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Company Registration Number: 10745840 (England and Wales)

## Relationship and Behaviour Policy

# Ethos College

February 2024



Nurturing inclusive learning communities



1	<b>Summary</b>	Relationship and Behaviour Policy			
2	<b>Responsible person</b>	Diane Parkinson			
3	<b>Accountable ELT member</b>	Rebecca Smith			
4	<b>Applies to</b>	Ethos College			
5	<b>Trustees and/or individuals who have overseen development of this policy</b>	N/A			
6	<b>Headteachers/Service Heads who were consulted and have given approval (if applicable)</b>	Mandeep Little			
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Date	Version	Action	Summary of changes
January 22	1.4	Policy reviewed	Addition of peer on peer abuse.
May 22	1.6		Addition of suspension arrangements.
Feb 23			Removal of Appendix related to Covid.
January 24			1.7
			Addition of Positive handling policy as an appendix

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### 1. Purpose

Ethos College supports KS4 pupils with SEMH needs to reach their academic, social and emotional outcomes to ensure that pupils are able to work towards achieving their post 16 potential. The purpose of this policy is to provide a positive and supportive framework through which responsible and positive behaviour can be developed and maintained. It is built on the principles that everyone has the right to thrive in a safe, stimulating and positive environment and that learning takes place most effectively where there is a culture of mutual respect and understanding, based on a consistent approach to behaviour management.

To ensure that pupils can achieve their potential they should feel valued, safe and secure in the adults around them. For all pupils a sense of connection and belonging is essential to their wellbeing and view of the school environment. It is therefore essential that relationships between adults and pupils are professional, caring and inclusive. For pupils to achieve they must have a positive relationship with the adults around them and this policy sets out how Ethos College aims to achieve this.

### 2. Key Aim and Objectives

We aim to create a positive and respectful learning environment in which every member of our school community can perform and contribute in a constructive way.

Our key objectives are:

- To work collaboratively with families and pupils to ensure ownership of this policy and co-operate with its principles
- To enable each pupil to make the best possible academic, social and emotional progress
- Ensure inclusivity by recognising and celebrating protected characteristics in line with statutory guidance.
- To equip pupils with behaviour management strategies that are considerate of others and enable them to enjoy and achieve.
- To enable pupils to make positive choices that lead to adopting life-long behaviours that will support them to thrive professionally and personally

- To promote a sense of community in which every pupil can make a positive contribution. To uphold the values of courtesy, consideration and mutual respect

We will meet these objectives by:

- Communicating clearly with all members of the school community to help pupils understand the effect of their behaviour on others
- Having high expectations for standards of punctuality, attendance, appearance, behaviour and Achievement.
- Providing a well differentiated curriculum that maximises opportunities for both academic and personal development at all levels
- Reinforcing expectations of behaviour with a consistent approach tailored to each individual
- Leading or guiding pupils in the development of new behaviour strategies and modelling alternatives
- Recognising that some pupils will require additional, individual support to help them with their development
- Being proactive in detecting and responding to changes in behaviour and attitude
- Using praise, encouragement and rewards to recognise good behaviour and positive contributions to the school community
- Recognising that our own behaviour will be scrutinised and demonstrating our core values with clear examples modelled
- Working closely with parents/carers to ensure expectations are upheld.

### 3. Core principles of the policy

The policy outlines the behaviours that are acceptable and those that are not and these are made clear to all members of our school community as part of their induction process.

By following the expectations set out in the policy every pupil will have a platform from which to realise their potential. In addition, staff will support the development and achievement of pupils by:

- Fostering a commitment to the highest standards of teaching and learning and ensuring equality of opportunity in the classroom and beyond
- Valuing pupils individually and responding to the needs that can be communicated through behaviour
- Promoting self-esteem and self-confidence through target setting and achievement
- Providing an opportunity for reflection and reconsideration in a neutral non-judgemental context
- Teaching young people to understand, accept and tolerate differences in individuals
- Changing perceptions of pupils, parents/carers and teachers through small, achievable targets.

The principles that we expect our pupils to follow are:

- We do our best to learn and do not stop others from learning
- We follow instructions
- We will dress appropriately for school
- We are pleasant and helpful to each other
- We are respectful
- We are co-operative and work together
- We take care of our community and the environment
- We do not smoke on site or on the school grounds and any smoking paraphernalia is handed in and should not be seen throughout the school day
- We attend well and arrive on time
- We apply these principles to all activities

## 4. Coaching

Emotion coaching is used at Ethos College as a positive behaviour strategy and is designed to facilitate pupils to overcome every day obstacles by understanding their emotions so that they can re-engage with learning to maximise outcomes and life chances. The emotion coach lead delivers regular training and monitors the impact of the coaching on pupils. The school uses the ABC model where students identify the aspect of the situation, their beliefs about the situation and the consequences of actions. The staff work with the pupils to find a solution focused approach to move forwards. Coaching promotes positive relationships as the foundation for all interactions to improve how young people navigate their own relationships both in and out of school.

## 5. Restorative Practices

Staff at Ethos College are trained in restorative practices and these are used to restore and rebuild relationships. The practice enables pupils and/or staff to come together to repair and appreciate the impact of their behaviours on others. This approach is successful in improving behaviours and builds trusting relationships that are fundamental in improving the emotional well-being and learning outcomes for all pupils. Being able to reflect on behaviours and consider alternatives is a key skill that restorative practice supports pupils to develop. It is this reflection and willingness to change behaviours, in certain circumstances, that is fundamental in our behaviour management strategy.

## 6. Rewards and Incentives

We believe pupils should have their achievements recognised and rewarded. Rewards can be small tokens or more substantial incentives but, more importantly, pupils should feel that their efforts are recognised in a meaningful way in order to promote positive engagement with school life and foster the feeling of success.

At Ethos College, we continue, alongside our pupils, to design and develop a reward system that is personalised to the needs of individuals through the setting of mutually agreed developmental targets. Pupils are given the opportunity to achieve on a daily basis and are rewarded regularly; this progress is recorded on the schools MIS system. This system enables pupils to manage their own rewards and to use them to buy items that they value. This promotes budgeting skills and pupils are encouraged to donate some of their rewards to charities we support as a school.

