

Consequences guidance:  
**Schools – fostering  
a positive, inclusive  
and safe environment**

*“Consequences are an important tool to help  
reinforce boundaries and expectations.”*

## Cabinet Secretary, Jenny Gilruth MSP

The importance of consequences has been underlined by the Scottish Government. The following quotes are taken from the Cabinet Secretary for Education in the introduction to this new [guidance](#).<sup>1</sup>

*“We know the evidence clearly shows young people need structure and boundaries to support their development and having predictable consequences helps young people to feel safe. We therefore serve our young people best by applying high standards and expectations in order to support positive relationships and behaviour in schools.”*

*“Consequences are an important tool for schools to help reinforce these boundaries and expectations. The actions that schools use in response to a child or young person’s behaviour can provide positive reinforcement where expectations are met or exceeded, or can support young people whose behaviour is not in line with their school’s values or expectations in a way that that reduces the likelihood of this behaviour occurring in future.”*

*“I want to be clear that staff have a range of consequences open to them. This ranges from classroom management approaches, to the use of exclusion as a last resort, where this approach is proportionate and there is no appropriate alternative.”*

## BACKGROUND

NASUWT has long been calling for unambiguous backing to be given to schools in taking appropriate sanctions for violent and abusive pupil behaviour, including expulsion where absolutely necessary. This guidance follows sustained pressure by the Union for action and we have been actively engaged in working with the Scottish Government to produce this guidance.

This publication is an important step forward in our continued focus on driving down levels of disruption and violence in our schools. What is now critical is that the Scottish Government and COSLA put these words into practice and take the steps to make sure every school has the tools and support needed to turn the tide on the growth of violence and disruption by pupils.

Every school must take a strong stand against poor and abusive behaviour, ensure that consistent sanctions are enforced where behaviour policies are breached and that staff are backed in tackling verbal and physical abuse.

## KEY MESSAGING

The guidance sets out the following high level messages:

1. All schools must have a school relationships and behaviour policy which has been developed collaboratively with staff, as well as children, young people and families. Responses to children and young people should always be in line with a school’s relationships and behaviour policy (and this national guidance on consequences).
2. A school’s relationships and behaviour policy should detail its approach, including consequences, and can be negotiated to reflect the unique needs and challenges of a school community: the policy must be clear, accessible and understood by all.

***“Consequences’ are an essential part of a supportive learning environment. They are about reinforcing expectations and boundaries, promoting responsibility, and helping children and young people learn prosocial skills that allow them to actively contribute to and benefit from their school community.”***

<sup>1</sup> <https://www.gov.scot/publications/fostering-positive-inclusive-safe-school-environment-guidance/>

3. Consistency in approach is underlined, in terms of consistent expectations and boundaries; however, the response when expectations are not met can vary to reflect a child's specific needs and circumstances.
4. Approaches to expectations should be inclusive and reflective of the diversity of age and developmental stages across the school community.

The emphasis on consequences should be to:

- (i) address a young person's behaviour to reduce the likelihood of negative behaviour occurring in future: it can also reinforce positive behaviour; and
- (ii) ensure positive and appropriate support is in place for all, including staff and other children and young people as appropriate.

Effective support for children and young people is said to require a balancing of both of the following elements:

- (a) action in the moment to ensure a safe and respectful learning environment by addressing behaviour as it occurs; and
- (b) identifying underlying needs contributing to behaviour in order to put in place appropriate support for children and young people to support long-term change.

## BALANCING RIGHTS

*"All children have the right to learn, and staff have the right to work, in a safe, supportive, and inclusive environment. Local authorities and schools have a responsibility to uphold these rights and ensure a secure, respectful learning and working environment for everyone."*

The guidance is clear that there is no hierarchy of rights:

*"All members of a school community have rights that intersect and interact in different ways at different times. This is particularly pronounced in situations where a child or young person's behaviour is impacting negatively upon the rights, safety or wellbeing of others and an intervention is required to address this behaviour. In such circumstances, determining what response is appropriate may require consideration of the rights of all children and young people who may be having their learning disrupted, the needs and rights of the child or young person who is displaying the behaviour and the rights of staff, who have the right to work safely, in an environment free from violence and aggression."*

NASUWT has detailed guidance on the United Nations Convention on the Rights of the Child (UNCRC) which can be accessed here: [The United Nations Convention on the Rights of the Child \(Scotland\)](#)

NASUWT and the national guidance set out clearly that the UNCRC does not preclude the use of consequences.

