

4

The negative side: punishment to restoration

This chapter considers a range of approaches to dealing with problem behaviour in ways that inform policy and practice. Power, defiance and authority are considered as a background to an examination of whether staff administering punishment, sanctions or consequences offers distinctive and effective solutions or whether restorative justice, with its emphasis on pupils assuming responsibility for action and change, may offer alternative ways forward.

Who has power?

Before any examination of the negative aspects of behaviour policy a broader and deeper question about who really does possess power in classrooms needs to be considered. There has been an almost imperceptible shift in recent years in the powers that schools and staff within them possess in their attempts to create appropriate environments in which learning can take place. Power regimes within schools are constantly in a state of flux with increased devolution of choice to schools and a seeming decline in the powers and influence of local authorities. However, schools are subject to escalating bureaucracy and initiatives emanating from external agencies which, at times, give the impression of giving power to schools to directly carry out the wishes of an all-powerful centralised system, rather than creating truly autonomous schools. Fundamental shifts in education policy, thinking and practice have taken place compelling the question: 'who really does possess the power in education?' In terms of the structure and management of schools, 'collaborative cultures', 'leading from the middle', 'flat hierarchies' and other similar concepts all question the traditional structure of schools and suggest shifts in power together with changes in teachers' and other staff's roles and identities.

In terms of pupil behaviour in classrooms and schools, staff sometimes relate that there have also been developments and questions about possession of power might also apply here. This can be reflected in ways in which misbehaviour is handled by staff.

There seems to be a continuum of approaches to dealing with the negative side of pupils' behaviour which extends from the deployment of punishment to inviting pupils to make amends for their actions and seeking their own solutions to the problems they cause for others and themselves.

Recent years have seen the development of classrooms where pupils are being invited to have an increasing say. Once the arena in which teachers determined all the planned and guided activities and the discipline environment, there is a gradual shift to pupil participation beyond learning. Once all-powerful teachers now invite, nurture and encourage pupils to make decisions and to assume responsibilities. There is a growing recognition that staff have *influence on* the classroom through acknowledging that they are exciting, sometimes turbulent, places where there is a need to be adaptable and responsive to random events, but they do not have *control over* the classroom in the sense of ensuring that everything functions in a predictable, regulated and, it could be argued, sterile way. External forces, such as imposed curricula and centralised, perhaps, politicised, determination of what is deemed to be good practice, have had an impact on the power of teachers, as has the influence of parents and the growing number, significance and status of teaching assistants. If these views are an accurate reflection of reality, how schools manage such shifts and how consistent they are in their application of changes of practice would seem highly significant. There is no doubt that, for better or worse, since the mid 1980s there has been a major shift in teachers' and teaching assistants' power and status, but how embedded in practice this has become needs consideration.

STAFF DEVELOPMENT EXERCISE

SDE: 4.1 POWER IN SCHOOLS

- Undertake the scaling operation by reflecting on your school or classroom and determine whether you concur that 'old style' is still in operation – score 1 – or the 'new style' is firmly in place – score 10. If this style in your school or classroom is somewhere in between, suggest an appropriate score.
- Compare the results with your colleagues. It may be helpful if one person analyses groups by ages of pupils worked with or compares results between teachers and teaching assistants.
- Consider the implications of the findings for behaviour management.
- To what extent do teachers operate in the new style but resort to the old style when threatened or when it is easy?
- What are the implications for pupils, if any, of a member of staff who operates inconsistently across the spectrum?

Issue	Old style	1–10	New style
Learning and teaching	Teachers determine the planning and organisation of the lessons.		Pupils influence, even determine, how learning and teaching will be conducted.
Discipline	Sanctions and discipline are solely determined by teachers.		Pupils are invited and encouraged to exert self-discipline and make decisions on behavioural issues.
Power	Teachers have total power and manage by dominance.		Pupils' autonomy is encouraged and management is through support and guidance.
Rule generating	Teachers create the rules and tell pupils about them.		Rules are developed by the pupils who are invited to own them.
Rule breaking	Consequences of breaking rules are set by teachers, are inflexible and apply equally to all pupils.		Consequences of breaking rules reflect the influence of all pupils, the difficulties faced by the rule breaker and contextual information.
Rewards	Teachers determine the nature, frequency and allocation of rewards.		Reward systems are negotiated with and agreed by pupils.
Support	Teachers are supported by a select group of pupils – the 'monitors'.		All pupils play a role in supporting the teacher and each other in the classroom.
Teaching assistants	In carrying out their role teachers are aided by teaching assistants who carry out their wishes.		Pupils' learning is supported by teaching assistants who participate in planning lessons.
The door	Once the door is closed teachers dominate the classroom. Few outsiders are admitted.		Outsiders are invited into the classroom and they participate in the learning process. The door is open to those who enrich learning.