The following rewards are used by staff to recognise and promote positive and appropriate behaviours:

- Reward system
- Postcards home
- Certificates
- Celebration assemblies
- Regular phone calls/text messages home
- Positive meetings with families
- Group rewards for attendance

In addition, we recognise the importance of verbal praise and recognition. As a team, we believe in catching our pupils doing the right thing and look for ongoing opportunities to highlight the positive behaviour they display. This also promotes positive relationships and supports pupils' engagement in community projects.

## 7. Development of Positive Behaviour

While it is our expectation that pupils will behave appropriately; we recognise that there are times when poor and/or inappropriate behaviour may occur. On these occasions, it is important that behaviour is managed quickly, appropriately and in line with individual need and this policy.

Within the classroom, the code of conduct will be implemented by the Teachers and Inclusion Workers, with the priority of keeping pupils in school and engaged in learning. However, while consistency is key, it is recognised that a flexible approach will always be required and staff will use their professional judgement to ensure a focus on personal development and inclusion; meaning behaviour will be managed on an individual basis, considerate of the needs of the pupil.

Basic expectations are set out to pupils and these include handing in phones, smoking paraphernalia and personal items at the start of the school day to ensure pupils are focused on learning and negates concerns regarding safety and security. Any item that is considered a barrier to learning will be expected to be stored securely during the day and given back to pupils at social times if staff consider their behaviour to be appropriate. If staff consider the behaviour of pupils to be inappropriate or they have not completed a satisfactory amount of work, they may, on occasion, keep personal items locked securely and refuse

access to pupils during the day. Pupils will not be allowed access to their phones during the day if staff believe that this will have a detrimental effect on their behaviour or learning or that of others.

Pupils are expected to follow the core principles, set out in this policy at all times, but if negative behaviour does occur then an agreed individual plan will be established. Consequences of inappropriate behaviour will be actioned and will often include sanctions such as minutes given, to be taken back during school, to catch up on any time lost or work not completed or a 1:1 intervention, to understand the behaviour displayed and strategies of how to overcome triggers. In some cases, it may be necessary for the pupil to spend some time out of school to be given an opportunity to catch up on work missed and undertake some more intensive learning around a particular behaviour; providing pupils with strategies to avoid the behaviour being repeated. This will be at an approved and risk assessed venue and families will be informed. The aim is to address the barriers to positive behaviour and to ensure the impact on pupil progress is minimised. The pupil will return to school when staff are confident that they are able re-join the learning and contribute positively to school life.

## 8. Peer on Peer Abuse

All pupils have a right to feel safe in school and to be confident in the adults around them that they will take immediate and decisive action when there is suspicion or evidence of any abuse. Similarly, if there are any instances of sexual abuse or harassment these will be taken seriously with the pupil being given the opportunity to disclose all concerns and to feel supported. Ethos staff will take immediate action if any of the following occur;

- bullying, including cyberbullying, prejudice-based and discriminatory bullying
- abuse in intimate personal relationships between peers
- physical abuse such as hitting, kicking, shaking, biting, hair pulling, or otherwise causing physical harm; this may include an online element which facilitates, threatens and/or encourages physical abuse
- sexual violence, such as rape, assault by penetration and sexual assault; this may include an online element which facilitates, threatens and/or encourages sexual violence

- sexual harassment, such as sexual comments, remarks, jokes, and online sexual harassment, which may be standalone or part of a broader pattern of abuse
- causing someone to engage in sexual activity without consent
- consensual and non-consensual sharing of nude and semi-nude images and or videos (also known as sexting or youth produced sexual imagery)
- ‘Upskirting’ which involves taking a picture under someone’s clothing without them knowing; this is usually with the intention of viewing their genitals or buttocks for sexual gratification, or cause the victim humiliation, distress, or alarm. Up skirting is a criminal offence and anyone of any gender, can be a victim
- initiation/hazing type violence and rituals.

## 9. Individual interventions

Senior leaders use the available data to identify those pupils who need additional support to be able to address their social, emotional and mental health needs. To address these additional needs, we have an Intervention Instructor who will plan and deliver a comprehensive and detailed programme of sessions that focus on an identified area of need. These pupils will be aware of their targets and will be able to contribute to the planning of the session so that they are ‘done with them and not to them’.

It is essential that each pupil and their behaviours are considered individually and whilst a consistent approach to basic expectations is required, each situation will be considered based on individual need and

with a focus on learning and engagement. Where necessary, an individual support plan will be written by the group team, in collaboration with the pupil and their family: which will make clear the expectations and ensure all parties are sure of their individual responsibilities.

In some cases, a risk assessment will be implemented when a pupil’s behaviour becomes dangerous to them or to other pupils or staff. The aim is to ensure everyone’s safety and wellbeing and, in these cases, families and wider stakeholders, if appropriate, will be involved.

## 10. Suspensions

The focus on positive behaviour, forgiveness and reconciliation will significantly reduce the need for suspension. Alternatives to suspensions are always sought, where possible, and the emphasis remains on ensuring pupils are offered an appropriate timetable, personalised to their individual needs. However, when considering appropriate next steps, including sanctions, the Head Teacher must balance the needs of the individual with those of the wider school community and where pupil behaviour places others at risk, the safety of themselves and others is paramount. The academy strongly feel that suspensions must be used only as a very last resort. On rare occasions, fixed term suspensions are issued and carried out in line with the current DfE suspensions guidance; on these occasions a structured re-integration takes place which involves the Senior Leadership Team, pupil and their families. If the placement is not successful, Ethos College work with mainstream schools to ensure that an appropriate alternative is identified and transition is supported. For those pupils with an EHCP, Ethos College will liaise with SENDACT to consider how we can continue to meet the pupils needs.

To enable pupils to play an active part in their learning we will support them to develop in the following areas:

- Self-control
- Sensitivity and consideration for others
- Pride in themselves and the school
- Enthusiasm and desire for learning
- Self-confidence



- An individual approach to behaviour
- An awareness and acceptance of others' ways of life and different opinions
- Uphold values of Equality and Diversity
- A persistent approach to tasks
- A positive reaction against bullying and abuse.

To support this development and to keep pupils safe, staff will also:

- Use appropriate language
- Refer to the Safer Working Practices policy
- Discuss situations outside of the classroom
- Be alert to signs of unacceptable behaviour
- Alert other staff of the nature of any unacceptable behaviour
- Record any unsafe behaviour or incident
- Refrain from negotiating consequences with pupils.

## 11. Parent, Carer and Partnership Working

We believe that behaviour is about all stakeholders and while we all have responsibilities as individuals the aims of this policy will not be achieved unless we work in partnership together.

