

POLICY TITLE:	Behaviour and Discipline
Policy Number:	ES04
Applies to:	Day Schools, Residential Special Schools, Children's Homes, FE Colleges
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Author:	Education Services team
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Outcome:	The promotion of good behaviour and a clear, fair and understandable structure of rules, expectations and consequences playing a vital part in aiding the educational, social, emotional, mental and physical development of the children and young people in its care, will be in place on all Education Services facilities.
Cross Reference:	ES16 Equality of Opportunity (including English as an Additional Language) ES53 Safeguarding Children (Anyone under the age of 18) H&S45 Violence at Work OP03 Complaints OP04 Incident Management, Reporting and Investigation OP05.2 MCA Deprivation of Liberty Safeguards (England & Wales) OP21 Confidential Reporting of Concerns (Whistleblowing)

EQUALITY AND DIVERSITY STATEMENT

Priory Group is committed to the fair treatment of all in line with the Equality Act 2010. An equality impact assessment has been completed on this policy to ensure that it can be implemented consistently regardless of any protected characteristics and all will be treated with dignity and respect.

In order to ensure that this policy is relevant and up to date, comments and suggestions for additions or amendments are sought from users of this document. To contribute towards the process of review, e-mail SQCHelpdesk@priorygroup.com.

BEHAVIOUR AND DISCIPLINE

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1 INTRODUCTION

- 1.1 In order to effectively implement this Priory policy, Education Services facilities will have local procedures in place where necessary, to be read in conjunction with this document, to ensure best practice, and cover local anomalies.
- 1.2 In addition to the central policy, site specific procedures on behaviour and discipline will be available to parents, carers and other stakeholders, and information for students and young people will be available both within the children and young people's guide to the facility, and in information displayed within the facility.

2 POSITIVE BEHAVIOUR SUPPORT

- 2.1 Priory Education Services recognise that the promotion of good behaviour and a clear, fair and understandable structure of rules, expectations and consequences play a vital part in aiding the educational, social, emotional, mental and physical development of the children and young people in its care.
- 2.2 The organisation and management of each facility is a central factor in the creation of an ordered environment within which effective learning and care can take place. The quality of the care, support and guidance in each facility ensures that young people experience stability, security, predictability and reliability. This facilitates appropriate treatment in an environment where they are reassured by the evidence of order and are aware of limits set upon their behaviour.
- 2.3 Each facility provides a consistent structure and stable pattern that is reassuring to young people. It emphasises the consistency and stability of the environment, is clear evidence that somebody is in control and that there is planned organisation to life in that community. The regular and predictable sequence of events throughout the day enhances the young persons' sense of security even if, from time to time, they resist conforming to certain elements.
- 2.4 Staff and young people have a shared responsibility for creating and maintaining acceptable standards of behaviour.
- 2.5 Priory Education Services believes that all of its school/colleges can most effectively meet the needs of their young people and maximise the value and input of their staff and resources in an environment that is positive, predictable, safe, ordered and has an atmosphere of mutual respect. We also believe that this can be best achieved by a positive approach to the promotion, development and maintenance of conditions in which young people are empowered to manage their own behaviours through the acquisition of awareness and skills and where they are acknowledged and reinforced for so doing.