Defiance and authority

Pupils sometimes carry with them the baggage of their history of oppositional behaviour and some even the baggage of the cause of their behaviour problem, for example lack of appropriate parenting. Attached to these pupils are labels of being ‘anti-school’, ‘anti-authority’ or simply ‘naughty’. Teachers and teaching assistants belong to an authority group who possess the power to label negatively but instead may choose to offer praise, care and warmth. Exposure to adults who value their ideas and seek to positively enhance their notions of self is not easy for pupils who exist in a negative twilight. They sometimes reject the positive because they are not used to it or secure with it and being anti-authority is easy for them as they aim to manipulate friendly adults into the enemy camp. In doing so, they maintain their own image of the world. After all, they believe that the current understanding and kind disposition of staff is temporary – and they may be right – and, sooner or later, will be replaced by attempts at strong discipline, so why not speed up the process? It is so easy to resort to traditional binaries of rebel versus authority figure, rewards versus blame and praise versus punishment. When faced with misbehaviour acted out publicly it is extremely difficult for adults not to take the challenge personally. Indeed sometimes it sounds as if it is personal and, occasionally, it is! In the end professionals are faced with a decision either to resort to conflict-based approaches based upon power that resides in their role or to maintain, sometimes frustratingly, a caring stance which seeks to bring about change in pupil behaviour, albeit often incrementally. Asserting the power that resides in the traditional roles of adults in schools may create compliance but usually does little to help pupils and their learning environment.

Defiance is then a response that affirms the image that is given to pupils by significant others. In heated moments labels are ascribed to a pupil and they respond with behaviours that ensure the accuracy of the label. Calling a child ‘naughty’ or ‘rude’ may well lead to behaviours that live up to the label, hence the oft heard mantra that encourages *pupils’ behaviour to be labelled but not pupils themselves*. It is natural that authority figures, such as teachers, react to defiance and feel threatened by it, but it is easy to forget that it is often a natural response especially during certain phases of life. For example, the 2-year-old child, having learned to walk, talk and engage in all forms of communication, learns the word ‘no’ from adults, particularly in dangerous situations, so perhaps little wonder that it becomes a natural retort when their own status is threatened. Similarly, in adolescence new found physical and mental abilities and increasing potential capacity to make a difference to their world leads many to be defiant as they attempt to extend boundaries that teachers, parents and society impose. Defiance is also a natural phase for those older people or those struck with debilitating illness as there grows a reliance on others to fulfil tasks that were once simple and straightforward and with dependence come frustration, anger and low self-worth. Defiance is not the property of a few but something we all engage in at times.

For many staff in school nurturing, empowering, encouraging and caring are more comfortable aspirations than conveying the negative authority that is often required. However, there is no choice when the carefully selected rules are broken, as schools, like any other social unit, are governed by rules that help in the fulfilment of its aspirations.

Nonetheless terminology deployed in schools often reflects the continued use of ‘punishment’ and little use of consequences, although it is important to emphasise that the language that schools adopt will be significant in portraying how they deal with troublesome behaviour and rule breaking. To help to distinguish between the key terms which occupy the rest of this chapter, what follows is an attempt to define ‘punishment’, ‘sanctions’ and ‘consequences’. It is highly likely that in schools they are terms that are interchangeable but it is important to explore their differences as they provide staff with different opportunities and lead to different outcomes.

Punishment requires the pupil to be treated in such a way that it is *deliberately unpleasant* to have broken a rule or misbehaved in some way. Power and authority come from the member of staff and the chosen task:

- is not predictable
- may not be consistently applied to all similar ‘offences’
- is not directly linked to the behaviour
- is the personal choice of the member of staff.

Sanctions imply a link with *specific misbehaviours* and the outcomes of non-observance of a rule. They are related to the implementation of rules and are not personal but form part of a more formal management policy which means they are predictable and consistent. Power and authority come from the policy and system it supports.

