school’s aims in the past. Before long he was texting some parents, emailing others as well as having regular phone contact with a number of other parents. The lines of communication improved rapidly and it had a remarkably positive impact on both attendance as well as pupil behaviour.”

All schools should:

- ensure that reception and other support staff and teachers are trained, so that they are welcoming, and have the skills to deal with difficult parental conversations;
- have clear and well understood procedures in place, for dealing with distressed and angry parents;
- ensure staff receive professional external training, from local authorities or other agencies, in managing and dealing with people’s anger;
- ensure parents and carers hear from the school when their children are doing well so that the first contact is positive. There is a greater willingness to work with the school when the parent or carer believes the school has the pupil’s best interest at heart
- allocate sufficient resources to allow the school to communicate effectively with parents and carers; and
- take advantage of new technology such as emails and mobile phones to improve communications with parents and carers. This should not replace personal contact.

50. As practitioners we regard it as vital that schools maintain the trust and confidence of parents who are our partners in educating children. We accept that good liaison takes time, is demanding and requires resources. In section 3, we suggest a way in which schools may wish to develop this through Pupil Parent Support Workers.
51. Parents need to be aware, when dealing with the school, that it is helpful if they, like the staff, try to model appropriate behaviour for their children to see. Abusive and intimidating behaviour can come about through frustration, but should not be tolerated. Schools have legal powers to deal with this and should involve the police as appropriate.
52. Schools by themselves cannot resolve all the issues that some children come to school with. Liaison with other agencies takes a great deal of time and can be frustrating where the priorities of each partner are not well understood by the others. However, despite the frustrations that can occur, we believe that working with other agencies is important. We know, through the Behaviour Improvement Programme, where resources are enhanced to enable agencies to work together, that pupils, parents and communities benefit.

"Our local Constabulary have worked with a number of secondary schools in the city, allocating dedicated officers on either a part time or full time basis on school sites. These officers have worked with school leaders to promote safe learning environments, assisting in the management of incidents that occur from time to time in the neighbourhood surrounding the school, working with school based attendance teams on tackling truancy and providing input into Personal, Social and Health Education programmes. The response of the community, students, staff and parents has been very positive and has enabled schools to develop a range of strategies for dealing with situations that may otherwise threaten safety and well being. The scheme has been so successful that it is being extended."

Managing Pupil Transition

53. Early Years education and work in the Foundation Stage provide examples of good practice in the induction of pupils. Personal development and pupils' skills are assessed to help them settle. Subsequent transition is not always successful. Irrespective of age, pupils may find moves between Key Stages and between schools unsettling.
54. Some schools are adversely affected by high pupil mobility. This results in large numbers of children arriving and leaving at times other than the beginning and end of the school year. These pupils in particular require a great deal of support.
55. Primary schools supply secondary schools with helpful information about individual pupils. Schools also need systems to track those pupils who have been identified as at risk, including by agencies working with children and families, and allocate resources to help them in the transition.

"We found that transition from primary to secondary was leading to behaviour difficulties. We asked Year 6 teachers from our partner primary schools to come in and track the pupils they had taught for a day. They then reported to us on whether the pupil had made progress in academic work and behaviour. This has radically changed what we now do in Year 7"

"Prior to transferring to Secondary School we identified a core group of 'at risk' youngsters and initiated a programme of behaviour/anger management sessions for the first term in school. Y9 mentors were attached to each pupil to keep them on track and act as a 'buddy'. This provided leadership opportunities for the Year 9 students as well as supporting the induction of vulnerable Year 7 pupils."

All schools should:

- ensure that teachers receiving a new class at the beginning of the year be given appropriate information to help the teacher plan work and manage the class;
 - ensure that the class teacher builds on the social, emotional and behavioural skills developed by the previous teacher;
 - where there is high mobility, consider managed entrance, at the beginning of each week, to stop the day by day arrival of pupils;
 - develop buddy systems, using pupils to support each other, and allocate named staff to act as mentors for a time limited period for new arrivals; and
 - draw on the expertise of specialist local authority services, such as Traveller education teams.
56. Changes of class, moving to new teachers and new schools causes pupils and parents anxiety. As professionals, we recognise, if we get this wrong it can adversely affect pupils' motivation, attitude, attainment and behaviour. Working constructively with parents and others can significantly reduce this stress.

Organisation and Facilities

57. The school ethos is communicated in actions as well as words. A school's set of values can be supported or undermined by such things as timetabling arrangements, the degree of movement between lessons and the management of break and lunchtimes. The quality of social areas has an impact, as does the provision of and access to toilets. Pupils' attitudes can be positively or negatively influenced by the ambience of the dining area and quality of food. How parents and pupils are greeted and received determines their attitudes and subsequent behaviour towards the schools.

"When we timetable we make every effort to ensure that pupils have a practical experience each day. If teachers have to move between rooms we ensure that this only happens to those who are senior and experienced. We constantly monitor the group dynamics of classes to ensure that we avoid any developing a negative ethos. We also looked at the organisation of our school day. We have a long morning and a short afternoon with assembly being after lunch. This means that pupils are in lessons ten minutes after arriving at school and when they are fresh and most receptive."

"We try to prevent future problems by how we organise. We identify classes that are more challenging and ensure that a significant proportion of their lessons are taught by experienced senior staff. We make sure that no class has too many student teachers in a year"

All schools should:

- recognise that good behaviour and learning are improved when pupils and staff enjoy an attractive, clean environment;
- ensure that when graffiti and mess occurs, it is cleaned up immediately;
- ensure that toilets are clean throughout the day, have soap, paper towels or hand dryers, and are accessible;
- ensure that social areas in the school, are identified and seating provided to encourage pupil to interact.
- zone the play-areas so that there is a separation between boisterous activities and quiet areas;
- ensure that timetabling arrangements are checked to see whether they cause difficulties for particular groups of pupils and teachers, for example:
 - that teachers are not timetabled, for a second year with classes that they had a poor relationships with the previous year;
 - that pupils with reading difficulty are not timetabled for a whole day without some lesson where they have a practical activity;
 - that teachers are timetabled so that they can get to their teaching areas quickly; and

- that at key points of movement, staff are on duty to supervise.
 - create welcoming and comfortable areas where parents can be received; and
 - use available financial resources wisely, recognising the importance of the fabric of the building in making pupils feel valued and respected. Inexpensive actions can have significant impacts.
58. The way schools organise and timetable can inadvertently cause problems for pupils and teachers. The design of school buildings is not always helpful. For example, problems can be caused by very long or narrow corridors, secluded areas where teachers can not see what is happening, classrooms that are through corridors and (in the case of some primary schools) a lack of facilities for children to hang coats. In section 3, chapter 9, we discuss further, what practical improvements can be made with rebuilds and refurbishment.

Section 3, Chapter 1: Existing Initiatives on Behaviour

59. We find there is much that is helpful in recent policy to promote improved pupil behaviour and raising standards where problems exist. This includes the Primary and Secondary National Strategies. These initiatives are making a positive contribution but require more time for schools to fully utilise the training and materials they offer. As a Group, we feel schools do not require a wide range of new initiatives. They need the opportunity to consolidate existing initiatives. We do, however, see scope for using the new accountabilities framework to spread and embed effective practice.

Recommendation 3.1.1: existing initiatives to improve pupil behaviour and school discipline should be allowed adequate time to be implemented properly. Existing advice on effective practice should be more fully and widely promoted and implemented.

60. In particular we judge the following as being effective, or likely to be effective, and consider each further below:

- a. the behaviour strands of the Primary and Secondary National Strategies;
- b. programmes on social, emotional and behavioural skills;
- c. the Violence Reduction In Schools programme; and
- d. anti-bullying work.

61. This is by no means intended to be an exhaustive list. The aim is to highlight a few key initiatives which have struck us as being particularly effective. We also believe that training for teachers and other staff has a key role in improving behaviour and that existing work in this area, while helpful, needs further development. Training is considered separately in chapter 3. Similarly, we welcome recent initiatives in the areas of pupil diet and sport. These are considered separately in chapter 4. Finally, we highlight the important role which Nurture Groups, Learning Mentors and Learning Support Units can play, when we address issues of support and guidance in chapter 8.

“Unacceptable pupil behaviour, whether low level or extreme...disrupts the continuity and consistency of teachers; it damages teachers’ confidence and young people’s learning.”

National Union of Teachers, *Learning to Behave*, 2005

The Behaviour Strands of the Primary and Secondary National Strategies

62. In line with our belief that good behaviour and good learning and teaching are inextricably linked, we welcome the emphasis which the Government has placed on improving behaviour as a key strand of both the Primary and Secondary National Strategies. These strands have proved extremely useful in examining whole school policy and practice, and in supporting staff training. We consider there to be particular potential for whole school approaches, staff training, and direct work with pupils, in the Social and Emotional Aspects of Learning (SEAL) and Social,

Emotional and Behavioural Skills (SEBs) elements of the strategies, and we will return to these elements below.

63. Our experience as practitioners is that whole school approaches work best in improving standards of teaching, learning and behaviour. Whole school approaches are most effective if they are based on systematic analysis of a school's strengths and weaknesses. The National Strategies and commercially available pupil tracking systems are valuable sources of support to schools in achieving these goals.

Recommendation 3.1.2: all schools should make regular use of self evaluation tools for behaviour and attendance, such as those provided by the National Strategies and commercially available pupil tracking systems.

64. We would like to recognise the excellent support that many local authorities give to head teachers in addressing behavioural or attendance problems, and the valuable contribution that can be provided by the Behaviour and Attendance Consultants available to secondary schools. However, some schools have reported that their lack of engagement with the Strategy is because not all Behaviour and Attendance Consultants are experts in their area.
65. It has been claimed that some National Curriculum advisers were redeployed as Behaviour and Attendance Consultants with minimal additional training or given this role in addition to their existing tasks. While we recognise the need to redeploy them, it is important that those taking on such posts receive the time and necessary to make the effective in assisting schools to better manage behaviour.
66. We also recognise that a typical local authority will have only one Consultant and that some priority targeting is appropriate and will be necessary. However, we are concerned that some local authorities have directed Consultants to work with just a small group of schools, where there are immediate behavioural issues. Although this might be widespread practice, National Strategy support should be available to all schools. It should also reflect the needs identified by and within the schools themselves through their self-evaluation strategy.

Recommendation 3.1.3: the DfES should review the delivery and appointments mechanisms for the Behaviour and Attendance Consultants for the Secondary National Strategy to ensure:

- a. appropriate appointments are made;
- b. insofar as possible, support is provided to all secondary schools; and
- c. support provided takes account of issues raised in the school's self evaluation plan and general monitoring.

Programmes on Social and Emotional Behaviour Skills

67. Pupils do not necessarily know how to behave well. Some will not have had the opportunity to learn good behaviour at home; others may be learning it, but their skills need reinforcing. We see the development of pupil's social, emotional and behavioural skills as integral to good learning and teaching. It is also integral to making classrooms orderly places for learning. This means teaching all pupils from the beginning of education to manage strong feelings, resolve conflict effectively and fairly, solve problems, work and play cooperatively, and be respectful, calm, optimistic and resilient.
68. We have seen evidence that the social and emotional behavioural skills programmes being promoted by the Primary National Strategy (SEAL), and about to be piloted within the Secondary National Strategy (SEBS), are proving successful in developing these crucial skills and attitudes and 'growing good learners'. These are new programmes and we believe that schools would benefit from wider knowledge of, and access to, them. We welcome the extension of the primary work to the secondary phase. We believe it important that the SEAL work should be further promoted and embedded by the Department for Education and Skills (DfES).

CASE STUDY: The Social and Emotional Aspects of Learning Programme

The Social and Emotional Aspects of Learning (SEAL) resource made a great impact on whole child development, learning and relationships in a primary school in the Midlands. The school prioritised early involvement of parents and carers, governors and school staff. Imaginative assemblies enthused the pupils and the seven SEAL themes were embedded in the learning and teaching cycle.

Teachers creatively adapted the materials to meet the needs of the pupils. The theme 'Going for Goals' encouraged children to motivate each other and not give up. Class-based discussions also helped pupils recognise the complex feelings resulting in anger and to develop their personal strategies for calming down

The school noticed greater co-operation and pupils celebrating each other's positive behaviours and achievements and greater enjoyment of learning. Pupils can now articulate their feelings using a wider vocabulary, consider others' needs, and reflect on their choices and actions. They are also now more inclined to accept responsibility for their own behaviour. Staff are also now more open about emotional issues.

Recommendation 3.1.4: the DfES should:

- a. **provide a further year's earmarked funding for the Social and Emotional Aspects of Learning (SEAL) Programme in 2006-07 from the Primary Strategy Standards Fund element, so that SEAL can be properly embedded;**
- b. **adopt a communications strategy to inform parents about SEAL, its benefits for their children and how they can support it in partnership with schools; and**
- c. **ensure the learning outcomes from the Social, Emotional and**

Behavioural Skills pilot work in secondary schools are disseminated widely.

Violence Reduction

69. Pupils learn best in an environment where they feel safe and secure. Creating a climate of non-violence, and responding appropriately to violence when it occurs, are essential elements in any programme to improve behaviour. We thus welcome and support the work the DfES has been undertaking, in partnership with the professional associations, in developing the Violence Reduction In Schools (VIRIS) Programme. This has been undertaken alongside the development of appropriate materials for the profession, that will be available as part of the National Programme of Specialist Leaders for Behaviour and Attendance. We particularly welcome the fact that the DfES is about to publish the VIRIS advice. We understand that it will tackle: how to create a safe school environment, how to involve pupils and families, how to tackle issues of violence through the curriculum, how to organise the school to provide a non-violent climate and how to reduce risks involved in school travel and pupils moving about school surroundings. This is timely and helpful given the concerns which incidents of violence, however rare, cause to members of the school workforce.

“Despite a very few alarming cases children are safer at school than in any other environment, and there is no evidence to suggest that there is more violence in schools now than at any time in the past”

Secondary Heads Association, *Behaviour and Discipline*, 2005.

Anti-bullying Work

70. Bullying is a form of misbehaviour that causes particular misery and disruption to the learning of individual pupils. We believe, and Ofsted also tells us, that this is a continuing issue and that schools find tackling homophobic and racist bullying a particular challenge. This includes prejudice against religious and cultural minorities – Islamophobia, anti-Semitism and negative stereotyping of Gypsy/Roma and Traveller pupils. We are aware that there is much excellent work in schools to reduce and respond to bullying, including homophobic and racist bullying. We welcome the work of schools, local authorities, the voluntary sector and the DfES, including the national strategies, in this area. We particularly welcome and endorse the Anti Bullying Charter for Action. We believe, however, that more needs to be done to evaluate and disseminate good practice.

“Traveller youngsters may be perceived as being challenging and disruptive when their actions actually demonstrate their coming of age, for example, or may be a demonstration of protective behaviour towards a sibling... There is a fear and apprehension of institutions where generations of Travellers remember being bullied and mistreated by their peers as well as by some teachers. To enter a world that is based on being literate is also intimidating for some Traveller families.”

National Association of Teachers of Travellers, *Submission to the Group*.

Recommendation 3.1.5: the DfES should work with the professional associations and other partners to promote the Anti-Bullying Charter for Action, by reissuing it

to schools every two years and promoting it at regional events.

Recommendation 3.1.6: the DfES should issue further advice on tackling bullying motivated by prejudice. This includes homophobia, racism and persecution in all its various manifestations.

Case Study: Countering racism and bullying

Racist bullying threatened to jeopardise the well being and continued attendance at the local school of some pupils from Pakistani families. The school management was determined to respond to all bullying and eradicate the use of offensive language.

In a school assembly, the head teacher stated that he would take a zero tolerance stance on bullying - the continued use of such offensive language was completely unacceptable. The school made good use of a teacher with particular responsibility for coordinating anti-racist work, including reducing bullying, and who worked very constructively with the local authority adviser.

In addition, an assembly was presented to each year group about Pakistani culture with classes looking at tackling racism as part of their citizenship work. Pupils were reminded about the robust action that can be expected against racist bullying and asked to be vigilant. The strategy was well received by family members who appreciated the high profile response, and recognised the good intentions and efforts of the school.

The school continued to work with the local authority and parents to resolve all issues around instances of bullying

Section 3, Chapter 2: Spreading Good Practice

71. An important part of our terms of reference was to consider how effective practice in schools could be spread across the country and implemented consistently. Training of school staff clearly has a continuing and important role in this. However we believe that other, new mechanisms need to be established to promote the spread of good practice in the field of school discipline and pupil behaviour. This chapter focuses on two particular mechanisms which our discussions as a Group have identified. Training is separately considered in chapter 3.
72. First, we believe that the new arrangements for school self evaluation and accountability offer a route to consistency. We discuss in paragraphs 76 to 78 below how these arrangements might be built on to ensure that schools give appropriate attention to behaviour related issues.
73. We also see merit in the idea of introducing a National Behaviour Charter. We can see scope within such a document for further promoting consistency of effective practice. We also discuss this below in paragraphs 79 to 86.
74. In Section 2 of our report we identified examples of good practice which we believe have helped to raise standards. We recognise the concern that exists over the variations in performance within the school system and often within individual schools, but in general we hold to the belief that schools must have the flexibility to operate within their knowledge of their own context and that over prescription should be avoided.
75. However we do not find it incompatible to recommend that it is in the interests of pupils and school staff that certain important features should be found in all schools. Pupils need to experience a degree of consistency of experience if they are to learn how to learn and to learn how to behave. School staff need to be aware that they support each other in their work by consistently operating school policies.