In particular, we believe that the role of families is central to the success of our pupils.

For this reason, we work with, communicate and build positive relationships regularly with families. We provide regular updates on pupil progress, conduct and SEMH progress and share pupil achievements through phone calls, postcards, assemblies and meetings. Where a pupil is struggling, we will give advice and encouragement and ensure we are working together to meet the needs of the pupil.

In return, we ask families to celebrate their child's success; attend meetings when requested and reinforce the expectations laid out in this policy. We are always open to visits by families and would ask that appointments be made in advance so that the appropriate member of staff can be present.

## 12. Professionals and Other Agencies

To support individuals or groups of learners, we work with other relevant professionals. We build strong working relationships with our partners across Kirklees and where appropriate, other authorities and agencies. We also work with our local police service to ensure both the education and safety of pupils and the health service to promote and develop health and well-being.

## 13. Team Teach

Ethos College recognises that there is a need, reflected in common law, to physically intervene when there is an obvious risk to the safety of pupils, staff and property. If necessary, the use of force to control or restrain pupils will be used in the context of a respectful, supportive relationship with pupils in order to ensure minimal risk of injury to pupils and staff.

Ethos College has adopted the term 'Restrictive Physical Intervention (RPI)', to describe how we implement the principles of Team Teach where school staff are required to ensure the safety of all stakeholders. This follows an approach of Team-Teach. The objectives of Team-Teach have been adopted by Ethos College, namely:

- to promote the least intrusive RPI strategy and a continuum of gradual and graded techniques, with an emphasis and preference for the use of verbal, non-verbal de-escalation strategies being used and exhausted before RPI strategies are utilised
- to enable services to develop acceptable and authorised responses to disruptive, disturbing, angry and aggressive behaviours in a manner that maintains positive relationships and provides safety for all, by training in Team-Teach
- to reduce the number of serious incidents involving RPI, in all settings, and to emphasise the importance of exhausting behaviour management strategies in the first instance
- to increase the awareness of staff concerning the importance of recording and reporting, monitoring and evaluating, all incidents involving positive handling
- to provide a process of repair and reflection for both staff and pupils

This complies with the Department for Education guidelines on reasonable force, [www.DepartmentforEducation/reasonableforceinschools](http://www.DepartmentforEducation/reasonableforceinschools).

Complaints procedures are in place for both families and pupils.

If you have any questions about Team Teach or indeed any part of this policy, please contact Diane Parkinson (Assistant Head/DSL).

## 14. Search Procedures for Students

Staff may determine that a pupil may need to be searched prior to entering Ethos College, in order to ensure their safety, other pupils and staff. A pupil can be searched if staff have reason to suspect they may be carrying any of the following prohibited items; knives or weapons, alcohol, illegal drugs, stolen items, tobacco and cigarette papers, smoking paraphernalia, fireworks, pornographic images, any item staff feel could be used to commit an offence or cause injury or damage to property and any other item which is a barrier to learning. If any of these items are found in the search, staff have the power to confiscate them from the pupil.

Searches will always be done as part of a detailed risk assessment that is shared and agreed with all stakeholders.

## 15. Guidance for searching students

All searches should be carried out by a staff member of the same sex of the pupil who is being searched and in the presence of another member of staff. Wherever possible, pupils will be searched in a private room away from peers and other staff not involved in the search. Outer clothing should be removed if staff feel this is necessary in order to complete an effective search. ('Outer clothing' means clothing that is not worn next to the skin or immediately over a garment that is being worn as underwear). Possessions should be searched in the presence of the pupil and another member of staff. (Possessions means any goods over which the pupil has or appears to have control – this includes bags).

## 16. Procedure for searching students

Pupils subject to a search should be searched in a room that offers them privacy from other pupils and staff and the pupil will not be allowed entry to the wider building until this search has taken place. Pupils should empty their pockets of any items, prior to the search taking place, including shoes and any other outer

clothing, if staff feel this is necessary. Staff should then use the metal detector to screen the pupils. This should pass over the pupil's body, including arms and legs. If the device beeps, on a particular area, staff should determine why the area has been highlighted by the metal detector and exclude this area as having a prohibited item. (The detector is sensitive so will pick up small amounts of metal such as zips on pockets). Staff should then search pupils using the backs of their hand. Pupils will be asked to have the legs slightly apart and their arms out wide. Staff should pass their hand over the arms, legs, chest and back.

Staff should use their professional judgement to ensure that the physical aspect of the search is appropriate and comfortable for the pupil. Once the search and screening of the pupil has taken place, the search of any possessions should take place in the presence of another staff member and the pupil. Any prohibited items will be confiscated and it is at the school's discretion whether this is returned.

A pupil will be denied entry to the building if they refuse to be searched. A member of the Senior Leadership Team should be contacted immediately if any following occurs:

- A pupil refuses to be searched or doesn't allow staff to search their possessions
- If a search or screening reveals a prohibited item
- Prior to the search, if staff feel that there is high probability that a pupil has a prohibited item and is likely to become confrontational, if a search was to take place
- See more information in Positive handling appendix on page 15 of this policy.

## 17. Absconding

To abscond is to leave site without permission and to do so places the pupil at risk of harm. Should a pupil abscond then the relevant policy will be adhered to. Any incidents of absconding should be documented on CPOMS as soon as possible and if there are significant risks for the pupil then the police should be informed. This should be done only in collaboration with a senior member of staff.

## Appendix A

### **Ethos Academy Trust Behaviour Principles Statement**

Ethos Academy Trust's first priority is the responsibility to safeguard and promote the welfare of all our pupils. As such, the Trust Board is charged with the duty to set the framework of the behaviour/relational policies of each academy by providing a written statement of general principles relating to behaviour and attitude to learning, taking into account the needs of all stakeholders.

#### **Vision**

Our vision at Ethos Academy Trust is to create **nurturing inclusive learning communities**.