Consequences are linked directly to the misbehaviour and demand that the pupil recognises that link. They follow *naturally or logically from the behaviour* and, like sanctions, form part of a more formal management policy which means they are predictable and consistent. They offer the opportunity for power and authority to come from the pupil’s engagement with their own behaviour and the formal system.

Punishment

One of the crazy things about human nature is that if we are doing something, and it doesn’t work, we do it more, we do it harder and we do it more intensely.

(Brandes and Ginnis, 1990)

‘Punishment’ is a term still commonly used in schools but becoming less so in the education literature. Arguments for its continued use are often based upon familiarity and tradition – we all know what we are talking about and we are all used to using it. It has a long association with the world of law and order and helps create a clear divide between those who administer the law – authority – and those who break it – criminals. However, as a term, and in its application, it may not be the most appropriate approach for a school in the twenty-first century. Nevertheless, there is a case that might be made for its continued use.

- It is a term known by all and an approach expected by many, including parents, some outside agencies and the media.
- It offers clear messages that certain behaviours are not acceptable.
- It meets the needs of some adults, usually for revenge and a feeling of reassertion of control.
- It offers a balance for the emotions aroused by the negative behaviour of the pupils.

Before any dismissal of punishment, it is worth considering the emotions that are aroused when someone close to a member of staff, for example their child, is bullied. Occasions and events can arouse such passions that the rational side declines and outrage and the need to deal with the culprit take control. Some offences committed in schools, for example drug related or violent in nature, demand quick, decisive action to protect the school and its pupils. When considering terminology in relation to these kinds of problems, 'sanctions' and 'consequences' could also apply but they lack the connotations carried by 'punishment'.

Wilson (2002) argues that there should be emphasis on the *form* of punishment. He adds criteria for determining what form might be chosen which can be summarised as acknowledgement, shame and deterrent.

- Acknowledgement: the wrongdoer needs to be alerted to what they have done wrong, why what they did was wrong and the impact that they have had on others.
- Shame: the wrongdoer should recognise the impact, that what they did was wrong and feel shame or guilt.
- Deterrent: the punishment has sufficient impact, in other words it is unpleasant enough to outweigh the temptation to repeat wrongdoing.

Wilson (2002) also argues that to have a negative attitude to punishment may have 'disastrous consequences' and uses bullying as an illustration of why punishment is necessary. Included in his arguments are that punishment functions as a deterrent, encourages compensation for victims and makes the bully fully conscious of their actions. In choosing bullying he is dealing with an issue that staff in school find themselves dealing with as a third party. They are not usually directly involved until they notice the bullying or it has been drawn to their attention and they are required to be both judge and jury for an act which is complex and difficult to resolve. Blame is such an emotive issue in the case of bullying and the passions aroused can impose themselves negatively on attempts to bring about changed behaviour and develop 'support groups' rather than seek out and apply blame (Robinson and Maines, 1997; see also www.luckyduck.co.uk). Wilson calls for a consensual approach and 'not something arbitrary and tyrannical' but his single deployment of the term 'punishment' (and not 'sanctions' or 'consequences') to incorporate all responses to misbehaviour may inadvertently create a negative feel to the argument.

In the day-to-day behaviour management in school staff engage not only in relationship issues such as bullying but also in less aggressive threats such as those to the good order of the school, disruption which runs counter to their intentions for the lesson.

These usually less emotive incidents need consistent handling and positive action but whether ‘punishment’ best describes that action is debatable. Given that the most common negative behaviours reported by staff do not fall into the major event bracket but more into the downright irritating category, punishment would appear to have limited value as the chosen term and approach. Among its negative attributes it:

- demands payment for mistakes but does not require change in behaviour
- can resemble bullying: ‘if you do not change, this aversive behaviour will be carried out against you’
- can involve anger and generates a desire for revenge thus providing a poor model for the resolution of conflict
- generates emotional distance from those who, despite outward appearances, often need emotional closeness most
- focuses on actions of the past that cannot be changed or undone
- makes no requirements of pupils to do something about their behaviour, except be passive recipients of the punishment
- tells pupils what they should not do, but not always what they should do
- emphasises that they have no control and that power and control, and perhaps abuse of them, rests with staff
- fosters resentment
- can waste a lot of time – other methods are also demanding of time but may bring about change.