While the Government guidance notes that the *"legal frameworks around care-experienced young people and children and young people with additional support needs that will need to be taken into consideration when determining the appropriate intervention to be put in place"*, the guidance is also clear that taking a child-centred approach does not mean that some children or young people's behaviour should go unchallenged or unaddressed.

*"As children have the right to be safe from harm and to an education, it is important that our approach to behaviour recognises that disruptive and harmful behaviour can often see one child infringing on another child's (or staff member's) rights. There must be particular attention to reinstating and protecting*

*the rights of those who have been harmed by poor behaviour. Often, those harmed are disempowered in some way, and their needs and rights can be ignored or forgotten. The rights of the child who has caused harm cannot be allowed to obscure or override the rights of those they have harmed."*

## BEHAVIOUR INTERVENTIONS

[Section 5](#) identifies that responses can be:

- universal (preventative approaches linked to underpinning ethos and culture);
- targeted (individualised approaches for those requiring additional support); and
- specialist (for more complex needs or linked to a specific risk assessment, often involving multi-agency support).

Targeted approaches are for:

- when the needs of the child or young person require a more individualised response;
- when the nature or severity of the behaviour requires a targeted response; and
- when universal approaches have been unsuccessful and additional support is required.

When targeted interventions have not been successful, specialised support may be required through an individualised support plan. Specialist interventions could involve:

- risk assessments;
- multi-agency collaboration, including joint work with educational psychologists, speech and language therapists, or child mental health services;
- consideration around the curricular offer;
- a bespoke environment;
- groupings;
- pedagogical approaches;
- interventions designed on assessment of need; and
- advice from specialist organisations.

Relational and restorative approaches are also set out on page 22.

A range of approaches and consequences should always be available to teachers, given that restorative approaches to poor behaviour do not work for all pupils and cannot be the only tool available to schools when responding to incidents, especially where there is serious abuse or violence.

For further background information on restorative approaches: [Restorative Behaviour](#)

*"Determining the most appropriate response in each individual circumstance is a matter of professional judgement within the context of the school's relationship and behaviour policy. In many instances, it may be appropriate to adopt a combination of approaches. For example, evidence suggests restorative approaches work when implemented effectively as a whole-school approach, rather than being a restorative conversation in isolation, and may involve other appropriate consequences to respond to the child or young person's behaviour."*

## ESCALATION

Situations where the response would involve an escalation may include:

- behaviour where the immediate safety of the child or young person, their peers or staff, is at risk;
- the behaviour constitutes a child protection concern requiring those procedures to be invoked;

- other features of the behaviour, e.g. where it has an underlying basis of prejudice (such as racism, misogyny, homophobia, or other forms of discrimination), requires decision-making on the response to be approached with particular care to ensure it is appropriate and will not lead to further trauma for the person experiencing the behaviour, and that it includes effective responses for promoting equality and inclusivity;
- behaviour that significantly compromises teaching and learning or the integrity of the physical environment;
- a reasonable belief that a crime may have been committed against either a child, staff member or other adult and the immediate advice of Police Scotland is needed; and
- if approaches to responding to behaviour are unsuccessful, or if a child or young person's behaviour is worsening, indicating additional support or responses are required.

A school's relationships and behaviour policy, or operational guidelines for staff, should be clear about the situations which would require an immediate escalated response. Safety must always be a priority. Exclusion is an appropriate and necessary tool which is available to school leaders in certain circumstances.

### RECOMMENDED ACTIONS

NASUWT recommends that NASUWT Representatives use the language of the National Approach in their engagement with school management and local authorities.

- Please read the first two NASUWT briefings on the joint action plan on relationships and behaviour and mobile phones which are accessible here: [Better Deal for Scotland's Teachers](#)
- All schools should have a behaviour and relationships policy, created in collaboration with staff.

*"Responses to behaviour should always be in line with a school's relationships and behaviour policy. This policy should promote positive relationships and behaviour, based on early intervention and prevention. Responding to behaviour through the use of appropriate consequences should form an element of this policy."*

[Section 3 \(pages 11-12\)](#) of the guidance sets out an expectation that the relationships and behaviour policy should:

- be in line with local authority policy;
- be a collaborative development process;
- clearly articulate and communicate expectations;
- adopt structured responses, including processes for escalation;
- set expectations around prejudice-based behaviour;
- include regular reviews and updates;
- be accessible for all; and
- be supported by operational guidance for staff with information on how to apply interventions, planned approaches, agreed classroom/learning space strategies and staged responses to escalating behaviour.