School Self-Evaluation, Inspections and the Introduction of School Improvement Partners

76. Self-evaluation processes, three yearly school inspections and the work of School Improvement Partners offer three powerful levers for school improvement. Early indications are that these developments will, if implemented effectively, have the potential for a particularly strong and significant impact on the way in which schools function. We welcome this focus on school self-evaluation as a means to promote school development.
77. It is, in our view, absolutely essential that issues of learning, teaching and behaviour are integral to all three of these processes. As indicated at the outset of our report, we see these as inseparable issues, for we know that much low level disruption is linked to the standard of classroom management and teaching experience. It is also our belief that school standards will not improve unless behaviour management and pupils' social and emotional understanding are appropriately developed.

“Behaviour is one of the single most important factors affecting teaching and learning in schools today.”

78. At present schools – and particularly head teachers - are required to determine the standard of behaviour to be regarded as acceptable and the measures to secure this.⁵ It is also a legal requirement that schools review their behaviour policy from time to time.⁶ We are not confident that such reviews take place in all schools. There is moreover no current requirement for schools to have a learning and teaching policy, though we are aware that many excellent examples exist.

Recommendation 3.2.1: the guidance to head teachers about completing the school self evaluation form, should make more of the interaction between learning, teaching and behaviour. The guidance should reflect the following issues:

- a. what is the impact of the school's learning and teaching policy in supporting pupils' behaviour?
- b. what evidence can the school supply to demonstrate its effectiveness?
- c. what is the impact of the school's behaviour policy?
- d. what evidence can the school supply to demonstrate its effectiveness?

A National Behaviour Charter

79. Our terms of reference include consideration of whether or not there is merit in a National Code of Behaviour setting out the responsibilities of schools, pupils and parents in promoting good behaviour. We were invited to share our thoughts on the effectiveness of schools having proper behaviour codes, with clearly understood and applied sanctions.
80. The Group supports the concept of national guidelines setting out the rights and responsibilities of all sections of the school community, including families, in promoting positive behaviour. We do not however believe it would be appropriate to prescribe nationally a code of rules for pupils, which would restrict the power of schools to operate flexibly when imposing discipline. In particular, we agree with the view expressed by a number of the teachers' professional associations that a national discipline code which attempted to identify sanctions for a specific misconduct should not be introduced. Good behaviour management requires schools to possess the power to make decisions that reflect their own context, the nature of the incident and the circumstances of the individual involved.
81. A National Behaviour Charter would be a useful point of reference and clarification for all schools and for all the members of each school's community. It would help ensure clear, shared expectations and a better mutual understanding of the way in which the school operates. It would also help ensure the consistency of approach by all school staff which, at the outset of this report, we highlighted as essential for creating a respectful and orderly climate of learning. The anti-bullying Charter for Action is an interesting model and there are lessons to be learnt from its organisation and introduction.

⁵ Section 154, Education Act 1996

⁶ Section 61, School Standards and Framework Act 1998

82. The National Behaviour Charter would need to highlight the particular responsibility of school leaders – including the head teacher and governors - to frame, consult on, and review a whole school behaviour policy which includes a clear system of rewards and sanctions. It would also need to refer to the responsibilities of all staff to ensure that such rewards and sanctions are understood and fairly and consistently applied. It would be important that the National Behaviour Charter identified the role of parents in supporting the school in maintaining good behaviour and their responsibility to ensure that their children attend school in a state which enables them to learn.
83. The National Behaviour Charter would however only be intended to set an overall framework, within which each school would establish its own specific behaviour policy, rules, rewards and sanctions. As professional practitioners, we understand the importance of schools having the flexibility to respond to their particular local context and community. The difference between what makes sense in the rural and urban contexts is but one example of this. The National Behaviour Charter would however ensure some measure of commonality across schools. That in turn would be important in terms of school evaluation, creating a benchmark against which individual school policies and systems could be evaluated. With the introduction of new arrangements for regular three-yearly inspections of schools, School Improvement Partners and the Self-Evaluation Form, this would be particularly timely.
84. Some possible examples of things that a National Behaviour Charter might cover – and we should emphasise that these are only possible examples and in no way intended as a comprehensive or prescriptive list are:
- Pupils’ responsibilities to listen and respond properly to adults and to each other, accept sanctions, and use appropriate language at all times, (for example, not swearing or being abusive). Pupils’ rights to be taught in environments that are safe and conducive to learning, to be treated equally, and not to be bullied, ridiculed or subject to discrimination;
 - School staffs’ responsibilities to encourage respect and promote positive behaviour, (by modelling the behaviours they wish to see) and their rights to safe working conditions and clear guidelines, support and professional development on behaviour issues, and
 - Parents’ responsibilities to prepare their children appropriately for school (for example, by ensuring that their children are observing the school dress code) and support the schools’ behaviour policies, including rewards and sanctions and their rights to information on how the school promotes positive behaviour and what they can do to help.
85. We considered offering with this report a more detailed, structured model for a National Behaviour Charter, but after careful deliberation concluded that this would not be appropriate. This was partly because of the way in which we perceive our role: mapping out a broad range of issues, within a deliberately tight timeframe, for others to consider in more detail. More importantly, we concluded that developing a wide professional and public consensus around both the structure and content of a National Behaviour Charter would be crucial to ensuring it has real value and relevance and is widely taken up by schools. That consensus needs to embrace not

only schools but also parents and pupils, insofar as it is possible to consult these through focus groups and national representative bodies.

86. We certainly would not want to recommend legislation or a sign and return model as a means of establishing a National Behaviour Charter. That would run contrary to the objective of achieving a wide professional consensus referred to above. Also, the sign and return model of the Anti-Bullying Charter was not always helpful in securing, or measuring, implementation.

Recommendation 3.2.2: a National Behaviour Charter of responsibilities and rights should be created. This would apply to all members of the school community.

Recommendation 3.2.3: the Ministerial Stakeholder Group should seek the engagement of teachers and other relevant stakeholders in establishing and promoting the National Behaviour Charter. This should be done through consultation with focus groups and national representative bodies.

Recommendation 3.2.4: the objective that all schools adopt the National Behaviour Charter should be achieved by developing a wide professional and public consensus, including school councils.

Recommendation 3.2.5: a statement on the legal responsibilities and rights of schools to discipline should be included as part of the National Behaviour Charter.

Section 3, Chapter 3: Training in Improving Behaviour

87. Our terms of reference particularly highlighted the question of whether teachers need further support through initial and in-service training in managing behaviour. The knowledge and skills of staff are the single most important factor in promoting good behaviour. So the question of training and wider professional development is crucial and applies to both teaching and support staff.

“[There is a] need for a continuous emphasis on the development of the skills and understanding of teachers, teaching assistants, classroom supervisors, and all those in contact with and capable of affecting the lives of pupils during the school day.”

Association of Teachers and Lecturers, *Behaviour and Discipline*, July 2005

88. It is clear to us that training in improving behaviour must be an integral and substantial component of all initial teacher training. Good quality in-service training in improving behaviour is also essential. This includes training on the context of the individual school and its community. We underline the need for behaviour training to be provided for all school staff, particularly those in the early years of their career, or those who have recently transferred to the school. It should be an integral part of every school's professional development programme. In addition, more specialist training should be available for those who lead on behaviour improvement.
89. As regards how training should be delivered, our experience as professional practitioners is that peer support and coaching can be especially effective. Training needs vary between individuals. In some cases they can only be fully met by on-the-job coaching. The school's professional development programme should therefore include targeted coaching to meet individual needs as well as group training.

CASE STUDY: Staff Coaching

A school in the South East recruited a number of cover supervisors as part of the remodelling process. The assistant head teacher then introduced and monitored a coaching scheme for the cover supervisors based on some materials from the National Strategies on Behaviour and Attendance.

The personal and professional support received by the cover supervisors included training on how to manage behaviour within the school policy framework, support for developing pedagogical skills and specific subject based approaches. The programme met personal and organisational need and included some lesson observations by the cover supervisors of other teachers.

The supervisors appreciated this practical support, and expressed interest in undertaking further training in behaviour.

90. We are aware that, building on similar principles, the Department for Education and Skills (DfES) has been developing a comprehensive and coherent set of training materials in improving behaviour for school staff. The set includes:
- a. materials for initial teacher training developed in conjunction with the

Training and Development Agency for Schools;

- b. training for Learning Mentors, induction for Teaching Assistants, Support Staff and Supply Staff, with the Training and Development Agency for Schools.
- c. universal training materials for primary school staff provided by the Primary National Strategy;
- d. universal training materials for secondary school staff provided by the Secondary National Strategy; and
- e. specialist training materials provided by the National Programme for Specialist Leaders of Behaviour and Attendance.

91. We understand that this set of materials is now nearing completion and we are confident that these materials will be of great assistance to schools

Recommendation 3.3.1: initial teacher training providers, schools, local authorities and other trainers should use the coherent set of training materials which the DfES has been developing to promote good practice and a common approach to improving behaviour.

“It is absolutely clear from this evidence we have collected that there needs to be a rigorous evaluation of the support and training on behaviour management initial teacher training students receive.”

National Association of Schoolmasters/Union of Women Teachers, October 2005

92. A comprehensive set of training materials is a major step forward. But more needs to be done. We see a need for further action in five key areas, which we consider in turn below.

Initial Teacher Training

93. The ability to manage behaviour is a requirement for achieving qualified teacher status. Initial teacher training establishments are required to provide some relevant training, but what and how much is not specified. There is a widespread perception that new teachers are often not adequately trained in this area. DfES-validated behaviour management training materials for trainee teachers are now available. However we are not clear about the extent to which they will be used.

Recommendation 3.3.2: the Training and Development Agency for Schools should review the standards for initial teacher training to require successful trainees to demonstrate that they understand how to promote positive behaviour and develop pupils’ social emotional and behavioural skills.

Training for School Leaders

94. School leaders have a crucial role to play in establishing and maintaining the principles and values that underpin the school’s behaviour policy and in ensuring that behaviour improvement is given the necessary priority within its professional development programme and budget. This should be an important part of training

for headship.

Recommendation 3.3.3: the National College for School Leadership should review the behaviour related elements of its training programmes for aspiring and serving school leaders to ensure trainees are equipped with the knowledge and skills they need to lead this crucial aspect of school management.

Organisation of Training within Schools

95. General training for school leaders and access to good quality training materials are not enough in themselves. Schools need a systematic approach to ensuring consistency, enhancing staff skills and coaching staff with particular difficulties. The key challenge is to ensure that good practice is adopted and applied consistently throughout the school.
96. To achieve this, a school needs a coherent behaviour improvement strategy. This should include a clear policy framework, a whole school approach to developing social, emotional and behavioural skills and effective co-ordination with other agencies as well as a systematic professional development programme for staff.
97. Every school needs to be clear about who leads on each strand. But a growing number of schools are giving overall responsibility to a designated member of the senior leadership team. Evidence from the Behaviour Improvement Programme (BIP) indicates that this role - called lead behaviour professional in BIP schools - is an effective way of raising the status, consistency and effectiveness of behaviour improvement within a school.

Recommendation 3.3.4: schools should consider whether it is appropriate to make a designated member of the senior leadership team responsible for leading and co-ordinating the school's behaviour improvement strategy. This should include a systematic professional development programme for all staff.

Specialist Training

98. Staff who lead on behaviour management need access to specialist training and the opportunity to network with other colleagues. We therefore welcome recent DfES-led developments in these areas.
99. The DfES is establishing a National Programme for Specialist Leaders of Behaviour and Attendance (NPSL-BA) to meet the training needs of lead behaviour professionals and other staff with leadership roles in this field such as learning support unit managers. The Programme will extend their expertise and leadership skills. It will also offer qualifications and develop career pathways. It will be complemented by the National Behaviour and Attendance Exchange (NBAE), which will link to existing National Strategy and other networks for disseminating good practice in behaviour improvement. Both NPSL-BA and NBAE will be rolled out nationally from January 2006.

Using Teachers' TV to Reinforce Good Practice

100. We know that behaviour management is of real interest to the target audience of Teachers' TV and that it has already broadcast programmes on the subject. We believe that Teachers' TV has considerable potential for disseminating and

reinforcing good practice in this area, especially with regards to the Foundation Stage.

Recommendation 3.3.5: the governors of Teachers' TV should consider extending the channel's coverage of good practice in behaviour management, across all key stages.

Section 3, Chapter 4: Diet, Sport and the Wider Curriculum

101. This chapter looks at how the wider curriculum can help involve and motivate pupils, developing their self confidence through experiences in sport, performing arts and alternative work-based learning. Where schools provide wider opportunities as part of, or in addition to the formally taught curriculum, behaviour improves.

102. We welcome the review of the Key Stage 3 curriculum. This aims to reduce the overall level of prescription and to create space in the curriculum so that schools have more freedom and flexibility to meet the individual needs of young people.

103. We also consider as a related issue, the effects of diet on pupils' engagement, motivation and behaviour. For pupils to gain the most from schooling they need to have sufficient sleep and a balanced healthy diet. If this does not occur it adversely affects pupils' energy and concentration levels and they cannot fully take advantage of the wide range of opportunities that schools offer.

104. This chapter considers the impact on behaviour of:

- diet;
- sport;
- the arts; and
- work-based learning.

Diet

105. The speed at which childhood obesity is increasing is startling. In 2002, 22% of boys and 28% of girls aged between 2-15 years were overweight or obese⁷ and these figures are continuing to worsen. The British Medical Association says that conservative estimates are that one in five boys and one in three girls will be in the obese category by 2020.⁸ Overweight children are less likely to integrate into the school community and are more likely to be bullied.

106. The links between poor diet and chronic disease are well known. It is our belief that there are also links between a pupil's diet and how they behave, both in and out of school. However, this belief rests on anecdotal evidence; as research on the links between poor diet and poor behaviour and poor educational attainment is lacking. We warmly welcome the report of the School Meals Review Panel⁹ and we endorse their recommendations. We also welcome the work investigating the links between food additives and hyperactivity by the Food Standards Agency. However, we believe that there should be greater investigation on the impact of diet on behaviour.

"We have seen a 14% increase in our A-C pass rate taking us up to 73%. Not bad for a non selective inner city comprehensive!! Of course it is also down to good teaching and pupil commitment, but we believe that our whole school policy of healthy food and the banning of junk food and fizzy drinks has played a significant role in our exam success."

⁷ Health Survey for England, 2002

⁸ British Medical Association, *Preventing Childhood Obesity* (London, 2005)

⁹ School Meals Review Panel, *Turning the Tables: Transforming School Food*, September 2005

Head teacher from a secondary school in London

Recommendation 3.4.1: the Department for Education and Skills (DfES) should fund further research into the impact of diet on the behaviour of all pupils including those in Pupil Referral Units.

107. We welcome the very positive way in which the Secretary of State for Education and Skills responded to the report of the School Meal Review Panel, including her announcement that in future schools will not be allowed to sell chocolates, crisps or fizzy drinks. We also welcome the Government's injection of transitional funding for school meals over the next three years

108. However, we would like to stress that improving the food pupils eat in school can only go some way towards solving the problem. The School Meals Review Panel was clear that transforming pupils' attitudes to food will be a significant challenge: after all, parents control most of what a pupil does and does not eat. This is especially true of breakfast and packed lunches, which can influence a pupil's memory, mental alertness and mood at school considerably, and sustain a pupil throughout a long day. It is the responsibility of every parent to ensure that their child comes to school properly fed and ready to learn.

CASE STUDY

A secondary school in Sheffield was aware that some boys were arriving late to school in the mornings, because they were doing paper rounds. When challenged by staff they became aggressive.

By using some of the school's *Behaviour Improvement Programme* funding, a breakfast club was established. This meant the boys could be fed. As a result of the breakfast club the boys changed their rounds to be closer to the school. When having breakfast these pupils and others could be supported by Learning Mentors and staff who checked homework, talked to them about the coming day, and offered support. As a result, this hard core of seven boys had significantly fewer referrals into the pastoral system for aggressive and challenging behaviour.

"Offering toast and a warm drink instead of letting pupils consume crisps and fizzy drink significantly reduced their aggression levels."

Recommendation 3.4.2: the DfES and the Department of Health should work together to educate parents about the impact of different food types on children's health and behaviour.

109. We would also caution that, at present, many schools do not have the facilities to provide healthy meals to hundreds of pupils every day. Depressingly, school catering staff have been deskilled over the last twenty years, and many are not sufficiently trained to prepare meals from fresh ingredients.

"For a transformation in catering to happen, both catering staff and managers need to feel and be a valued part of their school communities. This involves their being provided with training to give them the new skills they need. "

Recommendation: 3.4.3: all staff should be trained to enable pupils to understand the key issues around good nutrition, and its longer term benefits to health and well being.

110. We are concerned that many schools may not have sufficient facilities in which fresh meals can be prepared. Some school kitchens are too small or lack the facilities to prepare fresh school meals. In chapter 9, we discuss how this can be rectified as part of the Government's considerable investment in renewing the school building stock.

Sport

111. The 2012 London Olympic Games will deliver a lasting legacy for future generations and provide a real opportunity to use the power of sport and the themes and values of the Games to motivate and inspire pupils. It is important this exceptional opportunity is exploited across the country.

112. Sport in its own right is important. The Government aims to transform the quality and quantity of opportunities in sport and Physical Education for all young people through the PE, School Sport and Club Links Strategy¹⁰. We also recognise that sport can be a real focus for the personal and social development of pupils. Disaffected pupils are often remotivated where adults leading sports activities take a particular interest in their well being and achievement. Similarly, many gifted and talented pupils need an outlet for their energies.

113. We believe, if utilised properly, sport can have a huge impact on the behaviour and achievement of pupils. It builds confidence and self esteem, helps pupils to feel they belong to the school, and develops in them commitment to their peers. The attitudinal change that this can provide helps the same pupils to raise their standards of achievement and improves their attendance.