#### **Mission**

To enable us to achieve this, our mission is that **Ethos Academy Trust will draw upon the expertise of our specialist staff and wider partners to provide timely, personalised support, intervention and provision in order to maximise the life chances of all children and young people, informed by a thorough understanding of their strengths and needs.**

#### **Core Values**

- Leading with Integrity
  - Championing honesty and transparency
  - Building trusting relationships
- Thinking innovatively
  - Finding creative solutions
  - Meeting individual need
- Encouraging freedom and responsibility
  - Working collaboratively
  - Investing in effective partnerships
- Celebrating achievement
  - Improving academic progress
  - Enriching personal development
- Improving continuously
  - Raising Standards
  - Developing strong and effective leaders

#### **Our behaviour culture**

Our behaviour policy and practices are underpinned by relational practice. Relational practice means that relationships are at the heart of our interactions and interventions. The children in our settings often have attachment challenges linked to trauma and Aces with many also having special educational needs including social, emotional and mental health (SEMH) needs. This means that our children often use behaviour as a form of communication. Our approach is to look beyond the behaviour to understand what is being communicated. We know we need to connect before we can put effective support in place. Behaviour and positive relationships are modelled by all staff; this is a key part of our curriculum and also targeted through personalised interventions.

The Ethos Academy Trust Board believes in high standards of behaviour coupled with high support for pupils which enables

- all pupils to make the best possible progress in all aspects of their educational life;
- all staff to teach, model and promote good learning.

The Trust Board fully supports the rights of all members of our community to work, learn and achieve in a safe, supportive and stimulating environment. All members of our Trust community are fully committed to working together to establish a positive academy ethos and promote effective learning within an environment where all children can feel safe, enjoy and achieve, be healthy, develop resilience and be prepared for the next stage of their educational journey. Behaviour should not jeopardise the health and safety of any member of the school community and all stakeholders are encouraged at all times to be positive role models. Through consistently applying the principles of nurture and trauma informed approaches our pupils are given the strategies to be able to engage fully in learning whilst being supported by staff who are skilled in identifying and addressing all aspects of SEMH.

### **The right to feel safe at all times**

All staff and pupils have the **right** to:

- feel safe;
- learn;
- be treated with respect;
- work in a positive, welcoming school community;
- be heard.

With rights go responsibilities, which apply to staff and pupils who **all** have a **responsibility** to:

- keep the school a safe place to be;
- allow each other to learn;
- feel physically and emotionally safe;
- treat each other with respect and dignity;
- develop and maintain a positive, welcoming school community;
- co-regulate and communicate needs calmly and safely,
- listen to each other.

### **Inclusivity**

Ethos Academy Trust is an inclusive Trust. All members of the Trust's community should be able to work and learn, free from any form of discrimination, harassment or bullying (as laid down in the Equality Act, 2010.) Measures to protect pupils from bullying and discrimination as a result of gender, race, ability, sexual orientation or background are clearly set out and regularly monitored for their effective implementation. Reasonable adjustments are made to day-to-day life, policies and procedures in order to meet individual needs.

### **Engaged Community/Parental Involvement**

At Ethos Academy Trust we believe that a positive, supportive relationship between parents/carers/families and professionals and each academy is key to meeting the needs of every child. Regular opportunities to visit school through parent consultation meetings, open days and fundraising events aim to encourage and support parents / carers / families to be actively involved within the academy community.

Parents / carers / families / professionals and pupils will be made aware of the behaviour/relational policy of the academy during the induction process, which may include a 'Home School Agreement'. Parents/carers/families are contacted on a regular basis, often daily but at least weekly, to share positive news and discuss

any concerns. Involvement with parents/carers/families and professionals will be on an individual basis. Parental preference around home/school contact will be discussed at the initial meeting when a child joins Ethos Academy Trust.

### **Positive re-enforcement**

The emphasis will be on encouraging positive behaviour and school attendance through:

- high expectations coupled with high support;
- the modelling and teaching of good behaviour, developing pupils' social and emotional skills;
- a focus on learning through an engaging, differentiated curriculum that meets the needs of each learner;
- praise and rewards, catching pupils getting it right.

All members of staff will recognise and celebrate positive behaviour at all times around the academy through informal praise. Children's best efforts for behaviour and learning will be celebrated regularly and success shared with parents/carers and families. The Trust Board recognise that a wide range of rewards are consistently and fairly applied in such a way as to encourage and reinforce good behaviour in the classroom and elsewhere. These are made clear in the Behaviour/Relational Policy (and / or other policies).

### **Logical Consequences/ Restorative Culture for unsafe behaviour**

Consequences for unsafe behaviour should be known and understood by all staff and pupils and consistently applied. The range of sanctions should be described in the Behaviour/Relational Policy so that pupils, staff, parents and families can understand how and when these are applied. Consequences, when necessary, will enable the pupil to reflect on, and learn from, their behaviour and to make reparation wherever possible. The focus on positive behaviour, forgiveness and reconciliation will significantly reduce the need for exclusion or suspension. However, when considering appropriate next steps, including consequences the Headteacher must balance the needs of the individual with those of the wider school community and where pupil behaviour places others at risk, the safety of the pupil body as a whole is paramount. The Trust strongly believes that suspensions must be used only as a very last resort.

### **Positive Handling**

All our child facing staff across the trust are trained in a positive handling technique called Team Teach. This supports staff with the de-escalation strategies to help regulate pupils. This de-escalation makes up 95% of our work when supporting children that are dysregulated. If a child is posing significant risk of harm to themselves, others, property or whole school disruption then staff may use physical intervention for which they are fully trained. Individual policies will outline the process for Positive Handling, searching, screening and confiscation as outlined in the DfE 2022 Searching, Screening and confiscation at school guidance.

### **Sharing of Information**

The Trust Board requires the academies to maintain up to date records of pupils and to ensure that, in relation to their policies on Safeguarding and Child Protection, they are GDPR compliant when sharing information. The Trust takes seriously the responsibility to maintain personal records within suitable, safe and secure systems.

### **Notes**

1. This Statement has been drawn up in accordance with the Education and Inspections Act, 2006, and DfE: Behaviour and discipline in schools: Advice for Headteachers and school staff (January 2016).
2. The purpose of the Statement is to provide guidance to the Headteachers in drawing up their individual Behaviour/Relational Policies so that they reflect the shared aspirations and beliefs of all stakeholders in Ethos Academy Trust: Trustees, staff, parents / carers/families and pupils, as well as taking full account of

law and guidance on behaviour matters. It is intended to help all staff to be aware of and understand the extent of their responsibilities in respect of recognition and reward for good behaviour, discipline and sanctions for unacceptable behaviour and how to use them. Staff should be confident that they will always have the Trustees' support when following this guidance.