Whatever the chosen route for dealing with difficult behaviour the inclination to punish can be strong and, as with any area of the policy, the methods and the language need to be set in the context of the aspirations of the policy. Research evidence is helpful in informing the discussion. It is not surprising that Harrop and Williams (1992) discovered pupils in primary schools did not agree with their teachers about the effectiveness of specific punishments but both groups agreed about the effectiveness of parents being informed. It is important to reflect on whether just because one group, staff or pupils, see a certain punishment as ineffective that it will always be so. For example, Harrop and Williams (1992) also found that ‘being told off in private’ was considered much more effective by staff than by pupils. Teachers’ sensitivity to not wishing to openly chastise a pupil or damage fragile self-esteem would mean that this is the preferred choice over more public and severe techniques and it is difficult not to agree.

Whatever the arguments displayed in SDE 4.2 it is helpful to reflect upon actions that are seen as effective and to share views. What follows in SDE 4.3 provides that opportunity and the experience would be enhanced if the views of pupils on these ideas had already been gleaned through classroom research.

STAFF DEVELOPMENT EXERCISE

SDE 4.2 CLARIFYING THOUGHTS AND BELIEFS ON PUNISHMENT

Having read the above arguments, in small groups discuss the arguments for and against punishment. In the light of the discussion select your favoured statement from arguments 1–3 and offer your reasons for the choice or, if none match your views, complete option 4.

Argument	Your reasons for selection
1 Punishment is the best way forward as it reflects our society and meets the demands and aspirations of the world outside.	
2 Punishment has strengths and weaknesses – at this stage in our development of the school I would like to look at alternatives and see if they have more to offer.	
3 Punishment is not relevant to the ambitions of this school and professional. I feel that there must be better ways of dealing with misbehaviour.	
d) Alternatively, I should like to suggest ...	

STAFF DEVELOPMENT EXERCISE

SDE 4.3 EFFECTIVE PUNISHMENT

Scale each punishment in terms of its effectiveness: 1 for the *least* effective and 10 for the *most* effective. Compare your results in groups and also with the views of pupils. Add your own suggestions for 18–20.

Punishment	Scale 1–10
1 Being told off in front of class	
2 Being told off privately	
3 Being told off in front of the whole school	
4 Being sent to another classroom	
5 Being sent to the headteacher or other senior manager	
6 Being made to stand in the corridor	
7 Being sent to time out	
8 Being given extra work	
9 Being kept in at break	
10 Being kept in after school	
11 Being moved to another place in class	
12 Parents being informed	
13 Being made to finish work at home	
14 Being stopped from going on school trip	
15 Being denied a privilege, for example after school leisure activity	
16 Being given onerous tasks	
17 Agreeing a formal contract with the teacher	
18	
19	
20	

Sanctions

'Sanctions' seems to be the term increasingly used in schools although perhaps, as one member of staff suggested in a professional development session recently, it is simply the old term 'punishment' in a new guise. The term implies a link with troublesome behaviour and the outcomes of non-observance of a rule or expectation. A school which structures its behaviour policies around rules would naturally employ sanctions or, perhaps, the 'consequences' of breaking rules.

Sanctions, like punishment, help to set the tone of expectation of schools for the broader culture in which they exist and they represent a fallback position for those, both inside and outside education, who place responsibility on pupils for what goes wrong in the classroom and the school. There are three criteria that inform any assessment of the effectiveness of sanctions.

- Appropriateness: do they match the misdemeanour, and through them will the pupils link the adversity they face with the behaviour?
- Effectiveness: do they have the aversive effect that they are designed to have for the pupils concerned and, perhaps, on the other pupils and the classroom climate?
- Transformation: do they bring about the change in behaviour that is intended?