- 2.6 We believe that developing and maintaining a pleasant physical and social environment is a prerequisite to fostering positive behaviour.
- 2.7 **Expectations** -Each facility will have a clear set of expectations in relation to acceptable behaviour, which they will make known to children and young people, parents and carers, other stakeholders and staff through discussion, policy and local procedure, children's and young people's guides and displays within the provision. Expectations include rights and responsibilities in relation to preventing bullying of any sort.
- 2.7.1 Local procedures will clearly identify:
- (a) acceptable behaviour
 - (b) unacceptable behaviour
 - (c) rewards for positive behaviour and consequences for unacceptable behaviour
 - (d) interventions which may be used to support positive behaviour and to manage behaviour in order to maintain safe and effective learning and care environments.
- 2.7.1 It is our underpinning belief that effective prevention and de-escalation are the key to effective behaviour support.
- 2.8 **Participation in Planning** - Each young person will, where a need for additional support is required, have an individual behaviour support plan, which is regularly reviewed as outlined within local procedures.
- 2.8.1 Each young person will be enabled, in accordance with their age, abilities, understanding and individual needs to participate in defining, agreeing and reviewing their individual behaviour support plan, in conjunction with the input of their parents/carers, other relevant stakeholders and professionals, and the staff team.
- 2.8.2 Individual behaviour support plans will include details relating to: assessed risks, triggers, responses, consequences (rewards and sanctions), agreed intervention strategies including de-escalation and as a last resort the agreed use of physical intervention.
- 2.9 **Assessing and Managing Risk** - Assessment of risk in relation to behaviour support includes the assessment of environmental risks, the assessment of activity-related risk, and individual risk assessment of the young person.
- 2.9.1 Risk assessments consider the likelihood and impact of risks (to both the individual and others) to give a risk rating. Risk mitigation actions are then identified, and a residual risk level is identified.
- 2.9.2 Each young person will be enabled, in accordance with their age, abilities, understanding and individual needs to participate in defining, agreeing and reviewing their individual risk assessment, in conjunction with the input of their parents/carers, other relevant stakeholders and professionals, and the staff team.
- 2.9.3 The dynamic assessment of risk is a core training component for staff directly involved in positive behaviour support.
- 2.10 **Responses and Interventions** – The following points are considered when responding or intervening to behavioural or disciplinary issues:
- (a) **Equality and Diversity** - are recognised through individualised approaches to effective care and placement planning behaviour support (refer to ES16 Equality of Opportunity including English as an Additional Language)
 - (b) **Prevention** - The group aims through a system of effective assessments and individualised planning, and the provision of clear and consistent behaviour expectations, to prevent problems related to unacceptable behaviour wherever possible.

- (c) **De-escalation, including distraction** - When a behavioural problem appears to developing, staff are expected always to employ de-escalation techniques as their first resource. Such techniques may include the use of distraction, offering choices, giving positive verbal prompts, verbally guiding away from a difficulty. Each young person will have an individual behaviour support plan which describes the techniques and approaches most effective for them.
- (d) **Consequences (Rewards and Sanctions)** – Priory Education Services believes in the principals of restorative justice and seeks to adhere to these principals in relation to supporting positive behaviour. Rewards and sanctions will be agreed at site level and described in both local procedure and young people guides, taking into account each young person’s age, abilities, understanding and individual needs, in order to ensure that they are meaningful. They will always be proportionate, fair and reasonable. Sanctions which are **never** acceptable are:
- i corporal punishment
 - ii the restriction of contact and communication,
 - iii the withholding of food or drink, sleep, medication, personal aids and equipment required for a disability, clothes,
 - iv the requirement to wear distinctive or inappropriate clothing;
 - v the imposition of a financial penalty other than reasonable reparation;
 - vi the imposition of group punishments for the behaviour of an individual;
 - vii the involvement of any child in the punishment of another
- (e) **Physical Intervention** - is always considered to be a last resort, and may only ever be considered when there is a significant risk of injury to any person or significant damage to property, and there is no alternative method of mitigating these risks. Physical intervention where used must be proportionate, and use no more force than is necessary. The group uses the Team Teach (BILD Physical Intervention Accreditation Scheme) approach to physical intervention, and only the agreed techniques taught therein should be used.
- 2.11 **Record Keeping** - Full written records will be maintained at site, in accordance with site procedural guidance and all relevant regulation in relation to the use of control measures, the use of exclusions, interventions to ensure effective behaviour management including the use of physical intervention, de-escalation and all subsequent debriefing.
- 2.11.1 Individual staff are responsible for the accuracy of such records, which are overviewed and monitored by senior managers. Young people are encouraged to participate in providing and recording their own views, and are enabled to access their own records.
- 2.11.2 Central incident reporting is completed in accordance with OP04 Incident Management, Reporting and Investigation, allowing for the central monitoring and overview of records for quality, safety and compliance purposes.
- 2.12 **Responsibilities:**
- (a) **Each young person** is responsible, in accordance with their age, abilities, understanding and individual needs for adhering to the expectations of the provision, and their individual behaviour support plan.
 - (b) **Parents and carers** are responsible for supporting their young person and the school to adhere to the expectations of the provision, and individual behaviour support plans
 - (c) **All staff** are responsible for consistently demonstrating positive behaviour, and consistently responding to positive and negative behaviours in line with the expectations of the provision and individual behaviour support plans
 - (d) **Keyworkers/personal tutors** are responsible for reviewing and developing individual behaviour support plans in liaison with children and young people, their parents and carers, other relevant stakeholders and relevant professionals
 - (e) **Senior Managers and School Principals** are responsible for implementing and maintaining effective behaviour management strategies at their sites and for monitoring and for responding to and addressing such concerns, patterns and trends