Please see our Developing a Behaviour Management Policy webpage for further advice and support: [Developing a Behaviour Management Policy](#)

- Local authorities have a responsibility to ensure all staff can work in a safe and supportive environment.

[Section 3 \(page 12\)](#) sets out an expectation that the local authority will:

- a. Develop an authority wide policy and response to relationships and behaviour in schools. NASUWT considers this can only be done in discussion with trade union representatives.

This policy is to:

- inform school-based approaches;
- include an exclusion policy;
- establish consistent reporting, recording and monitoring procedures;
- include robust risk assessment protocols which are regularly reviewed;
- ensure data is used to tailor support and training offers to schools;
- support schools to implement individually tailored risk mitigation strategies; and
- provide training and resources.

- b. Other supports which local authorities can offer schools include:

- network meetings to support the sharing of good practice;
- working groups to develop, update and disseminate guidance;
- individual and whole-school training;
- signposting for support, confidential support lines and counselling;
- advice on debriefing after incidents;
- staged models of intervention;
- provision of alternative learning support, enhanced support provision, specialist and targeted intervention; and
- risk assessments, health and safety assessments, and environmental audits.

*“Local authorities should seek to engage with their schools to understand how they could support them.”*

- (iv) [Section 3 \(pages 13-14\)](#) of the guidance is clear that working in partnership with parents is essential to promoting positive relationships and should be a key priority of the senior leadership team in a school to ensure positive engagement with parents is proactive, respectful and inclusive and ensures:

*“Schools should be clear that there is an expectation for parents to support the school’s approach to promoting positive behaviour and upholding agreed consequences.”*

- (v) The guidance recommends that schools link values with expectations in behaviour in [section 4](#):

*“Educational settings should be able to clearly articulate their core values and translate these values into expectations around behaviour. Priority should always be given to health, safety, wellbeing and systems that promote positive behaviour in line with agreed expectations. There should be a direct link between values and expectations.”*

- (vi) It is set out that there must be a standardised approach to reporting, recording and monitoring incidents. Schools should have clear processes for recording incidents in line with local authority procedures and national guidance, and there is *“a clear expectation that all incidents involving violence towards other children and young people or staff should always be recorded”*.

[Section 6](#) sets out that effective monitoring of the approaches taken to relationships and behaviour should be done both at an individual pupil level, to assess whether interventions have been successful, and at a school level to identify trends or patterns over time to inform improvement planning. Staff should expect to be engaged in discussions relating to both of these and should be asked to provide feedback and engage in professional dialogue.

The first NASUWT behaviour briefing included a Behaviour Climate Check/Check-In which can be accessed here [Improving Relationships and Behaviour in Schools Scotland](#) and can support school representatives to reflect on local practice. NASUWT encourages reps to add to the school calendar a semi-regular review with senior management to consider school-based approaches to relationships and behaviour, staff feedback and the number of reported incidents.

- (vii) *“A common criticism of current approaches to promoting positive relationships and behaviour is that responses can be perceived as being ‘rewards’ for not meeting expectations or if they are not visible, it can be perceived that nothing has been done in response.”*

The guidance sets out that schools should be clear about how they will communicate their response to all relevant parties (staff involved, children and young people affected, and their parent(s)).

- (viii) NASUWT has long advocated for schools to adopt a spectrum of approaches – Appendix 1 sets out a number of illustrative examples. The table in that Appendix details the behaviour, the potential underlying need or function of the behaviour, as well as examples of responses.

While staff may not be aware of the underlying need at the time of the incident, a response is still required.

[Appendix 1 \(pages 32-38\)](#) to explore the detailed table of illustrative examples. Some of the example responses include:

- verbal praise;
  - being asked/instructed to move;
  - being given an alternative activity;
  - being asked to take a break from the class;
  - discussion and reflection;
  - access to learning support;
  - identifying a safe space;
  - parental communication;
  - timetable adaption;
  - restricted access to corridors/areas during breaks;
  - additional supervised activities during breaks;
  - requirement to be collected by a responsible adult during breaks;
  - additional time with staff;
  - reflective time/exercise to consider the impact of the behaviour on themselves and others;
  - exclusion from school;
  - risk assessment and safety planning;
  - referral to specialist agencies;
  - reviewing curricular-based responses; and
  - identifying whole-school interventions.
- (ix) Share this information with your colleagues and in your school to increase awareness and visibility as a vehicle for facilitating change.

Reps and schools can also contact their NASUWT Local Secretary, National Executive Member or the Scotland Centre to support local engagement with the National Action Plan: [scotland@mail.nasuwt.org.uk](mailto:scotland@mail.nasuwt.org.uk)