114. We note the work done by *Living for Sport*, a programme run by the Youth Sport Trust and B SkyB. It uses the power of sport to engage young people who are struggling, through a structured programme of new activities. It helps pupils take responsibility for the organisation of sporting events, developing in them self discipline and confidence. Such structured activities are to be welcomed in the developing of respect, teamwork and leadership in pupils.

115. Research into the *Living for Sport* programme identified that, in two thirds of schools involved, there was a decline in the number of recorded referrals for poor behaviour. Two-thirds of parents surveyed reported that, as a result of the programme, their child was more motivated to attend school.

CASE STUDY

A London secondary school decided to use the *Living for Sport* programme to engage pupils finding it difficult to make the transition from primary to secondary

¹⁰ More information on the Strategy can be found at <http://www.teachernet.gov.uk/teachingandlearning/subjects/pe/nationalstrategy/>

school. Those who had trouble settling at the school were disillusioned with the mainstream curriculum, which had a negative impact on attitudes to staff, behaviour in class and attendance levels.

Ten boys aged 11 or 12 years took part in a team building day at a local outdoor activity centre. As the pupils came from several different primary schools, this was seen as an essential part of the project as it allowed participants to get to know each other and the lead teachers.

Then, using the materials provided to them, the school encouraged the pupils to work towards organising a football event, where four local primary schools were invited to play in a tournament. Thus the onus was then placed on the young people to manage the event and take responsibility for it. The tournament took place at the end of January, and was greatly enjoyed by all.

The head teacher believes that attitudes towards teaching staff have changed noticeably for the better, that behaviour around the school has improved and that the attendance levels of those involved have increased.

116. We believe sport based social inclusion schemes like *Living for Sport* and *Positive Futures* and the leadership programmes of the *Duke of Edinburgh* and *Junior Sports Leaders Awards* provide an opportunity to motivate pupils and for pupils to experience being a leader. This is especially important for 'at risk' pupils who often do not get opportunities to accept responsibility. This develops their life skills which can open pathways to work in voluntary organisations and employment. Public recognition of their achievement makes them feel valued by their school, teachers, peers and parents.

117. We recognise that motivating our most challenging pupils is never easy. There are no quick fixes or universal panaceas but sport can certainly be part of the solution. We believe, wherever possible, schools should exploit the power of sport. Many schools currently draw on the expertise of staff by providing a range of curricular and extra curricular activities. When staff develop a positive relationship with pupils through shared sporting activity, those pupils' behaviour whilst in other parts of the school can improve dramatically.

The Arts

118. We also believe the arts can play an important part in improving behaviour. An arts-rich timetable can not only help raise pupils' attainment across the curriculum, but contribute to school improvement and better links with the community. The arts can enhance and enrich pupils' educational experience by increasing motivation and self esteem and by developing transferable skills.

119. In October 2000, the National Foundation for Educational Research published the results of its three year study: *Arts Education in Secondary schools: Effects and Effectiveness*. In schools with a strong reputation in the arts, numerous and wide ranging effects were reported. These included a number of effects of direct relevance to pupil behaviour: improved social skills, self confidence and self esteem.

Pupil comments on the impact of the Performing Arts:

“Drama helps you talk more with people and not be scared to express yourself.”

“It’s made me much more relaxed...I am not so hot-headed...I don’t lose my temper quickly at all.”

“I think it has helped me to stand up for myself more, because sometimes other people think dance is not for boys... I have been enjoying it so much I have been saying I don’t care what you think.”

120. Similarly, a UK study of the impact of the arts in education¹¹ showed the most frequent overall influences on pupils were in relation to personal and social development. Some pupils perceived the benefits of music classes as being able to listen to music, developing musical skills, while others saw it as fun and of a therapeutic nature. Music gave them confidence and helped them work in groups. Those who played instruments mentioned an increase in self-esteem and sense of identity.

121. The role the arts can play in helping pupils with challenging behaviour and disaffection has a proven track record. Offering pupils the opportunity to shine in front of their peers and communities develops their self-esteem and status.

Work-Based Learning

122. Many secondary schools have gone to considerable lengths in offering disaffected pupils a more practical curriculum to help them enter the world of work. Often these include vocational college placements, the opportunity for work experience, and activities provided by external organisations including youth services and *Skill Force*. Connexions personal advisers have in many areas helped schools in supporting and maintaining pupils on these type of courses.

123. Our experience as professionals is that these initiatives re-motivate pupils and are able to demonstrate improvements in attendance, reductions in referrals for poor behaviour and a decline in exclusions.

¹¹ J. Harland et al, *The effects and effectiveness of arts education in the schools: Interim Report* (1998); and J. Harland et al, *Arts education in secondary schools: Effects and effectiveness* (2000)

Section 3, Chapter 5: Exclusions and Alternative Provision

124. Exclusions are an important sanction for pupils involved in serious or persistent misbehaviour. We believe this sanction must be retained to protect the interests of other pupils and school staff. However, exclusion is a distressing and damaging experience for all concerned. Schools need to focus on preventative action and early intervention, to ensure that exclusion rarely becomes necessary. In particular, schools should have in place a clear set of effective disciplinary sanctions and strategies that are implemented consistently by all school staff. As indicated elsewhere in our report, it is our firm belief that tackling lower level disruption and creating a respectful and orderly general climate of learning will reduce the risk of more serious incidents occurring.
125. Schools also need to identify strategies for effective internal exclusion where behaviour warrants removal from normal school activities but not from the school. Many schools also use 'withdrawal' rooms as a very effective alternative to fixed term external exclusion. An Institute of Public Policy Research (IPPR) report in September 2005, *Towards Zero Exclusion*,¹² found that teachers consider internal exclusion to be more effective in addressing behaviour problems than fixed period exclusion. We endorse this view. We are concerned that for many pupils a fixed period exclusion is not an effective sanction: it can give the signal that poor behaviour is being rewarded with a holiday.

CASE STUDY: Reducing Exclusions

In 2001/02 there were 68 permanent exclusions in a local authority in the East of England, giving an exclusion rate over twice the national average. The education authority brought in consultants into secondary schools to work with school leaders and parents, and help them to move from a blame culture to one that focused on positive outcomes.

The head teachers worked closely together and with the education department to agree local protocols and funding has been devolved to the schools to enable them to commission a much broader range of provision. Instead of excluding pupils, personalised education plans were drawn up which could include full or part time work-based learning, attendance at a Further Education college or private sector providers. Options for individual pupils are discussed at head teacher panels.

Only a minority of pupils at risk of exclusion needed to be referred to a school set up to deal with pupils with behavioural difficulties or a Pupil Referral Unit, for a maximum of two terms. Supported voluntary managed moves played an important part in this strategy. Last year no head teacher in the authority needed to exclude a pupil permanently.

¹² *Toward Zero Exclusion: an action plan for schools and policy makers*, research paper by Jodie Reed of the Institute of Public Policy Research in conjunction with the CfBT resource management organisation (September 2005)

126. We recognise that in some instances internal exclusion is not appropriate and a fixed period external exclusion is necessary. We believe fixed period exclusions should be for the shortest time necessary. We also note that Ofsted inspection evidence suggests that one to three days is often long enough to secure the benefits of exclusion without adverse educational consequences. However, we do not believe that there should be an upper limit on the length of fixed period exclusions as suggested in the Institute of Public Policy Research report (other than the statutory limit of 45 days in any school year); any such limit would simply take away the flexibility available to school leaders when considering particular circumstances.

127. We have noted above that exclusion can be an extremely effective form of sanction as part of a well thought out strategy for tackling poor behaviour. However, interpretation of crude numbers of exclusions by some local authorities and – prior to the introduction of the new Ofsted inspection framework – some inspectors, gave rise to a belief by some head teachers that to avoid being seen as a high excluding school, it was better to exclude unofficially. We comment on unofficial exclusions later in this chapter. The Group is pleased to note that Ofsted will offer specific guidance on the interpretation of exclusions and behaviour data in their publication *Inspection Update*. We also believe this should be included in the school Self Evaluation Form guidance.

Recommendation 3.5.1: the Office for Standards in Education (Ofsted), through its guidance for the completion of the school Self Evaluation Form, should give schools the opportunity to analyse data about behaviour and exclusions.

128. We note with concern the disproportionately high level of exclusions of pupils with special educational needs (SEN). Pupils with statements of SEN are almost four times more likely to be excluded from school than the rest of the school population. We see a close link between poor behaviour and previous failure to deal with a pupil's special needs properly. In our experience schools with high standards of behaviour are often those that have good SEN structures and strategies.

129. There is a particular need to ensure that such children are properly assessed so that appropriate support can be identified and provided. The demands associated with the SEN Code of Practice and the interpretation of the Code by local authorities has led to undue bureaucracy. This has diverted limited school and external resources away from meeting the needs of children. We believe this deprives schools of the expertise to help them support and manage pupils. We also believe that in some areas educational psychologists need to spend more time on identifying need and preventative work rather than statutory assessment.

130. However, in some local authorities, this would pose a considerable resource issue. At present, head teachers express concerns that in certain areas educational psychologists are scarce and tend to not stay in any one post for any period of time. Over the past few years there has been some increase in the numbers trained as educational psychologists, but we are not clear this is sufficient to match the demography of an ageing profession. With increasing demand, we are concerned that schools will soon find themselves even less able to access an educational psychologist. This situation is clearly unacceptable.

131. Greater availability of advice from educational psychologists would also aid schools in designing programmes of support for pupils whose behaviour is disruptive and developing training programmes for school staff.

132. Not all pupils with SEN present high challenge. However where they do, it causes serious distress to school staff, pupils, parents and carers. In particular, pupils identified as having a behavioural, emotional or social difficulty may require a high level of individual support. This can make significant demands on the adults in a school, and also cause significant disruption. We acknowledge that many mainstream schools work successfully with some of these pupils. However, there are some pupils whose behavioural, emotional and social difficulties (BESD) are so severe that they can not remain in a mainstream school. These pupils are at high risk of exclusion. To avoid this situation, mainstream schools need a clear indication of the circumstances in which such pupils might need to be referred to a more specialist placement, such as a Pupil Referral Unit (PRU) or special school.

Recommendation 3.5.2: the DfES should identify and disseminate good practice in managing the behaviour of pupils with special educational needs more effectively, reducing the need to resort to exclusion.

Recommendation 3.5.3: the DfES should take steps to reduce the bureaucracy associated with the Special Educational Needs Code of Practice, also reducing the scope for the Code to be misinterpreted, thus freeing up teacher time and enabling educational psychologists to work more closely with schools to support pupils.

Recommendation 3.5.4: the DfES should ensure that its review of educational psychologists identifies the key areas in which educational psychologists can most add value; and should disseminate those findings to local authorities, supporting them to deliver sufficient educational psychologist capacity, utilised in the most effective way.

Recommendation 3.5.5: the DfES should produce guidance on the needs of pupils with behavioural, emotional and social difficulties (BESD), including a clear indication of the circumstances in which they might need to be referred to a more specialist placement including a Pupil Referral Unit or special school.

133. We are also concerned at the disproportionate rate of exclusion among some Black and Minority Ethnic (BME) groups. For example, in 2003/04 Gypsy/Roma and Travellers of Irish heritage pupils were permanently excluded at four times the rate, and Black Caribbean pupils at around three times the rate, of all other ethnic group pupils. These are national averages: in some local authorities the rates are even higher. We are pleased that the DfES issued a letter to Chief Education Officers and Directors of Children's Services in September 2005, urging them and schools to analyse their data and processes more vigorously and to change processes where appropriate.

Recommendation 3.5.6: the National Strategies should identify and disseminate effective practice in schools with a good track record in reducing exclusions amongst pupils from black and minority ethnic groups, including Travellers, building on the projects already underway to increase educational attainment in these groups.

Recommendation 3.5.7: schools and local authorities should ensure that they comply fully with the requirements of the Race Relations Amendment Act 2000 and the DfES guidance about monitoring and analysing exclusion levels of different ethnic group categories, including Gypsy/Roma and Travellers. This should be a requirement of the school Self Evaluation Form.

CASE STUDY: Analysing Exclusions Data

About five years ago a London Borough had the second highest exclusion rate in the country. Now there is a local authority database and schools are provided with information about their exclusion rates, and also on specific trends, such as incidence of exclusions among pupils with special educational needs, or by gender or ethnicity. In the last two years, schools – at their own request – have also been provided with comparative data about one another’s exclusions, and have begun working collaboratively to share approaches to reducing exclusions.

The data is also a key tool for the central local authority teams responsible for Inclusion and for School Improvement. Last year, the exclusion rate for Afro-Caribbean pupils in the borough fell so that it matched the pupil profile – an achievement they now hope to build on and replicate for other ethnic minority groups

134. In January 2002 exclusion legislation was extended to cover exclusions from PRUs. However we are concerned at what happens to pupils excluded from PRUs. It seems to us that PRUs either need to aspire not to exclude, or that “emergency” provision is needed for pupils whose behaviour cannot be managed in a PRU setting. We recognise there are occasions when it is necessary to exclude pupils from a PRU or a BESD special schools (including residential schools), but we are concerned at what alternative forms of education are available for these most vulnerable pupils particularly in smaller authorities that may only have one PRU.

Recommendation 3.5.8: the DfES should undertake research into what happens to pupils who are excluded from Pupil Referral Units or schools for pupils with behavioural, emotional and social difficulties (including residential schools).

Recommendation 3.5.9: the DfES ensure that their exclusions guidance covers exclusions from Pupil Referral Units in more detail, and provide examples of how local authorities deal effectively with pupils excluded from Pupil Referral Units.

Provision for Excluded Pupils and those at Risk of Exclusion

135. Many pupils with the most severe and complex needs are catered for in the private sector. This provision is expensive and placements are not always successful. Where placements break down, children are returned to their home authority where the availability of resources to meet their particular needs is frequently poor. Too often such pupils are then placed in inappropriate mainstream provision.

Recommendation 3.5.10: the DfES should undertake an urgent review of support to mainstream establishments receiving pupils excluded from independent specialist provision with a view to clarifying what funding or specialist support is available to help them maintain those pupils.

136. As a group of head teachers and teachers from mainstream primary and secondary schools we cannot claim any expertise in running PRUs or other alternative provision. However we are aware of the variability in the quality of alternative provision. We are also concerned that – while training for PRU staff and other behaviour specialists is being developed through the National Programme for Specialist Leaders of Behaviour and Attendance – some staff who work in PRUs and other alternative provision do not at present access suitable and high quality training. This impacts not only on PRUs and pupils receiving alternative provision, but is an issue for mainstream schools: the availability of a wide range of good quality provision for pupils at risk of exclusion, persistent truants and excluded pupils is critical to the success of schools working in collaboration to improve behaviour and attendance.

Recommendation 3.5.11: the continuing professional development of staff in PRUs and other alternative provision should continue to be addressed at national level, for example, through the National Programme for Specialist Leaders of Behaviour and Attendance, thus creating better opportunities for career progression.

The Exclusions Appeals Process

137. Our terms of reference asked us to give specific consideration to the process for exclusion appeal panels and the Prime Minister’s letter of 18 July invited our views on whether the Government should further reform or replace current appeals procedures. We do not consider that it would be appropriate to abolish the right of appeal to the governing body in the case of fixed period exclusions, nor the two stage right of appeal to the governing body and to an independent panel in the case of permanent exclusions. These appeal mechanisms provide important safeguards which need to be retained in the interests of natural justice. Permanent exclusions can have a long term impact on pupils and their families and it is therefore more important that there is an impartial appeal process for such exclusions. Review of permanent exclusions by the governing body alone would not suffice, as it may not be seen as being sufficiently impartial.

138. We see, however, some scope for improving the effectiveness and efficiency of the current system, particularly regarding membership of the panels and the grounds for overturning exclusion decisions.

Panel Membership

139. We believe that the current arrangements for independent appeals panels to include head teachers and governors strike the right balance. There would nevertheless be significant benefits if the head teacher representative was required to be from the same phase and type of education as the school from which the pupil had been excluded – i.e. secondary head teachers for appeals against secondary school exclusions, primary head teachers for appeals against primary school exclusions, special school and boarding school head teachers for appeals against exclusions from special and boarding schools respectively. We note that the DfES guidance on exclusions recommends (paragraph 96) “where possible” the governor and head teacher panel members “should have experience of” that phase of education.¹³ We do not believe that this goes far enough. It is critically important

¹³ Department for Education and Skills, *Improving Behaviour and Attendance: Guidance on Exclusion*

that head teacher and governor members of panels are from the same phase of education and are familiar with the type of school (e.g. special schools and maintained boarding schools) whenever possible. However we do recognise that there may be local difficulties in recruiting a sufficient pool of panel members.

Recommendation 3.5.12: the DfES guidance on exclusions should emphasise that in all cases the head teacher and governor representative should be from the same phase of education, and wherever possible should reflect the type of school.

Grounds for Overturning Exclusion Decisions

140. The DfES guidance on exclusions should give clear advice to exclusion appeal panels on how to reach a decision, based on the facts of the case, and whether or not exclusion is an appropriate sanction. We recognise there is concern that the exclusions guidance is being used by lawyers acting on behalf of parents and carers to overturn exclusions decisions on technicalities, even though the regulations prescribe that pupils should not be reinstated because of procedural irregularities. Regulations also state that the panel must have regard to both the interests of the excluded pupil and to the interests of other pupils and persons working at the school. We believe this requirement needs to be reinforced in the guidance. Whilst there is a need to maintain an appropriate balance of interests, some of the intended safeguards for the parent or carer and pupil have become unhelpful obstacles.

Recommendation 3.5.13: the detailed wording of the DfES guidance on exclusions should be reviewed, amended as necessary, and regularly reissued to reduce the risk of cases being overturned by lawyers on technicalities. A summary of this guidance should be included with the meeting papers for exclusion appeal panels.