Sanctions can be a short-term effective way of dealing with personal anger, resentment and threats to power and can simply help adults feel good, provide an instant control 'fix' and reassert authority. However, they have many disadvantages, which could also apply to punishment, and it is important to consider whether these outweigh the merits. Sanctions draw attention to the surface behaviours but do not look to the cause and are short term once the immediate impact has died down. They emphasise the negative rather than promote positive behaviour. In doing so, they are unlikely to change pupil behaviour or attitude but may promote strategies that ensure they are not caught in future. They can also easily cultivate resentment, especially if unjustly targeted, and critical comments or reprimands can have the effect of reinforcing and supporting the inappropriate behaviour rather than being a punishment (Algozzine and White, 2002). Sanctions, when applied harshly, have a contradictory nature to approaches to learning in that when pupils make errors in their work educators seek to show them where they might have gone wrong and may explain matters again using different methods or materials, in other words they seek to help pupils understand what was wrong and how to respond effectively. Behaviour correction based on sanctions lacks these positive elements. Finally, it is useful to have a rule reminder which helps to depersonalise the sanction. However, there is a danger in linking sanctions to rules as it gives a message that it is the breaking of rules which is the misbehaviour when, as stated previously, the focus should be *on the behaviour itself* and its impact on others.

Staff often agree with the above arguments and then convey that sanctions and punishment are an expectation of society, parents, senior managers and even pupils themselves. Apart from an awareness of their limitations, such as those mentioned above, if staff use sanctions they need to ensure maximum effect (see Table 4.1).

Table 4.1 *Criteria for the examination of sanctions*

Issue	Explanation
Linked to policy	Sanctions need to be consistent with wider school policy and this should be emphasised as they are being administered.
Connected to the level of the misdemeanour	It is important to be consistent with the misdemeanour in terms of the level and nature. A major infringement of behaviour policy which incurs a minor sanction demeans the entire policy.
Decrease disruption rather than increase it	Often the administration of a sanction can cause more disruption than the original offence and therefore correct timing matters a great deal.
Self punishment	Ensure that staff do not end up punishing themselves such as by losing precious break time. Sometimes sanctions involve staff getting involved in a spiral that generates further problems. They may assume a size and importance that far outweigh the original offence and leave staff chasing to ensure that the sanction has been undertaken.
Fair and just	Sanctions need to be seen as just by others <i>and</i> the involved pupil and they should not apply to those who were not involved. The problem here is often that pupils nearby may have taken no action but their inertia makes staff feel that they have been complicit and therefore merit the sanctions.
The final act	Sanctions need to be used carefully and without resentment, ensuring that once served the 'slate is wiped clean' and does not cause further problems. For example, punishing someone who has bullied another pupil should not put that victim at risk of further bullying.
Be negative	Although obvious, there are occasions when sanctions are applied but contain no negative element. They should not be something that resolves a short-term need of the member of staff or is pleasurable for the pupil, for example staying in a warm classroom on a cold, wet day.
Consistent	Sanctions should be applied consistently and to all pupils who commit the same misdemeanour.
Ensure closure	Once the emotional climate is right, closure through a debrief in which staff and pupils consider what happened and how it has been resolved is helpful. A reminder of the link between the offence and the rules that it infringed helps to depersonalise the event and the consequence of it.
Policy review	Sanctions should be reviewed in the light of the behaviour policy and how pupils feel about them. Continued monitoring of their efficacy ensures they serve their function as an expression of justice and fairness and as a part of a broader school policy.

One subject not raised in the above table is whether sanctions should be hierarchical, in other words whether there should be a 'scale' (DfES, 2004). The advantage of this approach is that pupils realise where they are in terms of numbers of misbehaviours and that repeated offending will lead to a higher level of sanction. The downside of linking sanctions to numbers of offences is that pupils' negative behaviour can be at the minor, irritating level and have little or no impact on others, but it can also be very serious and a major disruption. For this to receive a similar sanction because it may be a first offence undermines the idea of linking sanctions to the misdemeanour. Forms of sanction scale such as first offence 'yellow card' but second offence 'red' means that the 'yellow' one may function as little more than a warning and may not be taken too seriously and the whole notion of proportionality to the offence has no meaning.

Consequences

One of the principal writers and educationalists associated with logical or natural consequences has been Rudolf Dreikurs. Forty years ago he wrote that 'punishment today is still retaliatory rather than corrective in nature' (Dreikurs, 1968) and it is worth considering whether thinking in schools has moved on from this supposition. Clear delineation between terms is not always easy but is crucial. Although discussed earlier in this chapter, the fundamental criteria which distinguish consequences from punishment need to be pursued a little more. Consequences, be they 'logical' or 'natural', need to be:

- employed in a reasonable manner that is also respectful
- related to the behaviour, not the pupil
- motivated by a desire to teach pupils about their behaviour as opposed to 'teaching them a lesson they will never forget'.