as become evident, at both individual and site level, involving as applicable all other relevant stakeholders. In addition they are responsible for ensuring that full, complete and accurate records are maintained in accordance with regulation and good practice

- (f) **The Education Executive Team** are responsible for maintaining an overview of behaviour management and the consequences thereof at all sites, and for responding to and addressing such concerns, patterns and trends as become evident
- (g) **The Safety, Quality and Compliance Team** - are responsible for monitoring and over viewing at organisational level issues associated with behaviour management and the consequences and outcomes thereof
- (h) **Everyone** is responsible for raising concerns in relation to the effective management of behaviour and good order, safety and safeguarding

2.13 **Training** - Training provided is centred on the concept of prevention and de-escalation, supported by the Team-Teach approach to physical intervention as a last resort. All staff at sites complete mandatory training and on-going refresher training in the form of both e-learning and face-to-face training in relation to positive behaviour support, de-escalation, and managing challenging behaviour. Staff involved in direct contact roles, complete training and on-going refresher training in relation to the use of physical intervention using the Team Teach approach. (Refer to section 4)

2.13.1 Access to appropriate and approved training must be authorised by completing a training request via Foundations for Growth (FfG).

2.14 **Monitoring and Addressing Concerns** - As part of routine site compliance inspections, the internal compliance inspectors will regularly review records and practice in relation to positive behaviour support, and will make such recommendations as they feel necessary to ensure compliance with all relevant guidance and legislation.

2.14.1 As part of their routine governance and monitoring processes, Managers at site will review records and practice in relation to positive behaviour support, and will take such action as they feel necessary to ensure compliance with all relevant guidance and legislation.

2.14.2 At individual level, Individual Behaviour Support Plans and strategies are reviewed through keyworker and/or personal tutor meetings, discussion with parents and carers and the formal Review forum. Post-incident debrief meetings with both young person and staff are also seen as a key contributor to the review and development process.

2.14.3 At organisational level the prevalence of incidents relating to behaviour are monitored through the data gained from central reporting and recording, and where concerns or anomalies are identified action is taken to investigate and address concerns.

2.14.4 Each individual staff member is made aware of their responsibility for reporting any concerns in relation to the provision through line management processes and OP21 Confidential Reporting of Concerns (Whistleblowing)

2.14.5 Young people, their parents, carers and other stakeholders are enabled to raise any concerns in direct contact with the provision and through the complaints process. (Refer to OP03 Complaints) In addition to the formal written policy and 'easy read' guide, information for children and young people is contained within the young person's guide to services.

3 COUNTERING BULLYING

3.1 Priory Education Services acknowledges the Government's guidelines that define bullying as:

- (a) deliberately hurtful
- (b) repeated often over a period of time
- (c) difficult for victims to defend themselves against.