Recommendation 3.5.14: where panels accept that:

- the individual committed the offence in question
- the response is proportionate and
- the disciplinary process has been carried out without any procedural irregularities of a kind that significantly affect the fairness of the procedure or the governors' findings

the panel should not vary the governing body's decision. In particular the panel should not reinstate the pupil nor substitute a lesser punishment without good reasons. This should be made clear in the DfES guidance on exclusions.

141. We note the commitment made during the passage of the Education Act 2005 to revise the exclusion guidance to give pupils a more active role, particularly in representing themselves in person, in exclusion procedures. We understand that this will be taken forward after we have produced our report. Pupils would be allowed and encouraged, with parental or carer agreement, to speak on their own behalf at governing body and appeal panel hearings. We support this approach,

which is in line with the Government's agenda to ensure that children and young people are fully involved in matters that affect them. However, guidance should emphasise that this should not make procedures more bureaucratic nor easier for exclusion decisions to be overturned.

142. Most panel decisions are well argued on the facts of the case but we are concerned that in some cases perverse decisions are reached. It is vitally important that all panel members have a thorough understanding of the law and guidance and are trained. Whilst we do not wish to place unnecessary obstacles in the way of recruiting panels we do think that that panel members need to be fully trained. In particular, it is critical to the operation of panels and reaching sound decisions that the clerks and chairs should undergo training.

Recommendation 3.5.15: it should be mandatory for clerks and chairs of appeal panels to undergo training before they can serve.

143. We are concerned about what seems to us to be increasing “legalisation” in the exclusion process with parties seeking legal representation. We would like the DfES to review the process and clarify whether this should be a judicial or a non-judicial process, because what we have at present feels like a “halfway house”. The DfES guidance currently states that parents or carers, governors and local authorities may be legally represented but does not mention legal representation for head teachers. Indeed, we understand that the regulations¹⁴ do not afford this right to head teachers.

Recommendation 3.5.16: head teachers should be afforded the same right to legal representation as governors and parents or carers.

“Unofficial” Exclusions

144. We are concerned that, despite the helpful inclusion of a section in the DfES’s exclusions guidance, the practice of unofficial or informal exclusion remains a widespread practice. This refers to head teachers (only head teachers have this right) sending pupils home for disciplinary reasons, but not following the procedures required for formal exclusion; and pupils being sent home for either short periods of time, or for longer indefinite periods which can result in the pupil not returning to school at all. We are also concerned that head teachers need to be quite clear of their legal position if they send a pupil home following a legal exclusion but in advance of contacting parents or carers and completing paper work. There are wider legal issues around sending pupils home in situations other than disciplinary (such as to go home to collect sports kit or homework) which are beyond the remit of this group.

145. Unofficial exclusion can also occur with the agreement of the parents or carers. In some instances head teachers have suggested that, rather than face the exclusion of their child, the parents or carers should look for another school and withdraw their child in the meantime. Unofficially excluded pupils may be marked as an authorised absence, or in some cases marked as attending, and may eventually be taken off the school roll, although not having another school place. We view such action from schools in these circumstances as constituting unprofessional conduct

¹⁴ The Education (Pupil Exclusions and Appeals) (Maintained Schools) (England) Regulations 2002; and The Education (Pupil Exclusions and Appeals) (Pupil Referral Units) (England) Regulations 2002.

and head teachers need to be assured that in future Ofsted inspectors will look more analytically at their use of exclusion (see Recommendation 3.5.1).

146. The practice of unofficial exclusions does not meet legal requirements, is not in the interests of the pupil, the school or society, and exposes vulnerable pupils to risk. We believe parents or carers should never be pressured into removing their child from the school under threat of a permanent exclusion, nor should pupils' names be deleted from the school roll on disciplinary grounds unless the formal permanent exclusion procedures set out in statute and in the DfES's exclusions guidance have been adhered to. We condemn this practice because it is bad for pupils and bad for schools. All maintained sector pupils should be entitled to a good education whether in school or out of school.

Recommendation 3.5.17: the DfES guidance on exclusions should be strengthened to give a clearer statement of the law and good practice guidance should be disseminated, promoting positive processes and a climate which prevents unofficial exclusion.

Recommendation 3.5.18: the DfES guidance on exclusions should be strengthened to include a full explanation of the legal implications of unofficial exclusions. The DfES should also work with the professional associations and the National College for School Leadership to ensure head teachers understand the implications of the law.

Recommendation 3.5.19: the DfES should research effective practice in preventing unofficial exclusions and disseminate this widely to local authorities, Academies and other interested parties.

Making Exclusions an Effective Sanction

147. We consider it important to ensure that exclusions are an effective sanction and are not seen as a "reward" (time off school) but as a punishment. We also consider it important to ensure that excluded pupils are not wasting time and making a public nuisance of themselves. It sends out entirely the wrong messages if such pupils are free to wander the streets while excluded from schools. Excluded pupils need to be supervised appropriately and continue to experience learning. The Prime Minister's letter of 18 July invited our views on how to achieve these goals. In particular, it invited us to consider three options: a legal requirement for parental or carers' supervision; places provided in PRUs (or alternative provision) for pupils on fixed period exclusions; or community service for older pupils on longer fixed period exclusions.

148. In a democratic society parents must have responsibility for their children. As such, we believe that when a pupil is excluded from school for a short period then their parents or carers are responsible for ensuring that they are safe, properly supervised and learning. However, this does not remove from schools the responsibility to support parents or carers by ensuring that some work is provided for the excluded pupil, as happens now in the best schools. It would help parents or carers if they were provided with a simple leaflet that explained their rights and responsibilities for the period of the exclusion.

Recommendation 3.5.20: the existing legal requirement to notify parents or carers

in writing of an exclusion should be enhanced, by requiring them to be informed, in a simple leaflet, of:

- **the next steps in the process,**
- **their responsibilities, and**
- **their accountability in the event of non-compliance.**

The model letter in the DfES guidance for schools to issue when an exclusion takes places should be expanded to cover these points.

149. The DfES guidance already promotes as good practice reintegration interviews following fixed period exclusions as good practice. The interview provides an opportunity for the head teacher to discuss with the parents or carers how best the pupil can return to school and any further support they may need to be successful. We are mindful that the majority of fixed period exclusions are only for a few days. We do not wish to impose unnecessary additional burdens on schools and think that the required action should be proportionate to the seriousness of the incident. We believe that it is critical for such a meeting to take place for longer exclusions - over five days - in secondary schools and for all fixed term exclusions in primary schools. We also believe that this practice needs to be made mandatory. It is not enough simply to require head teachers to arrange interviews. There needs to be a means of making parents attend and those that do not engage in this way should be held accountable.

Recommendation 3.5.21: reintegration interviews, currently good practice, should be made mandatory following any fixed period exclusion from a primary or special school, and fixed period exclusions of over five days in a secondary school. The DfES should consider how best to hold accountable parents or carers who do not meet their responsibility to attend such a meeting.

150. We are concerned that the current obligation on a local authority to provide education for an excluded child only applies after the fifteenth day of exclusion. This is too long and places vulnerable children in danger of involvement in further anti-social behaviour.

151. For exclusions of up to five days, or the first five days of a longer exclusion, parents and carers should be made aware of their responsibilities and schools should provide work for the pupil. However, we believe that when a child has been excluded for a period of time longer than five days alternative provision should be arranged.

152. In addition to existing provision, schools working together and with their local authority could take on responsibility for arranging full time educational provision if funding were made available. We believe this could be achieved within the context of a school partnership to reduce the burden for individual schools. The provision could be purchased through the local authority, for example PRU support or provision, or other alternative provision in the locality. Where the option of community service is available and appropriate to the needs of the pupil, schools may wish to negotiate a package of provision which includes this.

153. Since September 2002 all local authorities have been committed to providing full

time education for permanently excluded pupils, from the sixteenth day of the exclusion, as set out in the DfES exclusions guidance. We recognise that this is a challenge in some areas and note that according to the IPPR report only half of authorities meet this. However, until alternative and better arrangements are established, it is essential that all local authorities meet this target.

Recommendation 3.5.22: the current requirement for local authorities to provide full time education for excluded pupils from the sixteenth day after their exclusion should be brought forward to the sixth day and cover both fixed period and permanent exclusions. In the interim, local authorities should be reminded of their statutory duty to provide alternate provision from the sixteenth day of a fixed term, or permanent exclusion. Schools should provide work for shorter periods.

Recommendation 3.5.23: parents should be responsible for ensuring for their child is properly supervised during the first five days of an exclusion and that their child attends appropriate provision from the sixth day of an exclusion.

Recommendation 3.5.24: parents who do not fulfil their responsibility to arrange appropriate supervision for their child during the first five days of an exclusion should be compelled to do so. This could be the basis for an application for a parenting order.

154. Our recommendations on how groups of schools can work together in meeting the educational needs of excluded children are set out in the following section of the report. This is not to imply, however, that the responsibility should fall entirely on schools. Our recommendations on ensuring that parents and carers take their share of responsibility seriously are set out in chapter 7 of this report.

Charging Arrangements

155. Finally, we are concerned that certain local authorities charge schools for permanent exclusions and this is interpreted by them as a fine administered in an arbitrary manner. This seems a very blunt instrument. Head teachers should have the opportunity for a full discussion, through the local Schools Forum, about funding available locally for behaviour support and how this should be divided between schools and the centre, together with any charging arrangements. We are concerned that head teachers in schools maintained by local authorities may feel constrained from acting in the interests of the school community because of the risk of unreasonable financial consequences.

Recommendation 3.5.25: DfES should provide clear guidance on ways that schools and local authorities might deploy funding for behaviour support and exclusions, so that all schools receive adequate help.

Recommendation 3.5.26: local authorities and schools should, through constructive dialogue, agree local arrangements for the deployment of resources for behaviour support, including agreeing in advance any charging arrangements.

Section 3, Chapter 6: Schools Working in Collaboration and their Role in Managing Pupil Behaviour and Exclusions

156. Our terms of reference asked us to consider how to build up effective collaboration between schools. We note the work that has already been done within the Department for Education and Skills (DfES), working with the Prime Minister's Delivery Unit and with practitioners to define more closely what is meant by schools working in collaboration. The Minister of State's letter¹⁵ set out the outcomes expected from schools working in collaboration and design principles for their operation, and invited "pathfinder" partnerships of schools to start in January 2006. We very much support the concept of schools working in collaboration and within the Education Improvement Partnership framework. However, we also recognise that this is a challenge in many areas if all secondary schools are to be working in this way by September 2007.

Outcomes and Design Principles

157. We have seen and support the emerging outcomes and design principles appended to the Minister's letter. In particular, we are pleased to see that strong links are made with the *Every Child Matters* agenda and that the schools in collaboration, corporately, are being urged to forge working arrangements with other service providers within the local authority and beyond. This seems to us a more sensible arrangement, both for schools and other service providers, than trying to link up at individual school level. We can see benefits for families in this approach.

CASE STUDY: Partnership Working, Pooled Resources and Refocused Provision

From September 2005 a local authority in the South West of England devolved the entire Children Out of School Service Budget for this area of the county to the Education Partnership representing all local schools and the further education college. This enables the partnership to take advantage of economies of scale and greater purchasing power e.g. for lower transport costs, joint projects, ICT technicians. The partnership aims for greater inclusion within its schools. It aspires to zero permanent exclusions within the partnership, improved attendance and re-engaged learners.

The partnership supports the centre, which opened in the same month. This offers "New Directions in Learning" and strives to ensure that every child receives appropriate educational provision and support. It provides a range of alternative provision for Key Stage 1 to Key Stage 4 and a revolving door for excluded pupils and others out of school. It also offers multi-agency support for the most vulnerable pupils. Other organisations, such as the Youth Service, Connexions, Social Services, Sure Start, Police, Relate, Youth Offending Team, Educational Welfare and Social Work, work through the centre.

The centre has the backing of schools and the local community and looks set to be a success.

¹⁵ Letter from the Rt Hon Jacqui Smith MP, Minister of State for Schools and 14-19 Learners, to all Chief Education Officers and Directors of Children's Services about school collaboration on behaviour management, persistent truancy and alternative provision, 4 July 2005.

158. We are pleased to see among the design principles the need for schools in collaboration to have processes in place for early identification and intervention with pupils at risk of exclusion or truancy.

159. The principle that the partnership of schools in collaboration takes responsibility for all pupils in the area, including those that are excluded, should mean that reintegration of an excluded child into another school will be simpler and quicker. We welcome the idea of Pupil Referral Units being an essential element of the partnership. Involving school leaders in their management and in making important decisions on their provision and capacity will be beneficial to the extended school community.

“Education Improvement Partnerships (EIPs) have enormous potential. The DfES Prospectus identifies behaviour improvement and alternative education provision as a key function. NAHT believes that EIPs will eventually cover a much broader canvas.”

National Association of Head Teachers, *Behaviour and Discipline*, (June 2005)

160. We fully support the principle of schools sharing “hard to place” pupils more equitably and welcome the statement in the draft Admissions Code of Practice that “we expect admissions forums to discuss how local admission arrangements might work to allow schools to admit a more even share of such children, including children excluded from other schools, and to agree protocols for the admission of hard to place children”. We see this operating very much alongside schools working in collaboration to manage pupil behaviour. It is an important building block which underpins local collaboration.

161. We are concerned, however, at the impact on schools in special measures, which are likely already to have a high proportion of pupils who challenge. We bring to the attention of head teachers that in the current School Admissions Code, it is explicitly stated that schools in special measures, or out of them in the last two years, with a high concentration of challenging pupils, may refuse to admit further challenging pupils, even if the school is not full.

“Collaborations need energy behind them and the feeling of shared aims and benefits for the participants.”

Association of Teachers and Lecturers, *Behaviour and Discipline*, (June 2005)

Recommendation 3.6.1: the design principles for school collaborations on behaviour should explicitly encourage the use of managed transfers of pupils between schools where this is appropriate. Such transfers should, insofar as possible, be on the principle of “one pupil out, one pupil in”. Transfers should be undertaken with the full co-operation of parents and with any necessary support.

CASE STUDY: Promoting School Partnerships to Staff and Parents

A specialist English, Drama and Citizenship school in London is part of a federation. Support staff welcome the benefits of working in collaboration. Schools have opportunity to network and share effective practice and training has been arranged

for Teaching Assistants, Information and Communications Technology technicians, premises officers, design and technology staff and science technicians.

The school has made a point of selling collaborative work to pupils and parents. Advantages which they have identified include automatic access to their shared Sixth Form, gifted and talented work across federation schools and strong focus on attainment.

162. We welcome the Government's policy of encouraging all secondary schools to work together in partnerships by September 2007. For this to be achieved we believe that legislation is needed, to ensure active involvement of all secondary schools. If we want all secondary schools to work together on behaviour and to share "hard to place pupils" and want all pupils in the area to be the joint responsibility of the partnership, it is vital that all schools in an area should be members of the partnership. One school that does not join in risks the success of collaboration among all the other schools. We are concerned that there is nothing currently to make the schools work in partnership and in some areas an element of compulsion is needed.

Recommendation 3.6.2: the DfES should require all secondary schools – including Academies and foundation schools - to be part of a local partnership and that this should cease to be a voluntary option by 2008.

CASE STUDY: School Partnerships and Managed Moves

Last year, in the West Midlands, a local authority and its schools agreed a Service Level Agreement covering permanently excluded pupils, managed moves and pupils at risk of exclusion. It was based on collective responsibility for preventing the need for exclusions and developing effective alternative strategies, provision for those that are excluded, reintegration programmes, a protocol for sharing excluded pupils and funding arrangements that supported this way of working.

Cases are discussed by a local authority led panel, with the support of head teachers, and preventative work features prominently. Closer working between schools has encouraged greater use of managed moves. A charging arrangement has been agreed which incentivises preventative approaches to managing pupil behaviour. Provision ranges from six week preventative programmes (£1,800 full-time and £900 part-time) through to £3,500 for a managed move and £4,000 for permanent exclusions, of which £2,000 and £3,000 respectively goes to the receiving school. The change in approach enabled exclusions to be reduced from 72 in 2002/03 to five in 2003/04.

163. Although all secondary schools should be working in collaboration by September 2007, these arrangements will take time to establish. Moreover, even if the limit on excluding pupils for a fixed period without needing to provide full time education were to be brought down from 15 days to five days as recommended in the previous chapter, there will be important continuing issues of parental responsibility for excluded pupils. Parents need to take such responsibilities seriously: we consider this further in the next chapter.

Section 3, Chapter 7: Parents

164. It is our experience that most parents and carers try to work with schools. We recognise that the majority of parents and carers are highly motivated and want their children to do well. Many parents and carers give generously of their time, supporting the school as governors, unpaid support assistants with sports and other activities, as translators and as members of parent and teacher associations. Schools are particularly fortunate that so many assist in fundraising activities to enhance the educational opportunities for all the pupils. We recognise this and applaud their contribution.
165. Our terms of reference asked us to consider how parents and carers can be more effectively engaged in supporting schools in promoting good behaviour and respect, and how to ensure that. The Prime Minister's letter of 18 July highlighted the need to ensure that all parents and carers take seriously their responsibilities in this area.
166. Section 2 of our report contains many practical examples of how schools can work with parents and carers as partners. It is extremely important that parents and carers are involved in their child's education, and we applaud schools that undertake effective and proactive strategies to support this. Such schools have learnt that most parents are experts on their children, and school staff have much to learn from them that will help in their pupils' education at school. By encouraging and capitalising on the significant contribution that parents and carers can make, schools gain their confidence. This makes managing pupils' behaviour easier.
167. Some schools have found helpful, material produced by the Department for Education and Skills (DfES) on *Involving Parents, Raising Achievement*. These materials are available on the TeacherNet website¹⁶. The materials highlight, for example, that schools should be aware of the specific needs of the community which they serve, and recognise that some families may have particular linguistic, cultural and religious needs. They detail ways in which schools can break down these barriers to parental engagement.