They are an example of where argument, in the form of a consideration of two ways of managing discipline, can inform practice. Exploration of the difference between consequences and punishment reveals five main areas.

- 1 **Social order** Consequences are linked to the social order and the rules governing life that pupils need to learn in order to take their part in society. The pupil receives the message that they can be trusted to respect the rights of others in the school. As a result, pupils learn respect for their peers and staff, coupled with an understanding of their situation, even if they are not always in agreement with them. **Punishment** represents the power of authority and the arbitrary power of adults who are in authority which gives pupils the message that they must do as they are told by adults who know better. Resulting from this may be the adoption of an anti-authority stance, securing ways of avoiding being caught and general deviousness.
- 2 **Relationship to behaviour** Consequences are logically related to the misbehaviour, which allows pupils to be helped to understand that the connection

between their action and the outcome is not connected to moral judgements and they are not being judged as good or bad. Misbehaviour is considered a mistake rather than a sin! The emphasis is upon the choice of the pupil and the member of staff's belief that they will make the right one next time. Distinguishing between deed and doer and never labelling a misbehaving pupil but staying focused on the behaviour conveys that they are worthwhile but that some things they do give cause for concern or are unacceptable. The result, for the pupil, is that they feel valued, can make choices to improve their behaviour and come to realise that learning from experience is important. **Punishment** is more arbitrary and the pupil is labelled and thus receives the message that they are unacceptable and are bad, which in turn generates a need for revenge for the hurt caused. They also pick up that they are not liked and they will be shown who is in charge.

- 3 **Time difference Consequences** are concerned with the present and what will happen now and not with atoning for past misdemeanours. They display a confidence in pupils being able to make decisions for themselves and understand the outcomes of what they have done or might do. **Punishment** concerns itself with the past and judgements about the pupil connect with the past so they feel that not only have they done wrong, but they have always been a wrongdoer. The result is that pupils believe that they are incapable of making decisions and of controlling their own behaviour.
- 4 **Emotional quota Consequences** are delivered with a voice that conveys that there are clear reservations about what has been done but also genuine concern and even humour and affection. This results in the pupils hearing that what they have done is not liked but they are still okay, and that the world is not a negative place so they can feel secure within it. **Punishment** is characterised by a tone that is harsh and angry and displays a lack of respect for the pupil and a resultant feeling that they are not liked or respected, which may lead to a desire for retaliation, rebellion or feelings of guilt.
- 5 **Authority position Consequences** provide options for pupils by giving them choice and convey the message that it is the pupil's decision and it is hoped that they make the wise one. The aims include giving responsibility and not engaging in conflict and authority is shared or can move from staff to pupil. **Punishment** demands compliance and conformity, and therefore conveys a lack of trust and faith in the capacity of the pupil to make choices. It does little to generate respect.

One of the main practical advantages of consequences is that they are linked to specific behaviours and possess a transparent logic for all to see if not agree with. They therefore take some of the stress out of behaviour management because they are not associated with the teacher's *personal* response to a specific pupil. As well as depersonalising the response, consequences they apply to all, invite review should the consequence not lead to improved behaviour and, like rules, can be displayed for reference. They can be structured hierarchically, although cautions about this have already been mentioned.

In the development of consequences the logic becomes more transparent if pupils are involved in linking what will follow if a rule is broken, but it is crucial that staff also see that link and feel that the consequences are appropriate and fair for all. In most cases it is obvious what is needed but some serious behaviours, such as physical assault in anger, may be less logical. For these the immediate application of consequences may lead to increasing emotions and the pupil's anger could override any attempt to apply logic. It is essential that reference to consequences is made in a matter of fact manner that does not fan the flames that such situations almost inevitably produce.

Schools that adopt consequences need to be prepared for the potential impact that what can be seen as a radical approach will have, especially if the school has been used to a strong punitive regime. Parents and pupils may see it as a 'soft option' or think that negative responses to misbehaviour are being abandoned. As with all innovations, staff need to support the use of consequences by building a review into the process. Reviewing consequences is important and sharing practice is essential to ensuring consistency, and support for each other by sharing what works and does not work will help to create that consistency. At the formative stage it will prove helpful to involve the pupils in considering potential consequences so they can see why they are often described as 'logical'. Involving pupils does not detract from the ownership of the final decisions, which rests with the staff who have to deploy them. Not all misbehaviours have a natural or logical consequence and these behaviours require specific consequences, as will some of the more serious offences. Like other innovations these may not work well at first. If that is the case, consider revising the consequences. So much of effective behaviour management is about helping pupils to make wise choices and consequences help to nurture their own responsibility.