3. This is a statement of principles, not practice: it is the responsibility of the Headteacher to draw up the academy's behaviour policy, though the Headteacher must take account of these principles when formulating this policy. The Headteacher should also take account of the guidance in DfE: Behaviour and Discipline in Schools Advice for Headteachers and School Staff (January 2016).
4. With consideration of our duty of care to the pupils, this written statement and the policies that are influenced by it apply to all pupils when in school, when travelling to and from school, when engaged in extra-curricular activities such as educational trips and visits (residential and non-residential) and when being educated as a member of the Ethos Academy Trust community off-site.
5. Each academy's Behaviour/Relational Policy is to be published on the academy's website and distributed to all members of staff.

## Appendix 2. Positive Handling

### 1. Introduction

Ethos Academy Trust takes seriously its duty of care towards pupils, employees and visitors. Touch is a sensitive issue requiring careful judgement. In order to safeguard both children and staff, the school aims to provide clear guidance and appropriate training within the resources that can reasonably be made available.

This policy has a clear focus.

- The paramount consideration to safeguard the welfare of the child
- And to safeguard the welfare of staff and others working in schools/settings and services who act in good faith

*The Children Act 1989* places a duty upon staff to consider the welfare of the child first and for the welfare of the child to take precedence when practical over every other consideration. All physical interventions, including restraint, are conducted within a framework of positive behaviour management. The behaviour policy is intended to reward effort and application, encouraging pupils to develop an understanding and take responsibility for improving their own behaviour.

Preventative approaches to risk reduction involve identifying and communicating early warning signs, situations, settings and factors which may influence behaviour, then taking steps to divert behaviours which lead towards foreseeable risk. When appropriate, pupils are encouraged to participate in their own Support to Self-Regulate Plans by focusing on positive alternatives and choices. Parents and carers are also encouraged to contribute. Pupils with severe behavioural difficulties sometimes present a risk to themselves and others. Staff encouraged to implement de-escalation strategies according to Team Teach practice. *Section 93 of the Education & Inspections Act 2006 (EIA2006)* describes the circumstances in which teachers and others, authorised by the Head Teacher, may use reasonable force to control or restrain pupils. Examples of when such action may be reasonable are; preventing personal injury, damage to property, the breakdown of discipline or committing a criminal offence.

*Section 95 (EIA2006)* defines the Staff to which this power applies.

*The Children's Act 2004* places a duty on key partners to cooperate in the safeguarding of children. Where children receive a variety of services from the local authority, every effort will be made to ensure that these are coordinated. Risk Assessments and Positive Handling Plans/ Support to Self-Regulate Plans will be shared with all key partners, who will cooperate to provide consistent approaches to meet the needs of individual children. Any professionals or parent(s)/ carer(s) wishing to view our schools behaviour policies are welcome to do so as they are available on our school websites.

<https://www.engageacademy.uk.com/>, <https://www.reachacademy.uk.com/>,  
<https://www.ethoscollege.uk.com/>

- Accredited training model used: Team Teach
- Person responsible for Health and Safety: Diane Parkinson (Ethos College), Alison Ward (Engage Academy) and Nikki Wood (Reach Academy).
- Person responsible for Child Protection (DSL): Diane Parkinson (ETHOS College), Nikki Wood (Reach Academy), Adam Davies (Engage Academy)



## Glossary

### Positive Handling

The term “Positive Handling” includes a wide range of supportive strategies for managing challenging behaviour. Included in this framework are a smaller number of responses which involve the use of force to control or restrain a pupil. The term “restraint” is used whenever force is used to overcome active resistance.

#### **Positive Handling Plans – included in Support to Self-Regulate Plans. (See Appendix)**

Individual Support to Self-Regulate Plans include actions resulting from a risk assessment. These include a description of the nature of the risk along with preferred risk reduction strategies (including non-physical, those involving touch and where absolutely necessary, more restrictive restraints).

### De-escalation Strategies

- Adaptions to the physical environment / Change of face
- Use of space
- Body language
- Facial expressions
- Volume, pitch, pace and tone of voice
- Choice of words

### Physical Contact (Contingent Touch)

- Reassuring touch
- Physical prompts and guides
- Holding to reassure where there is little, if any, active resistance
- Unobtrusive personal safety responses to low level risks

### Restraint / Restrictive Physical Interventions (The positive application of force with the intention of overpowering a person)

- Holding someone who is actively resisting to prevent them putting themselves and others at risk of significant harm
- Holding someone who is actively resisting to reduce the risk of pain or injury
- Holding someone who is actively resisting to reduce the risk of damage to property
- Holding someone who is actively resisting to prevent the commission of a criminal offence
- Moving someone who is actively resisting into a reduced risk environment
- Holding / moving someone whose actions are or leading to a breakdown in discipline
- Preventing a person who is actively resisting from moving into an increased risk environment

## **2. The Legal Framework**

### **2.1 The Best Interest Principle**

The overriding principle relating to positive handling is that the welfare of the child takes precedence over every other consideration. The first line of the first paragraph of the Children Act 1989 in the UK states that the welfare of the child should be paramount consideration. Paramount in this context means that it is the first thing people should think about and it should take precedence over every other consideration.

## 2.2 Duty of Care

The term 'duty of care' is an important legal term. Anyone who is lawfully authorised (including volunteers etc.) to work with children, has a duty of care. Schools owe a duty of care to their pupils. 'Negligence' involves a breach of that duty and has three main elements:

- Firstly, there must be a duty of care
- Secondly there must be a breach of that duty of care
- Thirdly there must be some ensuing damage or injury related to that breach

We do not need to wait for damage or injury. A responsible approach is to anticipate what could go wrong and try to prevent it. A breach of duty of care may involve either taking unreasonable action or failing to take reasonable action to prevent harm to another person (Commission or Omission).

As the statutory power to use force is held by individual members of staff, no school should have a policy of *no physical contact*, because this could make staff feel deprived of that power, or hinder their exercise of it. (EIA 2006)

Health and Safety legislation requires that employers also have a duty of care towards their employees. It would be negligent of an employer not to provide the time and resources for appropriate training. It would be negligent of an employee not to access training when it is offered, or to assess information when it is available.

## 2.3 The Education and Inspections Act 2006

Section 93 describes the circumstances in which teachers and others who are authorised by the Head Teacher may use reasonable force to control or restrain pupils.