CASE STUDY: Engaging Parents from Minority Groups

A secondary school in London took part in a project which aimed to improve the attendance and behaviour of Gypsy and Traveller pupils by encouraging them to have purposeful engagement with learning.

A special studies programme was designed by one of the school's deputy head teachers which focused on the building of photographic evidence depicting the presentation of 'home, friends and families'. The programme sought to engage Gypsy and Traveller parents and carers and an initial briefing meeting was well attended. The pupils were given cameras and technical training and the pupils' individual portfolios started to develop in a very encouraging way. The project culminated in a photographic exhibition staged for the whole local authority.

The involvement of parents and carers made a direct impact on levels of attendance, which improved markedly. This improvement was matched by much better patterns

¹⁶ Department for Education and Skills, *Involving Parents, Raising Achievement*, (2003)
<http://www.teachernet.gov.uk/wholeschool/familyandcommunity/workingwithparents/ipratoolkit/>

of personal and group behaviour mainly because of the purposeful engagement in their learning of the Gypsy and Traveller pupils. The pupils expressed interest and excitement in the work and their confidence as learners was much enhanced. Many of the pupils said that they felt more positive towards the school, their teachers and peers, and how pride in their ethnic heritage had been strengthened.

168. There is a specific issue about parents whose children join a school outside the normal admission process. Some schools have an induction programme to ensure that pupils and parents or carers are informed and supported during the transition. For a small proportion of pupils and parents or carers, extended help is required. This might be for a pupil newly arrived in the country, a pupil who has had an extended medical absence, a pupil joining the school after exclusion from another school or a pupil returning from custody. In each case, regular communication and a close working relationship between the school, the home and relevant agencies is critical to induction and continued successful learning.
169. Schools are increasingly using information systems such as websites and text messaging to inform parents and carers about what is happening at school, but we recognise that there is no substitute for more personal contact.
170. However, relationships between some schools and some parents and carers are not mutually supportive. This may be a result of a number of factors such as the lack of confidence that some parents and carers have in dealing with professionals or the formal structure of a school, or the impact of their own negative schooling experiences. Some schools need to make greater efforts to involve parents and carers in the education of their children; some parents and carers need to be challenged to take their responsibilities seriously.

CASE STUDY: A Parents' Forum

A specialist language college in the North of England set up a Parents' Forum three years ago to engage parents and carers in their schools behaviour policy. The group started with three parents and now has over 30 active participants. The Parents' Forum explored issues with behaviour, sending out questionnaires to students and parents and carers to inform and feedback into the school's behaviour policy.

The senior management team also go into all partner primary schools and hold an interview with Year 6 students and their parents and carers. The purpose of this meeting is to go through the school's expectations. This is the starting point of the parent-school partnership.

171. We think that what is required is a variety of ways of working with parents and carers. Firstly, good communication between the school and the home is essential so parents and carers understand, agree, and actively support the school in the maintenance of good behaviour and attendance. Secondly, specific support is required for parents and carers needing help in managing their children whose attitudes and behaviour cause difficulty in school. Thirdly, appropriate and effective compulsory measures need to be taken for parents and carers who will not fulfil their responsibilities on a voluntary basis. Finally, measures are necessary in relation to the small minority of parents and carers who are violent and abusive. We consider these issues in more detail below.

Home-School Agreements

172. Maintained schools have been required to have home-school agreements since September 1999. These agreements cover more than just behavioural issues. They provide information about the agreed responsibilities of staff and parents and carers, and what is expected of pupils, arrived at through consultation involving schools and families. They are intended to bring parents and carers, pupils, and school staff together to discuss what they want from their school. For school staff the agreement can provide a good starting point in discussion with pupils and parents and carers, should difficulties arise, and parents and carers should feel more confident about what is expected of them and their children.
173. However, whilst there is evidence that these agreements can be effective, in many schools they are not fully used. We believe there is scope to update the guidance on home-school agreements to reflect developments since they were first introduced, in particular, to recognise and reflect the vital contribution both parents and carers, and schools, must make to securing all five of the *Every Child Matters* outcomes.
174. It is clear to us that home-school agreements should detail what the school offers to the parent and the pupil. The home-school agreement should be designed to involve parents and carers as partners, making clear the responsibility of every parent to work with the school. The agreements should also contain a statement making clear what steps may be taken if either the school or the parent fails to meet their responsibilities.
175. We recommended in chapter 2 the creation of national guidelines on the rights and responsibilities of all sections of the school community, including parents and carers, in promoting positive behaviour. We believe it would be helpful for parents and carers if their rights and responsibilities were clearly set out in a single document. The recommended National Behaviour Charter should be incorporated into all home-school agreements but also be available as a separate document that underpins the learning and teaching policy of the school.

Recommendation 3.7.1: the DfES should revise policy and guidance on home-school agreements in the light of our recommendations, and promote the agreements to schools.

CASE STUDY: Home-School Agreements

A primary school in the South-East of England developed a home-school agreement to meet the statutory requirement for all maintained schools to have one in place from September 1999. Development of the agreement involved the collaboration of all interested parties in the school. Two working parties were set up: one with Parent Governors to work on the agreement; and the other with teachers and support staff to look at behaviour and playground provision. The Governors' working party oversaw the development of the agreement which covered:

- Behaviour policy
- Homework policy
- Uniform
- Attendance

The Governors decided that sponsorship would add a wider community dimension to the agreement and would allow it to be used in context with other information to parents as part of a Home-School Information File. Every family joining the school is now given a Home-School Information File. The File contains the home-school agreement alongside information to help parents with their child's education and progress, such as details on homework, school policies and the school calendar. The design of the file helps to keep the home-school agreement 'alive'. It is regularly referred to in communications and parents are encouraged to use the file for keeping updates, reports and information throughout their child's time in the school. In this way the home-school agreement is an integral part of information to parents.

Parenting Contracts

176. We are aware that increasingly there are parents and carers who turn to the school for help in managing their children. Some parents and carers may describe their children as being "out of control". Supporting these parents and carers is demanding of staff time, but important. Our observation is that where schools can support parents and carers who are anxious about their children, there is a more consistent approach between home and school in promoting positive attitudes towards learning, attendance and behaviour. Some of this support may be delivered by others on behalf of the school and schools can also assist parents by signposting and referring parents to other services.

177. For some parents or carers, information or a home-school agreement will be not be sufficient to enable them to fulfil their responsibilities. They may need targeted needs-based support and intervention which can be provided through a voluntary parenting contract. This is a two sided formal agreement between the parent and the school or local authority, in which each sets out what they will do to improve the pupil's behaviour or attendance at school. Some parents or carers will seek such help themselves; others will need a more directive approach.

CASE STUDY: Parenting Contract Following an Exclusion

A local authority uses parenting contracts as part of the re-integration process following a pupil's permanent exclusion from a school.

A contract meeting involves the new school, the parent, and the local authority's exclusions officer. Other agencies may be invited if appropriate, for example the safer schools officer or drugs out-reach worker. The support provided is tailored to the specific needs of the pupil and the family.

Feedback from parents about the process has been positive. Contracts were used for every permanent exclusion in the pilot phase (21 in total) and only one pupil was not successfully re-integrated. Local authority and school staff are very positive about the use of contracts.

Contracts are also part of a package to turn behaviour around at the Pupil Referral Unit (PRU), which runs a behaviour modification programme to get pupils ready for reintegration. The head of the PRU believes that the contracts are working and this is evidenced by the fact that none of the pupils in question have been excluded from the PRU.

178. We have seen some encouraging evidence that voluntary parenting contracts can have a beneficial impact on both behaviour and attendance. It is, after all, an opportunity for parents or carers to get the support they need to help their child be successful in school. However, in order for a behaviour-related parenting contract to be used, an exclusion must first have taken place, and disruption to the pupil's education will have already occurred. We are concerned that this requirement for an exclusion to have first taken place inhibits the use of the parenting contract as part of an early intervention strategy. We believe that, in fact, parenting contracts could be a valuable element in modifying behaviour before exclusions occur.

Recommendation 3.7.2: schools should be able to offer parenting contracts, prior to a pupil being excluded, as part of an early intervention strategy for tackling poor behaviour at school.

Parenting Orders

179. A very small number of parents or carers may not be willing to exercise their parental responsibilities properly. This can result in their child being denied their right to educational opportunities, and perhaps the chance of becoming a full member of society. When this situation occurs a parenting order may be the most appropriate way to ensure the interests of the child are protected.

180. A parenting order is a civil order imposed by a magistrates' court. It requires a parent to attend a parenting course for up to three months and comply with any other requirements specified in the order for up to twelve months. We were asked to consider how this measure might be used more effectively.

181. At present local authorities, but not schools, can apply for a parenting order. We think the power should be extended to schools, particularly as this could be an area in which schools will want to consider working in collaboration in future.

Recommendation 3.7.3: the legal power to apply for a parenting order should be extended to schools accompanied by clear guidance and examples of good practice in applying parenting orders effectively.

182. We also think in cases around poor behaviour the requirement to have an exclusion before applying for a parenting order inhibits their fullest use.

Recommendation 3.7.4: it should be possible to apply for a parenting order, following serious misbehaviour at school, in cases where the pupil has not been excluded.

Parenting Programmes and Support

183. It is crucial that any parenting programme or support accessed by the parent through a parenting contract or as a result of a parenting order is appropriate to need and of sufficient quality to bring about the necessary parenting skills to facilitate the desired change in the pupil's behaviour. DfES have recently issued guidance on sourcing and commissioning such provision. *How to source Parenting Provision* is available on the TeacherNet Website¹⁷. Other guidance, good practice and case study material on parenting contracts and orders is available on the

¹⁷ www.teachernet.gov.uk/publications

DfES's Behaviour and Attendance website¹⁸.

"All youth offending teams (YOTs) provide services to parents. The Youth Justice Board (YJB) recognises that parenting is a key risk factor for offending and anti-social behaviour, as it is for school behaviour and attainment. Parenting programmes were therefore developed to increase knowledge, skills and confidence in parenting. Programmes are delivered either one-to-one or in groups and typically cover topics such as problem behaviour, supervision of young people, setting boundaries and improving communication. 81% of parents attend on a purely voluntary basis; 19% are subject to formal parenting contracts or parenting orders....

....There is clearly more scope for cooperation between LEA's/schools and YOTs in this area given its potential to stabilise the conditions within families that may contribute to disruptive behaviour in schools. By the same token, greater cooperation would lead to more effective targeting of parenting support"

Youth Justice Board, *Submission to the Group*, (September 2005)

Parental Responsibility for Excluded Pupils

184. This is a key issue of concern to the Group, which we covered in chapter 5.

Dealing with Violent and Abusive Parents or Carers

185. Violent and abusive parents and carers do come into school, though for most schools, this is not a regular occurrence. Nevertheless, when incidents occur, they cause great distress to school staff and pupils. As a Group we understand that schools already have powers to ban parents or carers from the school site, and some schools have developed clear systems and protocols with local authorities and the police, so that rapid support is available in a crisis.

186. Head teachers report that there is significant variation between local authorities, and police services, as to the priority they give to this problem. In turn, not all schools fully understand their existing powers.

"Schools already have powers to ban parents and other from the premises. These powers need to be better understood, both in schools and by the police, who have to enforce them if they are flouted."

Secondary Heads Association, *Behaviour and Discipline*, (June 2005)

187. We recognise that there are practical problems for schools in exercising their powers and sometimes back-up support is not available from the police immediately. Unless a police officer is permanently stationed on site, it is likely that there will be some delay before police support arrives. It is important that all schools have a contingency plan detailing how they should ensure the safety of pupils and staff until police support arrives.

Recommendation 3.7.5: guidelines on dealing with violent or abusive parents should be re-issued by the DfES and the Home Office. School employers and

¹⁸ <http://www.dfes.gov.uk/behaviourandattendance/index.cfm>

local police must continue to treat as a serious matter the protection of pupils and school staff. Where the school can prove violence or abuse of school staff, we want serious consequences for perpetrators, including investigation and charging by the police, to enable public prosecution.

Recommendation 3.7.6: there should be a cross-departmental review, involving the Association of Chief Police Officers, on how to ensure more immediate and consistent response to schools dealing with violent or abusive parents. As part of its remit, the review should consider the appropriateness of current DfES and Home Office advice in this area.

CASE STUDY: Safer Schools Partnerships

A Constabulary have worked with a number of secondary schools, allocating dedicated officers on either a part time or full time basis on school sites. These officers have worked with school leaders to promote safe learning environments, assisting in the management of incidents that occur from time to time in the neighbourhood surrounding the school, working with school based attendance teams on tackling truancy and providing input into personal, social and health (PSHE) programmes.

The response of the community, students, staff and parents and carers has been very positive and has enabled schools to develop a range of strategies for dealing with situations that may otherwise threaten safety and well being. The scheme has been so successful that it is being extended.

Section 3, Chapter 8: Support and Guidance for Pupils and Parents

188. Earlier in this report, we underlined the importance of schools and their staff receiving appropriate support in behaviour management, including well-focused and quality training. However establishing good order and discipline within a school also requires the active engagement and cooperation of pupils and parents. This chapter of our report therefore focuses on the means by which schools can improve the quality of support they are able to provide for pupils and parents, particularly for those individuals who have significant needs.

189. We divide this chapter into three parts:

- First, we consider the role of school staff as a whole in supporting pupils' pastoral needs;
- Second, we consider the particular contribution which Learning Support Units, Nurture Groups and Learning Mentors can make in supporting and guiding individual pupils;
- Third, we consider how support and guidance structures might be further improved. In particular we identify a need for all schools to have a Pupil Parent Support Worker. This need not be a discrete post but it is an essential function. We see this as one of the key conclusions of our report.

The Role of School Staff in Supporting Pupils' Pastoral Needs

190. We feel strongly that all teachers have a pastoral role and that this is an essential part of being a good teacher. The DfES has helpfully confirmed that posts with significant additional pastoral responsibilities, such as head of year and learning support unit manager, can meet the criteria for awarding a Teaching and Learning Responsibility payment. But we remain concerned that, at a time of considerable change, some head teachers still seem to be confused about this issue.

Recommendation 3.8.1: the DfES should clarify further the guidance for schools on awarding Teaching and Learning Responsibility payments for posts with significant additional pastoral responsibilities.

The Contribution of Learning Support Units, Nurture Groups and Learning Mentors

191. Our experience as professional practitioners is that Learning Support Units (LSUs), Nurture Groups and Learning Mentors can have particularly beneficial effects in supporting, motivating and developing individual pupils. This is not to say that they are the only structures available to support and guide pupils. We also recognise, for example, the important contribution which specialist advisory teachers (sometimes operating on a peripatetic basis across schools) and other agencies can play in terms of support and guidance. However, LSUs, Nurture Groups and Learning Mentors are three school-based initiatives that we particularly wish to highlight and commend to our fellow practitioners.

CASE STUDY: Engaging Disaffected Pupils

A specialist school in the Midlands opened an 'Access Unit' for disaffected learners with a view to minimising disaffection with learning and reducing fixed term and permanent exclusions which was highly successful.

The Access Unit housed multi agency support from the Youth and Community scheme, nurses, Education Welfare Officers, connexions, with the Youth and Community officer also working with the youngsters in the evenings.

The Unit provided 'hot spot' support – where pupils spent time understanding the reasons behind their behaviour, looking at strategies to improve and avoid future issues. Students were held accountable for disruptive behaviour within the supportive environment. The Unit was also used for additional support with coursework catch up and had links with learning to support, to provide targeted support for students in need.

Long term strategies were also employed with targeted students or those in urgent need e.g. anger management courses using a strategy of discussion over a period of weeks. The Unit was infrequently used for isolating pupils; it provided a learning space for them, rather than a fixed term exclusion. The Unit was also the school's link with the vocational courses at local colleges, providing curriculum enrichment for students in need.

Learning Support Units

192. Learning Support Units are in-school units that can help schools improve behaviour, by using short term and early intervention that enables pupils to continue their learning. Pupils should be referred to them in a planned way and for positive reasons. They perform a different role to "withdrawal rooms" or similarly described space to which teachers can refer disruptive pupils immediately (we endorse the use of such facilities in paragraph 125). We believe that LSUs, operated well, teach pupils how to be better learners. We also believe that the work of the LSU should be an integral part of the whole school behaviour and attendance policy and strategy. The DfES initiative to promote good practice, the publication of guidance¹⁹ and an audit instrument, alongside revised Ofsted inspection procedures, is resulting in improved standards in LSUs and a steady increase in their number in both primary and secondary schools. However we are concerned to note the variable quality of provision and that some inappropriate practice continues to exist.

193. In terms of good practice, we particularly highlight the role of LSUs in supporting the most vulnerable pupils, at a time when they would otherwise be failing to learn. This includes targeted intervention for groups of pupils with specific behavioural problems, supporting pupils to develop better learning strategies, and flexible provision including multi-agency work. LSUs can serve as a base for reintegrating pupils who are poor attendees or returning from exclusion, reducing levels of exclusion and acting as a centre of expertise in behaviour and attendance improvement. They should never however become a place of punishment or dumping ground, an isolated bolt-on provision, nor a quick route to exclusion. They should complement other work in the school, not compensate for lack of provision.

CASE STUDY: Using the Learning Support Unit to Motivate and Engage a pupil

¹⁹ *Guidance for Establishing and Managing Primary and Secondary Learning Support Units (LSUs)*, DfES, September 2005

A school used a Learning Support Unit to support a very troubled pupil, with low literacy, a troubled family background, and in difficulties with the police outside school.