STAFF DEVELOPMENT EXERCISE

SDE 4.4 CONSIDERING CONSEQUENCES

As individuals or in small groups, undertake a, b and c before returning for a debrief with the whole group. Look at the list of behaviours below.

- a Consider whether you see them all as problems (they are all from various *genuine* behaviour policies).
- b Although pupils need to be involved in the practice of consequences, it is useful to have your own perspective. Try to assign *appropriate consequences for each behaviour* by linking the behaviour and the consequence.
- c Would pupils in your class or group find assuming more responsibility for their behaviour a problem? If so, how might you encourage it?

- 1 Constantly leaving seat when not required to do so.
- 2 Leaving class without permission
- 3 Spitting
- 4 Talking out of turn
- 5 Possessing illegal substances (drugs/alcohol)
- 6 Tapping a ruler
- 7 Threatening other class members
- 8 Shouting out in class
- 9 Making put-down comments to other class members
- 10 Refusing to follow instructions
- 11 Being rude and disrespectful
- 12 Passing notes
- 13 Lying
- 14 Swinging on chairs
- 15 Play-fighting
- 16 Chewing gum or eating in class
- 17 Causing damage to school equipment
- 18 Constantly turning around
- 19 Throwing litter on recreational areas
- 20 Wearing outdoor coats in class



It is important to remember that the effective use of consequences when dealing with misbehaviour removes a major force for stress for staff, that is engagement at an over personal level, as it invites pupils and/or the system to take that burden. Potentially it decreases the number of occasions when teachers interrupt their own lessons with angry responses, get embroiled in heated or emotional exchanges, or exhibit negative energy that can distract non-involved pupils. Compare the language and the tone required for the following statements:

Example 1

‘Karl, I see that by throwing the paper on the floor you have chosen to tidy the room later.’

or

‘Karl, what are you doing throwing litter on the floor? You make sure you pick it up right now and see me at the end of the lesson.’

Example 2

‘Your constant talking out of turn Jenny means you have chosen to leave the room for two minutes.’

or

‘Jenny, I have warned you enough times about talking out of turn. Get out the room now and wait outside until I consider you can return.’

Like any form of response to misbehaviour, consequences are not without their critics (Kohn, 2001). Mention of them provides an opportunity to examine their validity, to adapt consequences to counter criticisms or simply to decide that consequences have no place in *your* school. There are three concerns. First, it is sometimes difficult to distinguish between traditional punishments and consequences because, ultimately, both involve a member of staff requiring a pupil to do something negative. It may well be that the only difference will be the tone of voice adopted, which, in itself, may not be a bad thing! Secondly, consequences lack the harshness of punishment and should be administered respectfully, but the behaviour or task that follows may be logically suited to the offence which could still be harsh, thus the message received is a mixed one. Finally, overapplication of the ‘logic’ element leads to pupils undertaking tasks linked to their offence that resemble punishment. Exercise 4.4 occasionally leads to strange, contrived, even draconian, responses, hence the criticism that consequences are punishments but dressed up in a gentler guise.

Whatever the criticisms, the calmness, the involvement of pupils in understanding their misdemeanour and the logic of it may offer a new direction in thinking that has potential benefits. The creation of a framework behind which staff can unite offers consistency, but being united within a singular framework should not mean that staff suppress individual teaching style and techniques. Rather it means that they function within a given, agreed and sophisticated framework that allows that which makes them an individual as an edu-

cator to emerge. Opportunities for long considerations of behaviour are not likely to be during a lesson but at times, made explicit, when only the involved students are present. Interrupting lessons is often necessary, but it is important to remember that adding the emotional heat of reprimand can mean that the staff intervention causes more disruption than the original pupil problem that it was meant to solve.

Restorative justice approaches in schools

One way of dealing with misbehaviour or with pupils exhibiting problems that is enjoying consideration in schools is restorative justice. Like the solution based approach mentioned in Chapter 2, it invites pupils to take increased responsibility for their actions and seek solutions. Restorative justice continues the aspiration of this chapter to seek the value in moving from staff administering punishment to pupils assuming more responsibility for their own behaviour.