- 3.1 Priory Education services recognise that bullying can take many forms, but three main types are identified:
- (a) physical – hitting, kicking, taking belongings
 - (b) verbal – name calling, insulting, making offensive remarks, including racist, sexist and homophobic comments
 - (c) indirect – spreading nasty stories about someone, exclusion from social groups, being made the subject of malicious rumours and include 'Cyber Bullying' e.g. sending malicious e-mails or text messages on mobile phones or elsewhere - on social networking sites for example.
- 3.3 Priory Education Services believes that all young people have a right to feel safe and happy while they are at school. All Priory schools, working in collaboration with young peoples' families, ensure that this is the case. To support this policy all staff, as part of their induction and ongoing training and professional development, receive training in recognising and managing bullying.
- 3.4 The organisation of each school, and the management of young people, is a central factor in the creation of an ordered environment within which opportunities for bullying are minimized. High quality staff supervision also reduces the possibilities of bullying occurring.
- 3.5 In all schools there is an ethos that does not tolerate the oppression of one person by another. Each school provides short and long-term strategies, which permeate the school organisation and curriculum. Advice and guidance is provided for all young people, parents, carers and school staff. Specialist support and guidance is offered to everyone involved in a situation of bullying, including the young people's parents (carers).
- 3.6 All staff involved in the care and education of young people are constantly watchful, observing social relationships between young people, in class, social situations, the dining room and the residential accommodation. If a situation does occur staff are able to offer each young person immediate support. They are also able to instantly indicate to the bully, the unacceptable nature of their behaviour, and the consequences of any repetition. Any incident observed triggers the school procedure for bullying.
- 3.7 **Responding to Young persons' Learning Difficulties and Disabilities** - Priory Education Services recognises that there are factors that mean at times their schools are required to take a slightly different stance to the behaviours associated with bullying. These factors include the level of young persons' cognitive development, their learning difficulties, the very specific nature of their difficulties in perceiving someone else's viewpoint or experience, and additional difficulties they have in the recognition and management of their emotions.
- 3.7.1 Some behaviour that young people exhibit may be intentional; however, there are times when the young person is unaware that their behaviour has the same impact as deliberate bullying although this was not their intention. Priory schools recognise it is important that this distinction is recognised and staff do not automatically address incidents through a disciplinary route, rather than an educative one.
- 3.7.2 Some young people with social, emotional and behavioural difficulties, autistic spectrum disorders, and other learning difficulties may resort to bullying. Indeed, the nature of their difficulties sometimes makes them more likely to perceive themselves as victims. For example, misinterpretation and over-sensitivities are intrinsic to young people with Asperger Syndrome. Even allowing for this, in all Priory schools staff take accusations of bullying incidents seriously.
- 3.7.3 Where it is evident that a young person is insufficiently equipped to manage their own behaviour the school takes responsibility to assume effective management to ensure that bullying does not occur.

- 3.8 **Responding to Bullying** - Despite staff efforts to ensure that bullying is infrequent in any Priory schools, it must be assumed that it could take place. Therefore in all schools the following measures are in place to prevent and reduce its possible occurrence:
- (a) a procedure is laid down which is followed should bullying occur
 - (b) this procedure has been made explicit to all staff, and to young people if appropriate
 - (c) each case is followed up to ensure that the victim and bully are given as much support as possible and to prevent a reoccurrence of the behaviour
 - (d) parents or carers of both the target and the bully are informed by senior staff of the action being taken
 - (e) all staff report and deal with the problem immediately and ensure any incident of bullying is reported to their immediate senior
- 3.9 **Prevention** - At all schools importance is given to preventing and avoiding bullying. Within the education and care settings staff provide young people with support and guidance to prevent bullying. At all schools anticipation, prediction and forward planning are an essential part of our strategy for changing behaviour. Staff are aware of situations, activities and times when bullying can occur and take action to prevent this. Staff in all schools recognise that knowledge of the advice contained in young people's individual behaviour support plans is essential