The first step was to learning about his interests, in the guise of an “all about me” lesson. His passion for rugby became the hook with the pupil, and the opportunity to play for the school team was used as a reward for his good behaviour. The Unit’s staff would also go to matches to watch him play in order to build his confidence.

The pupil was also given the opportunity to spend his breaks and lunchtimes in the Unit, as he found these the most difficult times. As part of his re-integration into lessons he was provided with a Learning Mentor. The Learning Mentor introduced him to the study of sports psychology, arranged anger management training, and gave him a time out card so that he could come to the Unit if necessary, to avoid confrontation.

The pupil responded extremely well to this support. His learning and behaviour improved a great deal, and as a result of his commitment and sportsmanship is now captain of the school rugby team.

194. We are aware that a number of schools outside of Excellence in Cities (EiC) areas are finding the money for LSUs from their own budgets, having recognised the important role such Units can play.

CASE STUDY: Funding a Learning Support Unit

A school in South-West of England has re-deployed existing funds to develop a Learning Support Unit (LSU) that is now regarded by many of the students as being a welcoming and friendly place in which to work. Behaviour is managed through a combination of encouragement, praise, target-setting and regular discussion with students. Importantly, parents have been encouraged to attend with their children, and this has helped to develop a community-type feel to the ‘Centre’.

Regular liaison with other professionals has enabled the LSU to manage the behaviour of some very challenging students, through common target-setting and access to an extended range of resources and strategies. The Centre acts as a hub for regular meetings with, amongst others, Social Workers, Youth Offending Team Workers, Family Support Workers, an Educational Psychologist and the Work Placement Officer. Senior staff are fully supportive, and Heads of Year stay in close contact with LSU staff so as to offer maximum support to a student returning to mainstream classes.

195. We are aware of the concern that exists within the profession about the sustainability of LSU provision, once EiC funding ceases. We appreciate that there are good reasons why there is to be less ring-fencing of education grants in future. However we share the broad concern that the successful development and continued expansion of LSUs in both primary and secondary settings should not be lost. The responsibility for this will henceforth be largely down to individual local authorities and schools, to prioritise amid other competing pressures. In this context, we note that the costs of providing for a pupil excluded from school can be considerably higher – both in financial and social terms – than providing support at an earlier stage through a tailored LSU placement.

“We will have to make [the Learning Support Unit] sustainable, to be honest...we couldn't just cut it off, throw it away and carry on ...I would hate to envisage us trying to do it”

Deputy Headteacher, quoted in
National Foundation for Educational Research, *The benefits and challenges of Excellence in Cities* (December 2003)

Recommendation 3.8.2: when making workforce reforms, schools should consider whether a Learning Support Unit could benefit pupils, support whole school approaches to behaviour and learning, and be a source of expertise for promoting positive behaviour.

Recommendation 3.8.3: wherever possible, all secondary school pupils should have access to a Learning Support Unit, either in their own school or elsewhere among the local partnership of schools.

Recommendation 3.8.4: Learning Support Units should complement other provision in schools, such as short term withdrawal rooms or similar provision to which children who have misbehaved in class are sent. Learning Support Units should not be used as dumping ground for misbehaving children, and should not be bolt on provision or a staging post on the road to excluding a pupil. They should attempt to improve the child's behaviour and support the child's continued learning.

Nurture Groups

196. Nurture Groups, found largely in primary schools, are an important early intervention for emotionally vulnerable children, providing a safe and supportive environment for those who lack confidence and enthusiasm at school. They evolved to meet the needs of pupils who have had insufficient early nurturing, and as a result struggle to meet the social and intellectual demands of school life. This failure is likely to damage further a child's self-confidence and esteem and can lead to, or reinforce, poor behaviour.

197. Nurture Groups offer a safe and contained environment, where a pupil can spend much of the school day, while also keeping in contact with their class. On average a pupil will spend four terms in the Nurture Group. Key principles include valuing the child, responding to them at whatever developmental stage they may have reached, helping them to reach any developmental stages they may have missed and developing language for expressing emotions.

198. By offering pupils more intensive support to overcome particular obstacles to emotional development, Nurture Groups complement the universal work of the Social and Emotional Aspects of Learning programme. Nurture Groups help children re-establish good relationships with adults, and begin to see school as a place where they experience success. As indicated in the Behaviour Improvement Programme toolkit, this can have highly beneficial effects on pupils' motivation, engagement with school and standards of behaviour.

199. We underline the importance of proper training for effective practice in Nurture Groups, and we commend the excellent training opportunities available through the

CASE STUDY: The Impact of Nurture Groups

This case involved a young boy who hit other pupils, grabbed their toys and destroyed their work, failed to listen and was clearly very angry and defended himself as best he could. He was placed in a Nurture Group where the staff focused on helping him to concentrate, to co-operate better with other children and to develop his motor skills. After a year his skills were so improved he was ready to return to his class. His mother, who had feared the school would reject him, was delighted with the change in him, and was working on getting her own life back under control.

Learning Mentors

“Pupils “were one and a half times more likely to have achieved five or more GCSEs at A* to C grades than young people with similar prior attainment and other characteristics who had not been mentored. These findings suggest that... learning mentors may have managed to overcome some (if not all) of the barriers to learning faced by their mentees, and indeed, to raise their performance to levels above what would have been predicted from their Key Stage 3 outcomes.”

National Foundation for Educational Research, *Pupil Outcomes: The Impact of Excellence in Cities*, December 2003

200. The concept of Learning Mentors was introduced in 1999 through the EiC programme, and we understand there are now around 12,000 in place across the primary and secondary sectors. Learning Mentors are non-teaching support staff who help individual pupils reduce barriers to learning. Where poor behaviour creates a barrier, the Learning Mentor will work with the pupil in securing improved motivation and engagement. Learning Mentors have made a significant contribution across EiC areas, including schools in the Behaviour Improvement Programme. Their role is now well established, with a supporting five day national Initial Training Programme, National Occupational Standards and a National Accredited Training Framework.
201. Our own experience as practitioners is that Learning Mentors can have an enormously beneficial effect, in improving the standards of learning and behaviour for individual pupils, in those schools where they are currently available. We understand that the DfES and Children's Workforce Development Council are working together to ensure continued support for learning mentor work in all schools and colleges across the country, and we warmly welcome this.
202. There are many types of mentoring, and we illustrate the range of practice in the following case studies:

CASE STUDY: Mentoring in a Specialist Secondary School

A school has replaced its traditional mentoring model (senior management mentoring individual C/D borderline pupils) with a new model where the Senior Management Team targets and teaches classes with high levels of C/D borderline students or where there has been frequent incidents of poor behaviour impacting on

learning. This approach means there has been a change to learning focused lessons, with students beginning to see success as they accessed learning in a more secure, learning focused environment.

In addition quiet and well behaved students from difficult classes are placed in the RHINO club (Really Here In Name Only) and given intensive support and mentoring to raise their grades.

CASE STUDY: Learning Mentors and Primary-Secondary Transition

Pupils in a local authority in the Midlands have been identified for Learning Mentor support, either because of behavioural problems or other difficulties which could make the transition to secondary school more of a problem, e.g. shyness.

Learning Mentors now make initial contact with the heads, and parents, and pupils requiring support, and hold introductory meetings and presentations and after-school transition sessions. The process of changing schools has thus become much less tense for all involved. Encouraging year 7 pupils to return to their old school and speak in assembly, and beginning to discuss the transition with children in year 5 have also proved effective.

CASE STUDY: Learning Mentors

At a primary school in the Midlands a behaviour learning mentor supports vulnerable pupils during the lunch period by sharing dinner at a table with eight to ten pupils. Following this a range of activities chosen by the pupils is modelled and demonstrated to support their needs and channel and focus the pupil's energies. After a term some of these pupils then move on to mentor other pupils. This includes taking on responsibility in helping them to manage the lunch hour. The result of this has been fewer pupils in trouble at lunchtime and a system that supports and channels pupil's energies.

CASE STUDY: Coaching and Mentoring Staff

A Specialist secondary school employs several members of staff in complementary roles to work closely with particular groups of students. Their role is to coach, mentor and track students in their studies. In ICT, a part time member of staff works with students to ensure that students complete their GNVQ coursework on time and are fully prepared for examined modules. He works with individual students and small groups both during normal timetabled ICT lessons, at scheduled times in the week, after school and during holiday periods. He has played a crucial role in keeping students engaged and on track with the many deadlines and modules contained in this course particularly with students, who for whatever reason, may have missed large parts of the taught course. The students are referred to him by members of the ICT teaching staff for numerous reasons including long term absence, missing deadlines and poor attitude to their work. These students then work with him until they are deemed "back on track". The response to this approach from students, parents and staff has been impressive and has definitely contributed to the 100% pass rate in GNVQ ICT over the past two years.

Pupil Parent Support Worker

203. Initiatives like EiC have played a valuable role promoting the development of Learning Mentors and LSUs in those schools that have benefited from the provision. However pupil support and guidance are not solely concerns for schools in EiC areas. All schools need to develop appropriate support and guidance structures, both for pupils and for parents. The aim should be to secure engagement of the community generally, with emphasis on those pupils and parents in particular need of support. We see it as a core part of every school's mission to raise standards of teaching, learning and behaviour to ensure that appropriate structures for delivering such support and guidance are in place.
204. Our commitment to the aspirations expressed within the *Every Child Matters* initiative has greatly influenced our thinking. Schools will need to review their structures so that better support can be offered to pupils and parents, in order that the key principles of *Every Child Matters* can be met. In particular schools will need to ensure that the support and guidance which they provide to pupils and parents is appropriately focused on promoting pupil health, safety, enjoyment, achievement and economic well-being. These are benchmarks against which schools will be assessed, both in formal inspections and in their day-to-day relations with the communities they serve.
205. We believe, therefore, that it is in schools' own interests to ensure that adequate and appropriate structures of support and guidance are in place. This is particularly important for meeting the needs of families whose difficulties manifest themselves in pupil behaviour problems at school. If the Government and Ofsted adopt our recommendations in chapter 2 about making pupil behaviour issues integral to school evaluation and inspection processes, this need will be even more apparent. It is a need that applies across both primary and secondary schools.
206. We believe that there is a gap in the staffing arrangements of many schools which needs to be filled. We use the term Pupil Parent Support Worker (PPSW) to describe, in overall terms, the kind of role we have in mind. However while individual schools might well choose to focus this responsibility on an individual, designated post, we are not recommending that each and every school needs to do so. There are various ways in which schools might wish to ensure appropriate support and guidance, and the structures for delivering this are properly for individual heads and governing bodies to consider. For example, some schools might choose to share the responsibility across a designated group of staff, or to build this onto the job description of their existing Learning Mentor. What matters is that an adequate and appropriate structure for support and guidance is in place. In other words, it is the delivery of a function that we are recommending, rather than necessarily the creation of a particular post.
207. We also want to distinguish clearly between the function of the PPSW and that of Learning Mentors. Learning Mentors, we understand, have largely focused on support to pupils – working primarily on a one to one basis, to address the barriers to learning that a particular individual may experience. The PPSW would have a broader support and outreach role, working both with pupils and with parents, and across community groups.
208. The PPSW function should, we suggest, be undertaken by school support staff working with teachers as part of an integrated team. It would provide an important support to pastoral managers in secondary schools and school leaders in primary

schools, special schools and PRUs. This would allow school leaders to focus more selectively on where they concentrate their energy.

209. PPSWs would also work with schools working in collaboration, acting as a key link between schools that are trying to find new and imaginative ways of collectively managing the placement of fix term excluded pupils. Where circumstances allow, we would encourage secondary schools and their partner primary schools to pool their PPSW resources in order to secure continuity of support over the key period of school transfer.

210. As well as working in schools, PPSWs could be employed to work outside schools hours contributing to the implementation of the extended schools initiative and the aspirations identified within the Youth Green Paper. We see this as providing “wrap around care” for vulnerable pupils beyond the school day and at times when they are particularly at risk. This could take place through PPSWs contributing to arranging school holiday clubs, so that children are engaged in learning, sport, or other beneficial activities, rather than becoming disengaged with society or participating in anti-social behaviour.

211. PPSWs would have a pivotal role in acting as the link between the school and an excluded pupil and their family. If, for example, a school had concerns about a parent’s ability to manage an exclusion, including guaranteeing their child would remain indoors all day, the PPSW could:

- support a pupil in a designated area of the school, at an agreed location off site, or in the pupil’s home;
- ensure that work is collected from teachers and delivered to the home or alternative location;
- check each day that work set was delivered and returned to the school for marking, particularly if the pupil was placed at home;
- allocate time for discussion with the pupil about what could be done to avoid exclusion in the future;
- have discussions with parents to help them understand the nature of the behaviour that caused difficulty in school;
- where the pupil is “known to be in danger of criminal and anti-social activity,” work closely with police and other agencies and keep the school informed of developments; and
- support the transition of the pupil back into the school.

211. The PPSW would also have an important role, as the point of liaison for a variety of agencies outside the school. For secondary schools, this would include in particular the Targeted Youth Support Teams proposed in paragraph 227 of the Green Paper *Youth Matters*²⁰. The Green Paper suggests how the Targeted Youth Support Teams would need to have a close relation with schools, providing a single route of referral for schools when they have concerns about a particular young person that

²⁰ Department for Education and Skills, *Youth Matters*, (July 2005)

go beyond the scope of their existing pastoral and learning support. We recognise that such support could be of great benefit to schools, but would highlight the need also to have appropriate support within the school, and to have a clearly designated point of day-to-day contact within the school for the Targeted Youth Support Teams. The PPSW would provide this.

212. We would underline the importance of leaving individual schools to determine how most appropriately to deliver the PPSW function, using the flexibilities of the school workforce reforms. Neither the way the function is delivered nor the way it is funded should be prescribed centrally by Government, through ring-fenced funding, as this would be contrary to the general move to give schools greater autonomy. However the scale of development needed to ensure that all schools are adequately equipped to deliver this kind of support and guidance function clearly does have financial implications. So, notwithstanding the general increase in school funding to which the Government is already committed, we would suggest that this needs to be taken into account in overall, under future Spending Review Settlements.

Recommendation 3.8.5:

- a. all schools should ensure appropriate and adequate delivery of pupil and parent support to meet the objectives of *Every Child Matters* and to reflect the centrality of behaviour to school standards and improvement processes;**
- b. we therefore recommend the establishment in all schools by September 2007 of a Pupil Parent Support Worker (PPSW) or other staffing structure to deliver this function;**
- c. the PPSW should be part of the school support staff, working with teachers as part of an integrated team, and in secondary schools providing a point of day to day contact with Targeted Youth Support Teams;**
- d. schools should use the flexibilities created by the workforce reforms to determine how most appropriately to deliver and fund this;**
- e. appropriate training should be identified at national level to equip PPSWs to carry out their role; and**
- f. the Government should take account of the scale of PPSW development across schools in determining overall levels of funding.**

Section 3 Chapter 9: School Building Design

213. The surroundings in which we work and learn have a major impact on our behaviour. As our practical examples in Section 2 show, this is particularly true in schools. How schools organise themselves and utilise their facilities can have great impact in promoting positive behaviour and mutual respect. Effective school design contributes to an atmosphere in which all members of the school community feel safe and motivated to teach and learn. Attractive and stimulating classrooms inform pupils that they are valued and respected. In such situations learning is enhanced and bad behaviour is reduced.

214. We welcome the investment that the Department for Education and Skills (DfES) is making in renewing much of the school building stock, particularly through *Building Schools for the Future*. We commend the government for its commitment to improving the educational building infrastructure. We also welcome the recognition given to school discipline and behaviour related issues in the DfES's Building Bulletins 93 (*Acoustics in Schools*) and 95 (*Schools for the Future*) and in the school buildings Exemplar Designs publication.

215. It is, however, still the case that not all school buildings are being designed with these issues sufficiently in mind. Recognising that such renewal of the school building stock occurs infrequently we are concerned that when rebuilding, or remodelling takes place it does so on the basis of the best educational research available. We are particularly anxious that full consideration is given to ensuring that building design promotes social harmony in schools.

Recommendation 3.9.1: further research should be undertaken to identify those design features which are supportive to good discipline and order within schools.

Recommendation 3.9.2: design briefs for any new building should take account of the outcomes of this research so that whenever school buildings are being designed or renovated, the potential of the environment to improve behaviour and discipline is a priority for architects, school managers and local authorities.

Recommendation 3.9.3: it should be a requirement for all newly built schools - whether primary, secondary, special schools - that dedicated space be created for pupil support services, such as Learning Support Units and time out spaces. Scope should be created for locating these together if the school so chooses.

216. It is not simply the quality of the spaces and finishes of areas within schools that make a difference to behaviour. Hidden corners impede staff supervision and inadequate space in corridors increases the chance of jostling and bullying. Inadequate play areas and inappropriately designed toilets can contribute to disorder and bad behaviour. Equally the intelligent placement of staff offices and work areas can do much to ensure that all parts of a school are places where adults and pupils mix freely in a calm and relaxed manner.

“Physical elements in the school environment can be shown to have discernible effects on teachers and learners. In particular, inadequate temperature control, lighting, air quality and acoustics have detrimental effects on concentration, mood, well-being, attendance and, ultimately, attainment.”

The Centre for Learning and Teaching, University of Newcastle, *The Impact of School Environments: A literature review*, (2005).

217. One specific issue for school building design to address is acoustics. Obviously, if children can not hear properly they are more likely to cease to pay proper attention to lessons. We note in this context the contribution which Sound Field Systems can play, in ensuring that pupils at the back of class can hear properly. This has particular benefits for children with impaired hearing and pupils for whom English is as an Additional Language. Similarly, it is important that pupils should be able to see presentations clearly. Classrooms should have plenty of daylight but with glare control as well as good acoustics and adequate ventilation.