As a school the Head Teacher and the schools' Senior Team Teach Tutor hold a database of staff that are trained in Team Teach. This database is updated regularly to reflect ongoing training provided. All teaching and support staff access Team Teach training within their induction period.

## 2.4 Violent Crime Reduction Act

Section 45 allows reasonable force to be used to search pupils without their consent for weapons.

NB. The Department for Children, Schools and Families strongly advises schools not to search pupils where resistance is expected, but rather to call the police.

## 2.5 Restraint

The term 'Physical Restraint' is used when force is used to overcome active resistance.

These are referred to as "Restrictive Physical Interventions' in national Guidance (DfES/DoH 2002).

Team Teach definition:

'Physical restraint involves direct physical contact where the intention is to prevent, restrict, or subdue movement of the body or part of another person.'

A clear and consistent positive handling policy supports pupils who have behavioural, emotional and social difficulties within an ethos of mutual respect, care and safety. All members of school staff have a legal power to use reasonable force (Section 93, Education and Inspections Act 2006).

## 2.6 Risk Assessment and Risk Reduction

Health and Safety legislation applies to children who may present a risk to themselves or others. Wherever a risk can reasonably be foreseen there must be an assessment of the risk and a plan to reduce the risk. It is not always possible to eliminate risk, but staff have to be able to show that they have attempted to reduce it. Children who present a foreseeable risk have a positive handling plan included within their Support to Self-Regulate Plan. Staff likely to meet a child presenting a risk are given guidance and training to enable them to assess and reduce the risk.

## 2.7 Reasonable and Proportionate

Common law hangs on the word 'reasonable' in the context of physical interventions, yet it changes meaning according to the circumstances of each case. What determines the reasonableness of a particular intervention is often governed by whether or not it was 'proportionate'. The degree of force used should be a minimum to achieve the desired result. Good training provides techniques which rely on a combination of psychology and biomechanics to reduce the amount of force required.

## 2.8 Absolutely Necessary

The United Kingdom adopted the United Nations Convention on the Rights of the Child in 1991 and incorporated European human rights legislation into the legal framework. Sometimes staff are obliged to take actions which would in other circumstances be unreasonable or even illegal. In normal life people do not touch other people unless invited, interfere with their property, move them from place to place or restrict their movement. Yet for school staff there may be times when such actions are reasonable and necessary. If a member of staff takes an action which could be seen as restricting the child's human rights, for it to be legal it must be 'absolutely necessary'.

There are times when those with a duty of care believe that they must act to protect the interests of the child. If they fail to act and, as a result, negligently allow a child to come to harm, they could be liable for any damage which ensues. When people are honest in their attempts to do the right thing they are said to be acting in 'good faith'. Staff who act in good faith, in the best interests of those for whom they have a duty of care, deserve support.

## 2.9 Lawful Defences

Rather than focus on preventing staff from taking any action which could possibly result in accusations, which could result in staff not taking any action at all, we should focus on *lawful defence*. There are times when staff do need to take action, and failing to act could itself lead to a charge of negligence. The focus should be on why it was necessary for a member of staff to take action in a particular circumstance. The best lawful defence is that it was necessary to protect the interests of the child. The clearest lawful justification is that the actions of staff are reasonable, proportionate and in the best interests of the young person. Under Human Rights legislation they should be 'absolutely necessary'. The law also recognises that people make honest mistakes. A common law defence could be offered whenever a person acts reasonably in good faith.

## 2.10 Key Questions

It can help staff to maintain their focus on values and principles by keeping three questions in mind whenever they consider using force to control a child's behaviour. It may be true that staff are legally empowered to use force to prevent injury, damage, the commission of criminal offences or even to prevent serious disruption. However, rather than focus on the rights of staff it is better to focus on the rights and interest of the child. Staff should be able to answer the three key questions:

- **How was this intervention in the best interests of the child?**
- **Why was it absolutely necessary?**

- **How was it reasonable and appropriate?**

### 2.11 Reasonable and Proportionate

Any response to extreme behaviour should be reasonable and proportionate. Staff must not react in anger. If they feel they are becoming angry they should consider withdrawing to allow someone else to deal with the situation. It is always unlawful to use force as a punishment. Where staff act in good faith, and their actions are reasonable and proportionate they will be supported.

When physical controls are considered staff should think about the answers to the following questions:

- **Is this in the best interests of the pupil?**
- **Is a less intrusive intervention not preferable?**
- **Do we have to act now?**
- **Am I the best person to be doing this?**
- **Is this absolutely necessary?**

If staff can answer these questions it is more likely that a physical intervention will be judged to be reasonable and proportionate. Whenever a physical intervention has to be made it is preferable to use a verbal warning. Where possible staff should always attempt to use diversion and diffusion in preference to physical interventions. They should only use the techniques and methods approved for use in our Trust. In general, if staff act in good faith, and their actions are reasonable and proportionate they will be supported.

### 2.12 Unreasonable Use of Force

It is not reasonable to use force simply to enforce compliance in circumstances where there is no risk. Nor is it reasonable to use any force than is necessary to achieve a reduction in risk. Under no circumstances should pain be deliberately inflicted, or should pupils be deliberately subjected to undignified or humiliating treatment (this should not be confused with unavoidable discomfort associated with some approved techniques for disengaging from assaults such as bites and grabs). Other than a one-off emergency measure to protect health and safety, force should never be used to keep a pupil secluded. **Seclusion** is only lawful by specific court order in a licensed secure unit.

## 3. Health and Safety

If hazardous behaviour presents a significant risk of injury to people, there is a Health and Safety issue to be addressed. Hazardous behaviour should be regarded just as seriously as hazardous equipment. Dangerous occurrences should be reported to the person responsible for Health and Safety in the school on behalf of the employer. We all have a shared responsibility to identify risk, communicate potential risks and take steps to reduce risk whenever possible. We recognise that it is not possible to entirely remove risk. In some circumstances we have to try to think through the outcomes of the options available, balance the risks and choose whatever course of action seems to involve the least risk.

As a minimum requirement, in order to comply with Health and Safety legislation, each employee has a responsibility to ensure that they are conversant with school policy and guidance, and to cooperate to make the school safer. The DCSF advise that, as part of the induction period, staff are explicitly informed of their responsibilities in relation to the school policy on the Use of Force. Staff are also required to participate in suitable training if they are directed to do so, subject to a satisfactory health assessment this does not necessarily mean

that all staff can be involved in physical activities. The non-physical aspects of positive handling training are crucially important too.