4 POSITIVE HANDLING - THE SAFE USE OF PHYSICAL INTERVENTION

- 4.1 This section outlines the general overarching policy of Priory Group in relation to the use of physical intervention as one aspect of positive behaviour management in Education Services. Given the unique nature of each site within the Education Services portfolio each site will be responsible for developing a site specific procedure on the use of physical intervention which must be in alignment with this central policy.
- 4.1.1 No young people are permitted to use physical intervention under any circumstances.
- 4.2 Our practice is such that the use of any form of physical handling is rare, and the use of ground holds and seated wrap holds as planned intervention strategies is minimal. (Please refer to **Appendix 1** for details). Young people are supported and enabled to develop socially acceptable behaviour through consistent guidance from adults. We aim to ensure that schools, colleges and homes support children and young people to develop and maintain socially acceptable and appropriate behaviour within safe and managed environments, where mutual respect is practised and valued.
- 4.3 There may be instances where a member of staff may come into contact with a young person, for instance guiding them to a place or preventing them doing significant harm to others. These instances are classed as physical intervention.
- 4.4 Full details of any physical intervention must be reported within 24 hours and a record kept. This will be available for visiting inspectors so that they can see the extent of physical intervention within the school. The parents of children or young persons involved in any incident where physical intervention is used must be informed as soon as possible.
- 4.5 An incident report must be completed on the Priory electronic Incident Reporting system (Refer to OP04 Incident Management, Reporting and Investigation).
- 4.6 **The use of physical intervention** - Physical Intervention is always considered to be a last resort, and may only ever be considered when there is a significant risk of injury to any person or significant damage to property, and there is no alternative method of mitigating these risks
- 4.6.1 Physical intervention where used must be proportionate, and use no more force than is necessary

- 4.6.2 The group uses the Team Teach (BILD Physical Intervention Accreditation Scheme) approach to physical intervention, and only the agreed techniques taught herein should be used.
- 4.6.3 **In educational settings only** - physical intervention may be used as a last resort when behaviour is prejudicing the maintenance of good order and discipline at the school or among any young people, whether during a teaching session or otherwise.
- 4.6.4 Note that this provision in 4.6.3 **does not apply** to residential and homes settings.
- 4.6.5 'Staff' to which this educational provision applies are only those who have been trained in Team Teach or a similar physical intervention technique, and may include:
- (a) any teacher who works at the school
 - (b) support staff such as teaching assistants, learning support assistants, learning mentors and lunchtime supervisors
 - (c) people to whom the School Principal has given temporary authorisation to have control or charge of children or young persons (e.g. catering or premises staff), and unpaid volunteers (e.g. parents accompanying young people on school-organised visits)
 - (d) any other person whom the head has authorised to have control or charge of young people.
- 4.6.6 It is unlawful to use force as a punishment (which would fall under the definition of corporal punishment, abolished by the Education and Inspections Act 1996).
- 4.6.7 There is a need in exercising the power to use force to take into account any particular special educational need or disability that a young person might have, under general obligations for schools set out in the Disability Discrimination Act 1995.
- 4.7 **Approaches to De-Escalation and Physical Intervention/Positive Handling** - Prompt, effective and insightful de-escalation of any incident or potential incident is always seen as preferable to the use of Physical Intervention/Positive Handling (PI/PH).
- 4.7.1 Only approved and agreed techniques of PI/PH will be used. The group's current preferred approach is 'Team-Teach'.
- 4.7.2 An individual preferred approach for each child is agreed and documented as a Personal Handling Plan. This is created where possible, in collaboration with the child and their parents (carers), and is regularly reviewed.
- 4.7.3 The use of PI/PH is always subject to dynamic risk assessment, with due respect for the dignity of the child involved.
- 4.7.4 The use of pain to manage a PI/PH situation is **never** acceptable
- 4.8 **Managing Risk** - Effective risk assessment is essential to the safe use of PI/PH. Each young person will have an individual risk assessment relating to the safe use of PI/PH, including where relevant the specific advice of any medical practitioner responsible for the young person. The regular review and monitoring of information relating to the use of PI/PH is used to inform effective risk management.
- 4.9 **Training and Induction** - All prospective employees will be made aware at interview of the potential use of PI/PH prior to any offer of employment being made. New staff who have not yet completed training will only work in situations deemed suitable following risk assessment. Only staff that have successfully completed PI/PH training will use PI/PH techniques. All staff will attend regular and ongoing training in relation to de-escalation and distraction techniques.