Recommendation 3.9.4: architects and contractors should pay attention to the acoustics and lighting in classrooms, so that we can be confident that pupils, wherever they sit, are able to participate fully in classroom activities.

218. We recognise the importance of the design of recreational and social spaces in creating social harmony in schools and the wider community. Dining areas need to be civilised places that motivate pupils to stay on site, enjoy healthy food and interact with each other in a positive way. Pupils should also have access to areas in which they can be quiet and reflective during break time in well designed and attractive spaces. A pleasant café-style space that is open all day is more appropriate for a modern learning environment and can become the social centre of the school as well as a place for informal learning. Longer opening hours will support a more flexible timetable reducing the need for rigid, whole-school break times, which eases congestion at lunch time and can allow smaller, more intimate eating spaces.

219. Pupils leaving the school site at lunchtime in search of alternative refreshments can result in non-attendance in afternoon teaching sessions. Depending on the school's policy on allowing pupils off the school site there is clearly some risk that the proposed changes in school menus will result in some pupils opting out of school food options. However most pupils are more likely to stay on site during break and lunchtimes if good food and drink is available. This requires adequate kitchen space to provide a range of healthy and appealing meals to pupils.

CASE STUDY: Behaviour and School Building Design

A London school relocated all senior staff offices, LSU and Pupil Support provision so that there was senior staff presence in all areas of the school during lesson times.

This was combined with a range of other building design changes. For example, the pupil toilets were redecorated, and an abandoned drinking water fountain was mended. A common room was made available for students to use, and a family room was create in which meeting with parents could be held.

The school also made use of new technologies in the refurbishment. Chalkboards were replaced with interactive white boards, and UV filters were put on south facing

windows so that pupils did not become excessively hot.

Recommendation 3.9.5: adequate consideration should be given to creating well designed dining rooms and kitchens. Catering specialists should be consulted at an early stage in the design process to ensure sufficiently sized spaces which are carefully planned, efficient, safe and productive environments.

Recommendation 3.9.6: dining rooms should provide a relaxing environment in which to eat and socialise and careful consideration should be given to furniture, fixtures and finishes.

Section 3, Chapter 10: New Powers

220. At the beginning of this section of our report, we set out our belief that successful existing initiatives on improving pupil behaviour need time for more secure development, rather than replacing them with a wide range of new initiatives. We have nonetheless gone on to identify a series of specific changes that we believe will help further raise standards of teaching, learning and behaviour. In this final chapter, we turn our attention to the question of new powers for teachers, focusing particularly on the following three key areas:

- The overall legal right to discipline pupils;
- Rights to search pupils; and
- Tackling behaviour problems arising from misuse of mobile phones.

The legal right to discipline pupils

221. A recommendation that the Government should consider introducing legislation to clarify the legal basis of teachers' authority was made as long ago as 1989 in the report of the Committee of Enquiry into Discipline in Schools chaired by Lord Elton.²¹ The Elton Committee felt this would be helpful, given that the overall legal basis for a teacher's authority is not simply and clearly stated in an Act of Parliament, and because they were uncertain that this authority is beyond challenge.

"The NUT is concerned that there exists in the minds of some pupils and parents a belief that a teacher has little or no authority at present to discipline children. Some teachers too lack confidence in imposing reasonable sanctions on children who breach what is considered acceptable behaviour in schools. This contributes to the persistence of low level disruption and sometimes defiance"

National Union of Teachers, (September 2005)

222. We share the concerns expressed by the Elton Committee. The basis for teachers' legal authority is commonly understood to be the *in loco parentis* principle, which gives teachers the same authority over their pupils as parents have over their children. This is an ancient doctrine of the common law. The Elton Committee noted that most of the legal judgements which support it are also very old – predating the introduction of compulsory education and including one judgement from 1865. Since the Elton Committee reported, we understand that the *in loco parentis* principle has been reaffirmed, with recognition of it as the basis for the right to discipline, in the *Williamson* case of 2003²². However legislation on specific aspects of school discipline such as exclusions and detentions has modified the broad *in loco parentis* principle. The Gillick competence principle²³ means that the risk of

²¹ Chapter 3, sections 71-76 and recommendation 11.

²² R (on the application of Williamson & others) v Secretary of State for Education and Employment [2005] UKHL15.

²³ Gillick v West Norfolk & Wisbech Area Health Authority & Department of Health and Social Security HL (1986) Ac 112: (1985) 3 WLR 830: (1985) 3 A11 ER 402. The House of Lords recognised the right of a young person of sufficient maturity and understanding to consent to medical treatment. The House approved the formulation of Lord Denning MR in *Hewer v Bryant*, regarding the authority of a father, "It starts with a right of control and ends with little more than advice".

legal challenge identified by Elton is now even greater. Indeed, for 18 year old pupils, the *in loco parentis* principle no longer applies as they are adults. Moreover, the trend for parents to challenge schools at law, noted in the Elton Report, has continued and intensified.

223. We recognise that there would be difficulties to overcome in framing satisfactory new legislation. For example, putting the right to discipline on a statutory footing might raise issues of “due process” – standards of proof, appeals and so on. Moreover, the right of the teacher to discipline would need to be set in the broader context of the right of other staff, governors and parents to impose sanctions and foster self discipline. Despite the technical and conceptual difficulties, on balance, our view is that the creation of a clear new legal right would be helpful. Indeed, we see an even stronger need than at the time of the Elton Report for a single new piece of legislation to clarify the overall basis of the authority to discipline pupils. We endorse and support the Elton Committee’s conclusions about what this right should cover, and quote this in full below.

Elton Committee’s conclusions on the content of new legislation:

“We consider that any such legislation could usefully establish that:

- 74.1 the teacher has general authority over pupils for the purpose of securing their education and well being and that of other pupils in the school and ensuring that they abide by the rules of conduct set by the school;
- 74.2 this authority is not delegated by the parent, but derives from the teacher’s position as a teacher. In matters relating to the school, this authority overrides that of the pupil’s parent;
- 74.3 the teacher’s authority includes the right to set homework and to impose punishments for conduct contrary to the school rules which should be made known to pupils and parents. Such punishments must be reasonable and proportionate to the breach. They may include extra academic work to be completed in or out of school, tasks to assist the school in any reasonable way (including repairing damage), a requirement to stay in school beyond normal hours (detention), withdrawal of privileges or any other reasonable punishments consistent with the school’s discipline policy and the law. The authority is not intended to override the provisions of the Education (No.2) Act 1986 covering corporal punishment. Parents must be given adequate notice of any punishment which obliges a pupil to remain in school for longer than a few minutes outside normal hours, or to take part in an activity off school premises; and
- 74.4 the teacher’s authority extends beyond the school to any off-site activity which is a continuation or extension of schooling such as a field trip or a school journey. It also applies to other situations, such as bullying out of school, where pupils’ conduct impinges on the school.”

224. We also believe it important for any new legislation to balance the power to punish with the power to provide care – these two aspects being both integral to the common law doctrine of *in loco parentis*. The new legislation also needs to be couched in sufficiently broad terms not to have the effect of diminishing or circumscribing the existing, very broad rights. Finally, it needs to be framed in such a way as to provide a clear read across to the parents’ duties and responsibilities,

and to encompass something that will not conflict with teachers' right to restrain a pupil using reasonable force.

Recommendation 3.10.1: following consultation with the main professional associations, as a matter of urgency, the Government should introduce a single, new piece of legislation to make clear the overall right to discipline pupils. This should be framed in such a way as not to diminish existing, wide legal rights; provide a clear read across to the duties and responsibilities of parents; and reaffirm teachers' right to restrain pupils using reasonable force.

Rights to search pupils

225. We note that the Violent Crime Reduction Bill, currently going through Parliament, includes a clause giving head teachers the right to search pupils without their consent if the head teacher has reasonable suspicion that the pupil is in possession of an offensive weapon. This is in our view a welcome addition to the range of powers currently available to head teachers. However we believe our fellow practitioners will want to use the power sparingly, in circumstances where they believe a search will not lead to avoidable confrontation or put the head teacher at unnecessary risk. Where a risk is apparent, heads should, as now, involve the police.

226. We also considered whether to recommend extending the right to search pupils without their consent to cover not only weapons but also illegal drugs and stolen property. This seems to us a logical development. Illegal drugs and stolen property undermine pupil safety and the order and discipline of the school community. Moreover, for schools generally, the problem of pupils carrying weapons is likely to be less frequent than the problem of pupils carrying drugs or stolen property. This is not, however, a straightforward issue. Drugs and stolen property may be less readily identifiable than weapons. Many pills made by dealers look very like medicines available from chemists, and one child's designer label fashion accessory looks much the same as another. Schools might need to involve the police, following a search, particularly if there is evidence of activity such as drug dealing.

227. Our overall conclusion is that it would be prudent to take stock of how the new power to search for weapons works in practice, before legislating for such an extension. We also underline the importance of schools having ready access to clear, authoritative and up to date guidance on how to handle such difficult cases. The guidance would need to make clear the kinds of responsibility which properly fall on schools, the circumstances in which police should be involved, and what the role of the police and other external agencies including the local authority should be. It is important that the existing DfES guidance on *Dealing with Troublemakers*²⁴ should be appropriately updated, with separate new guidance specifically on the power to search for weapons, introduced by the Violent Crime Reduction Bill. We understand that the DfES have the latter in hand.

Recommendation 3.10.2: if the Violent Crime Reduction Bill becomes law, the DfES should monitor, evaluate and publish a report on the use of the new legal power to search pupils without consent for weapons. In the light of that report, they should review whether the right to search should be extended in due course

²⁴ DfES/Home Office, *Dealing with Troublemakers*, December 1997

to include drugs and stolen property.

Recommendation 3.10.3: the DfES should update its guidance on *Dealing with Troublemakers* to cover the new power for heads to search pupils for weapons, and make it available to all schools.

Mobile Phones

228. Mobile phones are now part of daily life, and have changed the way in which individuals and organisations communicate. We understand that around 90% of secondary school pupils own a mobile phone, and that the average age at which children receive their first mobile phone is eight years. As communications technology continues to develop, schools need to be aware of the changes and their implications for behaviour.

229. We are deeply concerned at some of the negative impacts which mobile phones, including camera phones, are having on school discipline and pupil safety. This is not simply a case of ring tones disrupting lessons. Mobile phones are sometimes used to convey inappropriate text messages as a form of bullying and harassment. Some pupils have used mobile phones to invite aggressive parents to school, so the parent can challenge teachers' right to punish misbehaviour. Pupils with mobile phones may also find themselves bullied or have their phones stolen, with a particular risk in some communities of mugging on the way to school. A particularly extreme and dangerous practice is where mobile phones are used to record and transmit images of bullying, assault or other violence – the craze referred to by the media as “happy slapping”.

CASE STUDY: Combating ‘Happy Slapping’

A school in inner city London dealt with the emergence of ‘happy slapping’ by explaining to all pupils in assemblies about the ways in which police could gather evidence from mobile phone providers to prosecute those engaging in any mobile phone bullying. This was followed by targeted prevention work with members of two gangs who attended the schools in partnership with the police and community workers.

230. We believe pupils should be discouraged from bringing mobile phones to school. It is obviously unacceptable for pupils to have phones switched on in lessons. We support head teachers who, having considered the community in which their school is situated and consulted with parents, decide to ban mobile phones.

231. We do, however, recognise that for some schools, a total ban on mobile phones on the school site would be inappropriate; mobiles are helpful when pupils need to contact parents to arrange lifts home after school. There are also individual pupils who, due to particular family or personal circumstances, find a mobile phone an important support on their way to and from school. These are however a minority of pupils: in most cases, our view remains that the disadvantages of bringing mobile phones to school outweigh the benefits.

CASE STUDY: A Clear Policy on Mobile Phones

Just after Christmas, a school in the Midlands arranged for Community Support

Officers to provide free security coding for all pupils who had mobile phones. In order to have this free service, pupils had to read a leaflet about use of mobiles, log the phone number of their mobile, and sign that they agreed to abide by the school policy.

232. We note advances in other technologies means it is possible to give parents and schools control of pupils' mobiles. This means it is possible to disable certain phone functions, whilst allowing some numbers to remain active for emergencies. We understand the technology has the ability to operate on a geographical basis, such as within school boundaries. We will be interested to see whether schools make of use this technology in the future. However, we do not see this as a substitute for schools having a clear policy on the possession and use of mobile phones on the school site, and there being appropriate measures to punish those pupils who do not obey the school rules.

Recommendation 3.10.4: schools should be required to have a clear policy on the possession and use of mobile phones on the school site, including details of the sanctions, if pupils disobey the policy.

The Practitioners' Group on School Behaviour and Discipline

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Head Teacher

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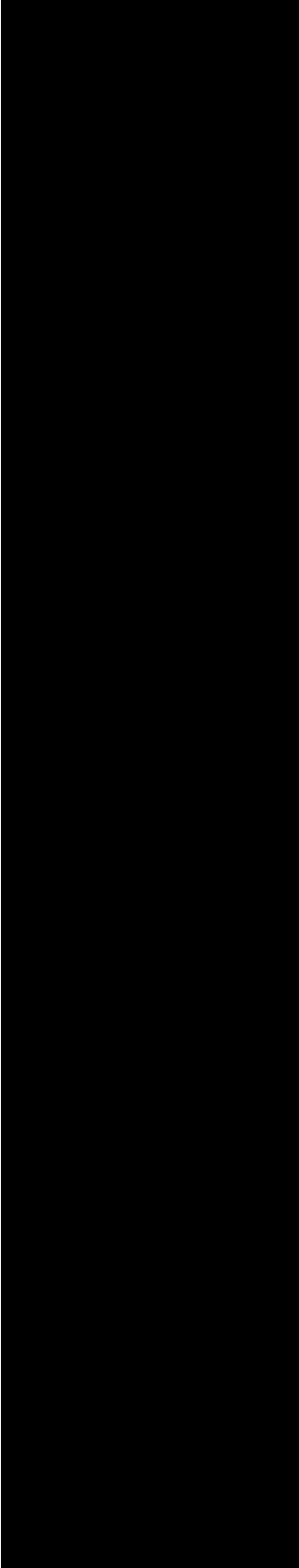
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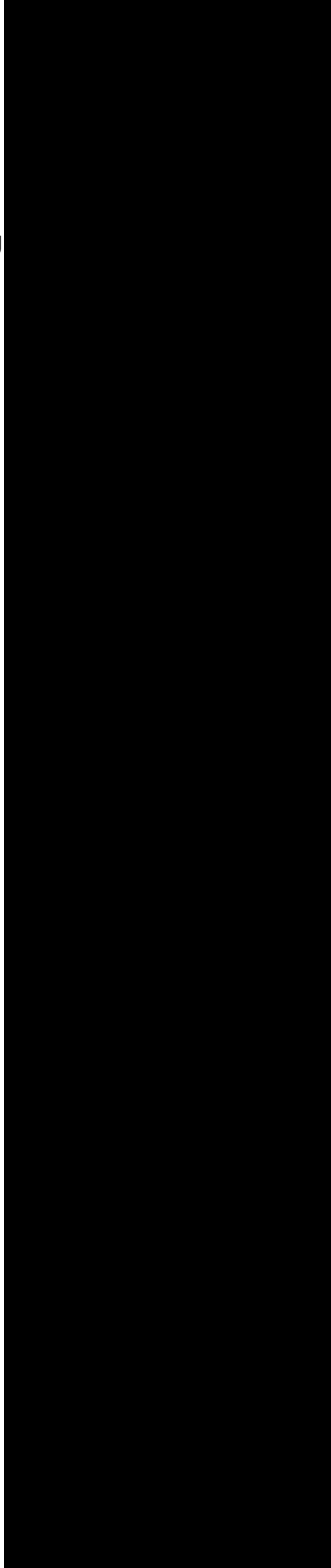
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18 July 2005

THE PRIME MINISTER

Dear Sir Alan,

I am very pleased that we shall have the opportunity to discuss school discipline and behaviour, on Wednesday. I know that your leadership group on school behaviour and discipline has its second full meeting on Tuesday. So, in advance of our meeting, it may be helpful to mention some areas where I would welcome your reflections when we meet.

Ofsted has reported that the biggest issue for most schools is the extent of what the inspectors call 'low level disruption' – the backchat and disrespect which makes it so hard for teachers to teach and pupils to learn. I understand that you believe there is a lot that schools themselves can do to address this problem, not least in ensuring a consistent quality of teaching. I would also be grateful for your thoughts on the effectiveness of schools having proper behaviour codes, with clearly understood and applied sanctions. How can we most effectively spread best practice to every school?

I am pleased that head teachers now seem to have the confidence to use both temporary and permanent exclusions when they deem them necessary in punishing persistent or serious misbehaviour. We have already change the nature of the exclusion appeals panels, so that they have a stronger say for those with current or recent direct experience of schools. The result has been that, of nearly 10,000 permanent exclusions this year, just 130 students were reinstates on appeal. Many head teachers now say that, given the alternative of costly court cases, the panels should stay. Nevertheless, I

recognise that this is still an issue of concern for some. So, I would be grateful for your views on whether we should further reform or replace the current appeals procedures.

There is a second bigger issue related to exclusions. There are now 344,000 suspensions (or temporary exclusions) each year, involving 200,000 individual pupils. On average, each suspension lasts four days. This is a crucial sanction for head teachers. But it is important that each suspension is seen as a serious punishment, both by the pupil and his or her parents. I would be grateful for your views on how we might reinforce this: should we legally require suspended students to stay at home, accompanied by a parent, rather than allowing them freely to cause a nuisance on the streets or in shopping centres? Is there a greater role for pupil referral units (or similar facilities) in providing places for suspended pupils? Should we insist on community service for older pupils on longer temporary exclusions?