When considering a pupil's behaviour staff should think about the following questions:

- **Can we anticipate a Health and Safety risk related to this pupil's behaviour?**
- **Have we got all the information we need to conduct a risk assessment?**
- **Have we produced a written plan as a result?**
- **What further steps can we take to prevent dangerous behaviour from developing?**

### **3.1 Risk Assessment**

In addition to formal risk assessments, dynamic risk assessments should be a routine for staff working with pupils who may exhibit extreme behaviour. Responsible staff should think ahead to anticipate what might go wrong. If a proposed activity or course of action involves unacceptable risk the correct decision is to do something else.

Factors which might influence a more immediate risk assessment, and therefore a decision about how to intervene, might include:

- The state of health and fitness of the staff member
- Physical stature, competence, confidence, experience and relationships with the pupils concerned.

Confidence and competence are often related to the level of staff training. Other than in an emergency, staff should only attempt physical controls when they are confident that such an action will result in a reduction of risk. When faced by extreme behaviour, or even in a fight situation, judgement may be that, by becoming physically involved, the member of staff will increase the chance of somebody getting hurt. In this case the correct decision is to hold back from physical controls. However, this does not mean that staff can do nothing. There are things that the person can do. They can make the environment safer, give clear direction to pupils, remove the audience and get help.

### **3.2 Positive Handling Plans / Support to Self-Regulate Plans / Sensory Plans**

Risk assessment is an integral part of positive behaviour management planning. All pupils who have been identified as presenting a risk have a Positive Handling Plan as part of their Support to Self-Regulate Plan. The plan details the settings and situations which increase risk. It also details any strategies which have been found to be effective for that individual, along with any particular responses which are not recommended. If particular physical techniques have been found to be effective these are also named, along with alerts to any which have proved ineffective or which caused problems in the past. Plans should take account of sex, level of physical, emotional and intellectual development, special need and social context.

A Support to Self-Regulate Plan supports de-escalation. When noticing a change in a pupil's response, staff use supportive strategies and guides to enable calming and therefore reducing the need for restrictive physical interventions. These plans are tailored to a pupil's individual needs

### **3.3 Responding to Unforeseen Emergencies**

Even the best planning systems cannot cover every eventuality and the school recognises that there are unforeseen or emergency situations in which staff have to conduct dynamic risk assessments. Again, the key principles are that any physical intervention should be:

- **In the best interest of the child**

- **Reasonable and proportionate**
- **Intended to reduce risk**
- **The least intrusive and restrictive of those options which are likely to be effective**
- **Staff should avoid touching or restraining a pupil in a way that could be interpreted as sexual or inappropriate conduct other than exceptional circumstances where there is risk to life (or other significant instances).**

## **4. Training**

All staff who are expected to use planned physical interventions are trained. Our positive handling training is provided by our in-house qualified tutors and within rigorous guidelines. Our preferred approach is for whole staff team training in 'Team Teach'. In the interim period, induction processes cover staff accessing Team Teach training via alternative providers who offer regular open courses.

Team Teach trainers attend a 5-day course that is re-accredited every 12 months. Staff re-accredit within a 2-year period. De-escalation and practical training are delivered by Team Teach trainers regularly for all staff adhering to the requirements of level one (6 hour) and level two (12 hour) training.

The level of training required is kept under review and may change in response to the needs of the pupils. New staff will receive Level One and/or Level Two Team Teach training from a qualified instructor as part of their induction period. Once trained, staff may need to practise regularly under the guidance of tutors. Staff should not modify techniques without the express agreement from George Matthews (Director of Team Teach). It is also recognised that staff may respond with a technique from outside their training framework. This does not automatically render the use of this technique improper, unacceptable or unlawful. Again, it must be judged on whether it is reasonable, proportionate and necessary in those circumstances.

## **5. Recording**

Whenever overpowering force is used the incident **must** be recorded.

Any restraint should be recorded on the School Management Information System, including all antecedents. All staff (where practicable) involved in an incident should contribute to the records which should be completed within 24 hours.

Serious incident reports should not be completed until the individuals concerned have recovered from the immediate effects of the incident. Names should be completed in full (including those of all witnesses) and all forms should be signed and dated where written. These are also signed monitored by a member of SLT. These records will be retained for 75 years. A concise record should be written in the Green Serious incident book and cross referenced with a number on SchoolPod. For online forms, a Team Teach related incident form should be completed online via CPOMS. If applicable you should refer to supporting incident sheets such as Support to self-regulate plans and pastoral support plans and other relevant information. The current Positive Handling policy is accessible on Every. Previous Positive Handling policies are archived from 2018 and available on request.

## **6. Monitoring and Evaluation**

The Senior Leadership Team will ensure that each incident is reviewed and instigate further action as required. All incidents are monitored to ensure effective early interventions are implemented to reduce the need for physical intervention.

## **7. Positive Behaviour Management**

The behaviour principles and core aims of ETHOS Academy Trust are intended to reward effort and application and encourage pupils to develop an understanding and take responsibility for improving their own behaviour. Part of any preventative approach to risk reduction involves looking for early warning signs, communicating any factors which may influence behaviour and taking steps to divert behaviours which might lead towards foreseeable risk. All this information is held within each pupil's Support to Self-Regulate Plan.

### **7.1 Alternatives to Physical Controls /De-escalation**

A member of staff who chooses not to make a physical intervention can still take effective action to reduce risk. They can:

- Show care and concern by acknowledging unacceptable behaviour
- Request alternatives using negotiation and reason
- Give clear directions to the pupil to stop
- Remind them about rules and likely outcomes
- Remove an audience or take vulnerable pupils to a safer place
- Make the environment safer by moving furniture
- Make the environment safer by removing objects which could be used as weapons
- Use positive touch to guide or escort pupils to somewhere less pressured
- Ensure that colleagues know what is happening
- Get help

### **7.2 Modifications to the Environment**

Ideally staff will not be waiting until a crisis is underway before conducting a risk assessment of the environment. We know that some pupils exhibit extreme and possibly dangerous behaviours. In general, it is a good rule to keep the environment clutter free. This may mean considering secure storage for a range of everyday objects when they are not used. For example:

- What are the seating arrangements/?
- How is the availability of pointed implements controlled? (*including pens, pencils, compasses etc.*)
- What small objects are available to be used as missiles?
- What objects are available to be used as blunt objects?
- Do they all need to be left out all the time?
- Are there sharp edges or corners which present a risk?
- Are the design and arrangements of furniture safe?
- Is the choice of furniture appropriate for pupils who exhibit extreme behaviour?
- Is there a comfortable and safe place to sit with an agitated pupil?
- Are protocols in place to encourage angry pupils to take themselves to a safer place?
- Is there somewhere safe for pupils to be taken?