Restorative justice approaches challenge many conventions and attitudes of western society that are based on punitive responses as the answer for misbehaving. They are based upon the idea that children face those who have been affected by their behaviour. These approaches are often associated with the criminal justice system, but in recent years they have become influential among those seeking to change ways in which problem behaviour impacts upon school communities. In terms of the criminal justice system Zehr (1990) talks about the shift from retributive justice to restorative justice as a 'paradigm shift'. Application to behaviour management would also require a major journey although restorative approaches already have an application in support group techniques employed to deal with bullying (Pikas, 1989; Robinson and Maines, 1997) and comparable paradigm shifts are possible with this aspect of behaviour management (Lee, 2004).

The importance of restorative approaches for behaviour policy lies in the fact that the pupils and staff, not immediately involved in but affected by the behaviour, have a role to play in supporting those involved and helping to arrive at an appropriate outcome. The shift away from a conventional punitive regime to one based on restoration, in other words making good the damage done to personal feeling as well as property, recognises that the learning and school experiences of many pupils will be affected by the event. In these cases, in restorative justice terms they have the right to explain how they were affected by what happened and to influence resolution (Hopkins, 2002). The key person in this approach is often a 'mediator' and when their role is examined the connection with staff undertaking effective circle time or conferencing is apparent.

Mediators in restorative justice:

- respect the perspective of all involved
- are non-judgemental and impartial
- display empathetic listening skills
- display good questioning techniques

- invite and encourage solutions and do not impose their own
- aim to develop rapport among those involved
- are caring and patient.

Hopkins (2002) draws upon a case study of the application of restorative justice in a school context in which misbehaviour is perceived primarily as an offence against human relationships and the violation of the rules of the school is of secondary significance. Staff in schools demonstrate many of the skills cited above on a daily basis but not always all of them and they sometimes fall into the blame trap through their phrasing or body language. However, there is a growing use of conferencing in schools to resolve problems with pupils taking lead roles and more schools are engaging in peer mediation with pupils becoming mediators.

STAFF DEVELOPMENT EXERCISE

SDE 4.5 RESTORATIVE REFLECTIONS

In small groups, consider the qualities of restorative approaches in the left-hand column and note in the right-hand column whether they demonstrate comparative skills when dealing with misbehaviour in schools. Share findings and implications with the main group.

Restorative approaches	Notes
Respect the perspective of all involved	
Are non-judgemental and impartial	
Display empathetic listening skills	
Display good questioning techniques	
Invite and encourage solutions and do not impose their own	
Aim to develop rapport among those involved	
Are caring and patient	

There are certainly problems in the development of restorative approaches in a whole school community.

- There is a shortage of time in the school day for dealing with behaviour matters in a restorative manner. Although the initial time investment may be extensive, in a co-ordinated approach utilising ideas such as circle time leads to less conflict overall.
- There is a lack of emphasis in Initial Teacher Education on preparing teachers in relational skills, although schools can provide their own training as part of the student experience and their own professional development.
- They represent too big a shift in the prevailing culture and behaviour management climate in the school.
- It is deemed as the prerogative of the few with the training and skills to function in this way. These people are often outsiders and are skilled facilitators whose evangelism transfers to some but leaves many feeling distanced from them and their ideas.
- Their potential is *probably* linked more to personal offences and serious misdemeanours than to the day-to-day management of groups and classes in school.

Whatever the choice of response to misbehaviour, professionals in schools will need to address whether they wish to change behaviour or cope with it and what approaches are likely to achieve this. While Chapter 2 advocated that eclectic approaches to theory would have benefits for staff, some theories do not reside well with each other. Restorative approaches cannot form part of a regime in which punitive approaches are practised as the premises that underpin them cannot co-exist (Macleod, 2006).

The journey from punishment to restorative approaches sees movement from the more arbitrary, adult imposed to the more collaborative, socially determined. Whatever the chosen approach or approaches one fundamental question presents itself: ‘which is most likely to bring genuine change in a pupil’s behaviour?’

At the end of this chapter you will have decided:

- the value of punitive approaches in serving the needs of the school
- the overarching approach to dealing with negative behaviour
- whether there is a link between the aspirations, values and mission statements of other policies and the chosen approach.