It is clearly essential that parents fully accept their responsibilities, if we are to improve discipline and respect in schools. Some schools have found voluntary parental contracts helpful with attendance where parents are ready to accept their responsibilities. By the end of 2005 all LEAs should have arrangements so that they or their schools can also issue parenting contracts for behaviour, through which the parents voluntarily agree to act to improve their child's behaviour at school; and parenting orders for parents who won't agree to co-operate voluntarily. I would be grateful for your view on whether there are any barriers you believe may prevent heads from applying for such orders, or whether further powers may be necessary?

I hope you have a productive day of deliberations on Tuesday, and I very much look forward to seeing you and your colleagues on Wednesday.

*Yours sincerely,
Tony Blair*

Sir Alan Steer

Glossary

ATL	Association of Teachers and Lecturers
BESD	Behavioural, Emotional and Social Difficulties
BIP	Behaviour Improvement Programme
BME	Black and Minority Ethnic
EiC	Excellence in Cities
EIP	Education Improvement Partnerships
DfES	Department for Education and Skills
ICT	Information and Communications Technology
LEA	Local Education Authority
LSU	Learning Support Unit
NAHT	National Association of Head Teachers
NASUWT	National Association of Schoolmasters/Union of Women Teachers
NBAE	National Behaviour and Attendance Exchange
NPSL-BA	National Programme of Specialist Leaders for Behaviour and Attendance
NQT	Newly Qualified Teacher
NUT	National Union of Teachers
OECD	Organisation for Economic Co-operation and Development
Ofsted	Office for Standards in Education
PAT	Professional Association of Teachers
PPSW	Pupil Parent Support Worker
PRU	Pupil Referral Unit
PSHE	Personal, Social and Health Education
SEAL	Social and Emotional Aspects of Learning
SEBS	Social, Emotional and Behavioural Skills
SEN	Special Educational Needs
SHA	Secondary Heads Association
TDA	Training and Development Agency for Schools
TLR	Teaching and Learning Responsibility
VIRIS	Violence Reduction in Schools

List of Recommendations

Introduction

Recommendation 1.1.1: the DfES should look separately at how to improve the quality of provision for those with behavioural, emotional and social difficulties (BESD), in particular the recruitment and retention of high quality staff and minimising bureaucracy.

Recommendation 1.1.2: the UK should urge Organisation for Economic Co-operation and Development (OECD) to undertake a comparative international study to evaluate and share good practice on school discipline and behaviour management, as part of the on-going OECD programme of international thematic reviews.

Recommendation 1.1.3: the DfES should commission research on how school admissions systems can be managed to help schools affected by high levels of pupil mobility.

Principles and Practice

Recommendation 2.1.1: Schools should review their behaviour, learning and teaching policies and undertake an audit of pupil behaviour.

Existing Initiatives on Behaviour

Recommendation 3.1.1: existing initiatives to improve pupil behaviour and school discipline should be allowed adequate time to be implemented properly. Existing advice on effective practice should be more fully and widely promoted and implemented.

Recommendation 3.1.2: all schools should make regular use of self evaluation tools for behaviour and attendance, such as those provided by the National Strategies and commercially available pupil tracking systems.

Recommendation 3.1.3: the DfES should review the delivery and appointments mechanisms for the Behaviour and Attendance Consultants for the Secondary National Strategy to ensure:

- a. appropriate appointments are made;
- b. insofar as possible, support is provided to all secondary schools; and
- c. support provided takes account of issues raised in the school's self evaluation plan and general monitoring.

Recommendation 3.1.4: the DfES should:

- a. provide a further year's earmarked funding for the Social and Emotional

Aspects of Learning (SEAL) Programme in 2006-07 from the Primary Strategy Standards Fund element, so that SEAL can be properly embedded;

- b. adopt a communications strategy to inform parents about SEAL, its benefits for their children and how they can support it in partnership with schools; and

ensure the learning outcomes from the Social, Emotional and Behavioural Skills pilot work in secondary schools are disseminated widely.

Recommendation 3.1.5: the DfES should work with the professional associations and other partners to promote the Anti-Bullying Charter for Action, by reissuing it to schools every two years and promoting it at regional events.

Recommendation 3.1.6: the DfES should issue further advice on tackling bullying motivated by prejudice. This includes homophobia, racism and persecution in all its various manifestations.

Spreading Good Practice

Recommendation 3.2.1: the guidance to head teachers about completing the school self evaluation form, should make more of the interaction between learning, teaching and behaviour. The guidance should reflect the following issues:

- a. what is the impact of the school's learning and teaching policy in supporting pupils' behaviour?
- b. what evidence can the school supply to demonstrate its effectiveness?
- c. what is the impact of the school's behaviour policy?
- d. what evidence can the school supply to demonstrate its effectiveness?

Recommendation 3.2.2: a National Behaviour Charter of responsibilities and rights should be created. This would apply to all members of the school community.

Recommendation 3.2.3: the Ministerial Stakeholder Group should seek the engagement of teachers and other relevant stakeholders in establishing and promoting the National Behaviour Charter. This should be done through consultation with focus groups and national representative bodies.

Recommendation 3.2.4: the objective that all schools adopt the National Behaviour Charter should be achieved by developing a wide professional and public consensus, including school councils.

Recommendation 3.2.5: a statement on the legal responsibilities and rights of schools to discipline should be included as part of the National Behaviour Charter.

Training in Improving Behaviour

Recommendation 3.3.1: initial teacher training providers, schools, local authorities and other trainers should use the coherent set of training materials which the DfES

has been developing to promote good practice and a common approach to improving behaviour.

Recommendation 3.3.2: the Training and Development Agency for Schools should review the standards for initial teacher training to require successful trainees to demonstrate that they understand how to promote positive behaviour and develop pupils' social emotional and behavioural skills.

Recommendation 3.3.3: the National College for School Leadership should review the behaviour related elements of its training programmes for aspiring and serving school leaders to ensure trainees are equipped with the knowledge and skills they need to lead this crucial aspect of school management.

Recommendation 3.3.4: schools should consider whether it is appropriate to make a designated member of the senior leadership team responsible for leading and co-ordinating the school's behaviour improvement strategy. This should include a systematic professional development programme for all staff.

Recommendation 3.3.5: the governors of Teachers' TV should consider extending the channel's coverage of good practice in behaviour management, across all key stages.

Section 3, Chapter 4: Diet, Sport and the Wider Curriculum

Recommendation 3.4.1: the Department for Education and Skills (DfES) should fund further research into the impact of diet on the behaviour of all pupils including those in Pupil Referral Units.

Recommendation 3.4.2: the DfES and the Department of Health should work together to educate parents about the impact of different food types on children's health and behaviour.

Recommendation 3.4.3: all staff should be trained to enable pupils to understand the key issues around good nutrition, and its longer term benefits to health and well being.

Section 3, Chapter 5: Exclusions and Alternative Provision

Recommendation 3.5.1: the Office for Standards in Education (Ofsted), through its guidance for the completion of the school Self Evaluation Form, should give schools the opportunity to analyse data about behaviour and exclusions.

Recommendation 3.5.2: the DfES should identify and disseminate good practice in managing the behaviour of pupils with special educational needs more effectively, reducing the need to resort to exclusion.

Recommendation 3.5.3: the DfES should take steps to reduce the bureaucracy associated with the Special Educational Needs Code of Practice, also reducing the scope for the Code to be misinterpreted, thus freeing up teacher time and enabling educational psychologists to work more closely with schools to support pupils.

Recommendation 3.5.4: the DfES should ensure that its review of educational psychologists identifies the key areas in which educational psychologists can most add value; and should disseminate those findings to local authorities, supporting them to deliver sufficient educational psychologist capacity, utilised in the most effective way.

Recommendation 3.5.5: the DfES should produce guidance on the needs of pupils with behavioural, emotional and social difficulties (BESD), including a clear indication of the circumstances in which they might need to be referred to a more specialist placement including a Pupil Referral Unit or special school.

Recommendation 3.5.6: the National Strategies should identify and disseminate effective practice in schools with a good track record in reducing exclusions amongst pupils from black and minority ethnic groups, including Travellers, building on the projects already underway to increase educational attainment in these groups.

Recommendation 3.5.7: schools and local authorities should ensure that they comply fully with the requirements of the Race Relations Amendment Act 2000 and the DfES guidance about monitoring and analysing exclusion levels of different ethnic group categories, including Gypsy/Roma and Travellers. This should be a requirement of the school Self Evaluation Form.

Recommendation 3.5.8: the DfES should undertake research into what happens to pupils who are excluded from Pupil Referral Units or schools for pupils with behavioural, emotional and social difficulties (including residential schools).

Recommendation 3.5.9: the DfES ensure that their exclusions guidance covers exclusions from Pupil Referral Units in more detail, and provide examples of how local authorities deal effectively with pupils excluded from Pupil Referral Units.

Recommendation 3.5.10: the DfES should undertake an urgent review of support to mainstream establishments receiving pupils excluded from independent specialist provision with a view to clarifying what funding or specialist support is available to help them maintain those pupils.

Recommendation 3.5.11: the continuing professional development of staff in PRUs and other alternative provision should continue to be addressed at national level, for example, through the National Programme for Specialist Leaders of Behaviour and Attendance, thus creating better opportunities for career progression.

Recommendation 3.5.12: the DfES guidance on exclusions should emphasise that in all cases the head teacher and governor representative should be from the same phase of education, and wherever possible should reflect the type of school.

Recommendation 3.5.13: the detailed wording of the DfES guidance on exclusions should be reviewed, amended as necessary, and regularly reissued to reduce the risk of cases being overturned by lawyers on technicalities. A summary of this guidance should be included with the meeting papers for exclusion appeal panels.

Recommendation 3.5.14: where panels accept that:

- the individual committed the offence in question

- the response is proportionate and
- the disciplinary process has been carried out without any procedural irregularities of a kind that significantly affect the fairness of the procedure or the governors' findings

the panel should not vary the governing body's decision. In particular the panel should not reinstate the pupil nor substitute a lesser punishment without good reasons. This should be made clear in the DfES guidance on exclusions.

Recommendation 3.5.15: it should be mandatory for clerks and chairs of appeal panels to undergo training before they can serve.

Recommendation 3.5.16: head teachers should be afforded the same right to legal representation as governors and parents or carers.

Recommendation 3.5.17: the DfES guidance on exclusions should be strengthened to give a clearer statement of the law and good practice guidance should be disseminated, promoting positive processes and a climate which prevents unofficial exclusion.

Recommendation 3.5.18: the DfES guidance on exclusions should be strengthened to include a full explanation of the legal implications of unofficial exclusions. The DfES should also work with the professional associations and the National College for School Leadership to ensure head teachers understand the implications of the law.

Recommendation 3.5.19: the DfES should research effective practice in preventing unofficial exclusions and disseminate this widely to local authorities, Academies and other interested parties.

Recommendation 3.5.20: the existing legal requirement to notify parents or carers in writing of an exclusion should be enhanced, by requiring them to be informed, in a simple leaflet, of:

- the next steps in the process,
- their responsibilities, and
- their accountability in the event of non-compliance.

The model letter in the DfES guidance for schools to issue when an exclusion takes places should be expanded to cover these points.

Recommendation 3.5.21: reintegration interviews, currently good practice, should be made mandatory following any fixed period exclusion from a primary or special school, and fixed period exclusions of over five days in a secondary school. The DfES should consider how best to hold accountable parents or carers who do not meet their responsibility to attend such a meeting.

Recommendation 3.5.22: the current requirement for local authorities to provide full time education for excluded pupils from the sixteenth day after their exclusion should be brought forward to the sixth day and cover both fixed period and permanent

exclusions. In the interim, local authorities should be reminded of their statutory duty to provide alternate provision from the sixteenth day of a fixed term, or permanent exclusion. Schools should provide work for shorter periods.

Recommendation 3.5.23: parents should be responsible for ensuring for their child is properly supervised during the first five days of an exclusion and that their child attends appropriate provision from the sixth day of an exclusion.

Recommendation 3.5.24: parents who do not fulfil their responsibility to arrange appropriate supervision for their child during the first five days of an exclusion should be compelled to do so. This could be the basis for an application for a parenting order.

Recommendation 3.5.25: DfES should provide clear guidance on ways that schools and local authorities might deploy funding for behaviour support and exclusions, so that all schools receive adequate help.

Recommendation 3.5.26: local authorities and schools should, through constructive dialogue, agree local arrangements for the deployment of resources for behaviour support, including agreeing in advance any charging arrangements.

Schools Working in Collaboration

Recommendation 3.6.1: the design principles for school collaborations on behaviour should explicitly encourage the use of managed transfers of pupils between schools where this is appropriate. Such transfers should, insofar as possible, be on the principle of “one pupil out, one pupil in”. Transfers should be undertaken with the full co-operation of parents and with any necessary support.

Recommendation 3.6.2: the DfES should require all secondary schools – including Academies and foundation schools - to be part of a local partnership and that this should cease to be a voluntary option by 2008.

Parents

Recommendation 3.7.1: the DfES should revise policy and guidance on home-school agreements in the light of our recommendations, and promote the agreements to schools.

Recommendation 3.7.2: schools should be able to offer parenting contracts, prior to a pupil being excluded, as part of an early intervention strategy for tackling poor behaviour at school.

Recommendation 3.7.3: the legal power to apply for a parenting order should be extended to schools accompanied by clear guidance and examples of good practice in applying parenting orders effectively.

Recommendation 3.7.4: it should be possible to apply for a parenting order, following serious misbehaviour at school, in cases where the pupil has not been excluded.

Recommendation 3.7.5: guidelines on dealing with violent or abusive parents should be re-issued by the DfES and the Home Office. School employers and local police must continue to treat as a serious matter the protection of pupils and school staff. Where the school can prove violence or abuse of school staff, we want serious consequences for perpetrators, including investigation and charging by the police, to enable public prosecution.

Recommendation 3.7.6: there should be a cross-departmental review, involving the Association of Chief Police Officers, on how to ensure more immediate and consistent response to schools dealing with violent or abusive parents. As part of its remit, the review should consider the appropriateness of current DfES and Home Office advice in this area.

Support and Guidance for Pupils and Parents

Recommendation 3.8.1: the DfES should clarify further the guidance for schools on awarding Teaching and Learning Responsibility payments for posts with significant additional pastoral responsibilities.

Recommendation 3.8.2: when making workforce reforms, schools should consider whether a Learning Support Unit could benefit pupils, support whole school approaches to behaviour and learning, and be a source of expertise for promoting positive behaviour.

Recommendation 3.8.3: wherever possible, all secondary school pupils should have access to a Learning Support Unit, either in their own school or elsewhere among the local partnership of schools.

Recommendation 3.8.4: Learning Support Units should complement other provision in schools, such as short term withdrawal rooms or similar provision to which children who have misbehaved in class are sent. Learning Support Units should not be used as dumping ground for misbehaving children, and should not be bolt on provision or a staging post on the road to excluding a pupil. They should attempt to improve the child's behaviour and support the child's continued learning.

Recommendation 3.8.5:

- a. all schools should ensure appropriate and adequate delivery of pupil and parent support to meet the objectives of *Every Child Matters* and to reflect the centrality of behaviour to school standards and improvement processes;
- b. we therefore recommend the establishment in all schools by September 2007 of a Pupil Parent Support Worker (PPSW) or other staffing structure to deliver this function;
- c. the PPSW should be part of the school support staff, working with teachers as part of an integrated team, and in secondary schools providing a point of day to day contact with Targeted Youth Support Teams;
- d. schools should use the flexibilities created by the workforce reforms to

determine how most appropriately to deliver and fund this;

- e. appropriate training should be identified at national level to equip PPSWs to carry out their role; and
- f. the Government should take account of the scale of PPSW development across schools in determining overall levels of funding.

School Building Design

Recommendation 3.9.1: further research should be undertaken to identify those design features which are supportive to good discipline and order within schools.

Recommendation 3.9.2: design briefs for any new building should take account of the outcomes of this research so that whenever school buildings are being designed or renovated, the potential of the environment to improve behaviour and discipline is a priority for architects, school managers and local authorities.

Recommendation 3.9.3: it should be a requirement for all newly built schools - whether primary, secondary, special schools - that dedicated space be created for pupil support services, such as Learning Support Units and time out spaces. Scope should be created for locating these together if the school so chooses.

Recommendation 3.9.4: architects and contractors should pay attention to the acoustics and lighting in classrooms, so that we can be confident that pupils, wherever they sit, are able to participate fully in classroom activities.

Recommendation 3.9.5: adequate consideration should be given to creating well designed dining rooms and kitchens. Catering specialists should be consulted at an early stage in the design process to ensure sufficiently sized spaces which are carefully planned, efficient, safe and productive environments.

Recommendation 3.9.6: dining rooms should provide a relaxing environment in which to eat and socialise and careful consideration should be given to furniture, fixtures and finishes.

New Powers

Recommendation 3.10.1: following consultation with the main professional associations, as a matter of urgency, the Government should introduce a single, new piece of legislation to make clear the overall right to discipline pupils. This should be framed in such a way as not to diminish existing, wide legal rights; provide a clear read across to the duties and responsibilities of parents; and reaffirm teachers' right to restrain pupils using reasonable force.

Recommendation 3.10.2: if the Violent Crime Reduction Bill becomes law, the DfES should monitor, evaluate and publish a report on the use of the new legal power to search pupils without consent for weapons. In the light of that report, they should review whether the right to search should be extended in due course to include drugs and stolen property.

Recommendation 3.10.3: the DfES should update its guidance on *Dealing with Troublemakers* to cover the new power for heads to search pupils for weapons, and make it available to all schools.

Recommendation 3.10.4: schools should be required to have a clear policy on the possession and use of mobile phones on the school site, including details of the sanctions, if pupils disobey the policy.

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The Group in session

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