### 7.3 Help Protocols

All staff have a responsibility to support each other. This means that staff offer help and accept it. Help does not always mean taking over. Examples of appropriate help include: getting someone else, supporting a differing group, acting as a critical friend and 'checking back in' as appropriate.

Good communication is necessary. Staff use agreed scripts so that all parties understand what sort of assistance is required and what is available.

The preferred help protocol for the Ethos Academy Trust is: **“More help/support is available”**

### 7.4 Well Chosen Words

A well-chosen word can sometimes avert an escalating crisis. When pupils are becoming dysregulated there is no point in getting into an argument. Repeatedly telling people to calm down can actually wind them up. Pointing out what people have already done wrong can make things even worse. The only purpose in communicating with an angry person is to prevent a further escalation. Sometimes it is better to say nothing. Take time to choose words carefully, rather than say the wrong thing and provoke a further escalation. The use of emotion coaching language/scripts to validate pupils' emotional state should be used. The time to review what has happened and look at ways of putting things right, is after everyone has completely calmed down and recovered.

### 7.5 The Principle of Last Resort

Staff should only use physical restraint when there is no other realistic alternative. This does not mean that we always expect people to methodically work their way through a series of failing strategies before attempting an intervention in which they have some confidence. Nor does it mean always waiting until the danger is acute and imminent, by which time the prospect of safely managing it may be significantly reduced. It does mean that staff should conduct a dynamic risk assessment and choose the safest alternative available. This includes thinking creatively about any alternative to physical intervention which may be effective. National guidance is clear on this point.

*“If necessary, staff have the authority to take immediate action to prevent harm occurring even if harm is expected to happen sometime in the predicted future.”*

Para 10 Page 4 Department of Health – 1997- 'The Control of Children in Public Care: Interpretation of the Children Act 1989' – London H M S O

### 7.6 Proactive Physical Interventions

It is sometimes reasonable to use physical controls to prevent extreme behaviour from becoming dangerous. If this is part of a planned response, it should be an agreed part of the Support to Self-Regulate Plan. Examples of proactive approaches might be where a pupil has shown ritual patterns of behaviour, which in the past have led to the child becoming distressed and violent. In such circumstances it may be reasonable to withdraw the child to a safer place when the pattern of behaviour begins, rather than wait until the child is distressed and out of control. The paramount consideration is that any action is taken in the interest of the child and that it reduces, rather than increases risk.

## **8. Post Incident Support for Pupils and Staff**

Following an incident, the school should offer support to all involved. People take time to recover from a serious incident. Until the incident has subsided, the priority is to reduce risk and calm the situation down. Staff should avoid saying or doing anything which could inflame the recovery phase. Immediate action should be taken to ensure medical help is sought if there are any injuries which require more than basic first aid. All injuries should be reported and recorded on CPOMS by a member of staff when medical attention at the hospital is needed, or CPOMS (Engage Academy) /SchoolPod under the First Aid tab.



Following an incident, consideration may be given to conducting a further risk assessment, reviewing the Support to Self-Regulate Plan, school behaviour policy or the positive handling policy. Consideration will be given to the 6 stages of crisis and restorative practices will be implemented to support pupil re-engagement. Any further action in relation to a member of staff / employee, or an individual pupil will follow the appropriate procedures.

## **9. Complaints**

Parents and pupils have a right to complain about actions taken by school staff.

It is not uncommon for a pupil to make allegations of inappropriate or excessive use of force following an incident. The school has a formal complaints procedure. Pupils should be reminded of the procedure and encouraged to use the appropriate channels. The Trust's complaints policy [www.eat.uk.com/about/pcan](http://www.eat.uk.com/about/pcan) applies equally to staff/employees. The Trust's policy is open and promotes transparency in order to protect the interests of pupils and staff.

The Trust follows the guidance within *Safeguarding Children and Safer Recruitment in Education*. Any staff concerns regarding the welfare of children should be taken to the Designated Safeguarding Lead. Any safety concerns should be reported to the designated person for Health and Safety.

1. Department of Health – 1997 – *“The Control of Children In The Public Care: Interpretation of the Children’s Act 1989”* London H M S O
2. Department for Education and Employment- 1998 – *“Guidance On Section 550A Of The Education Act 1996; The Use of Reasonable Force to Control Or Restrain Pupils”* London: H M S O
3. Department for Education and Employment – 2001- *“Positive Handling Strategies for Pupils with Severe Behaviour Difficulties”* – letter from Chris Wells, Head of SEN Division to Chief Education Officers
4. Department for Education and Skills – July 2002 –*“Guidance On The Use Of Restrictive Physical Interventions For Staff Working With Children and Adults Who Display Extreme Behaviours In Association With Learning Disability And/or Autistic Spectrum Disorder”* Department of Health
5. HMSO – The Children’s Acts – 1989 and 2004
6. Steaming Publications – March 2005 – *“NAES Bound and Numbered Book”*
7. Health and Safety at Work Act – 1974
8. The Education and Inspections Act – 2006
9. Violent Crime Reduction Act - 2006

**DfE *Use of Force in Schools*-updated 2013 and refers to the Education Act 1996 and Education and Inspections Act 2006**

**Appendix C**

**Example of support to Self-Regulate Plan**

Each setting may adapt the plan accordingly to support the needs of the pupils.

**SUPPORT TO SELF REGULATE PLAN**

Insert  
Photograph  
and  
Academy  
specific  
logo

**Name:**

Prevention Strategies		Diversion and Distraction	
De-escalation			
Environment and Triggers		Communication support	Key People
Additional risks if out of school			
Risk Assessment	Description of Risk	Likelihood of it happening (Low, Med, High)	Adverse outcomes if not managed

Physical Intervention Strategies	Post incident support	Recording and notifications required	
Written by and date	Updated (date)	Signed	
		Group leader	
		Parent	

Green Strategy	
Support Strategies	Behaviour

Amber Strategy	
Support Strategies	Behaviour

Red Strategy	
Support Strategies	Behaviour