- 4.9.1 Each site will have a nominated staff member responsible for ensuring that staff training in relation to de-escalation and PI/PH remains up to date, and is clearly and accurately recorded.
- 4.9.2 Access to appropriate and approved training must be authorised by completing a training request via Foundations for Growth (FfG). All training will be recorded on FfG.
- 4.10 **Reporting, Recording and Reviewing** - All incidents of the use of PI/PH are recorded on the Incident Reporting system in accordance OP04 Incident Management, Reporting and Investigation and in accordance with any relevant regulatory requirements
- 4.10.1 Following any incident involving the use of PI/PH the young person and staff involved should be given the opportunity to participate in a reflection and repair, or debrief meeting, which should be recorded as part of the reporting process.
- Records include information relating to the effectiveness of approaches used and include information relating to any injuries sustained by staff or children in relation to the use of PI/PH.
- 4.11 **Providing Information** - Providing information to parents (carers), children or young persons, and placing authorities in relation to the use of PI/PH is essential. This policy will be posted on the Priory Website and be made available to all stakeholders. Each site will produce a local procedure and young person's guide in relation to the use of PI/PH, which will also include details of who to contact in the case of any concerns arising. Information will also be made available to the LSCB by the site. Parents (carers), children or young persons will be invited (where appropriate) to participate in the process of creating and reviewing the young person's positive handling plan
- 4.12 **Monitoring** - At site level the School Principal will be responsible for reviewing and monitoring the use of PI/PH. This responsibility may be delegated by the School Principal to a nominated staff member with suitable training.
- 4.12.1 At organisational level data is collated and monitored by the Safety, Quality and Compliance Team, who are independent of the management of the site, in relation to the use of PI/PH. Concerns within data patterns and trends are notified to the Operations Team.

5 SCREENING AND SEARCHING

- 5.1 All Priory schools/colleges follow the latest government guidance issued to schools/colleges on the screening and searching of young people. This policy applies the key requirements of this guidance. Local procedures will also be put in place to support this policy.
- 5.2 This section covers not only searches in respect of weapons, but also room searches (see section 6) and belongings for suspected contraband (illegal drugs/tobacco) or other items deemed either detrimental or deleterious to the young person themselves or others:
- (a) For young people of all ages: Knives or weapons, illegal drugs, stolen items
 - (b) For young people aged up to 18: Alcohol, tobacco products, fireworks, pornography
- 5.2.1 Young people aged over 18 cannot be searched without consent for these last four items simply on suspicion of possession.
- 5.3 The overarching principle is one of having a 'duty of care' for our young people, as is incumbent upon us under our regulatory responsibilities to ensure the health, safety and welfare of young people in our care under the formal LAC (Looked After & Accommodated) arrangements, as well as individuals who reside with us as part of their 'statement of needs' or otherwise. The underlying principle is one of maintaining safety, good order and discipline, whilst ensuring a right to privacy.

- 5.4 Staff may search young people who have consented to be searched. In addition, since 31 May 2007, Principals and staff authorised by them have a statutory power to search young people or their possessions, without consent, where they have reasonable grounds for suspecting that the young person may have a prohibited item. In Priory schools/colleges the constraints required by law for no-consent searches are also followed for all with-consent searches. The person conducting the search may not require the young person to remove any clothing other than outer clothing. 'Outer clothing' means clothing that is not worn next to the skin or immediately over a garment that is being worn as underwear but 'outer clothing' includes hats, shoes, boots, gloves and scarves
- 5.5 No staff will undertake a search of a young person without first having been trained on how to do so, nor without following the principles of this policy and any local procedures linked to this. If a young person refuses to be screened, the school/college may refuse to have the young person on the premises or on an off-site educational visit.
- 5.6 Priory Education Services acknowledge that searches on suspicion and without consent can also start by screening. Non-contact screening is not subject to the same conditions as with-suspicion searches under the statutory power to search. Schools/colleges can screen in view of other young people.
- 5.7 A School/college Principal can conduct a weapons search without consent where there are reasonable grounds to suspect the possession of a weapon. Other school/college staff must be authorised by the School Principal before they can do so. A School Principal can search in the presence of another member of staff, and can authorise other staff to search in general, or for a particular search or type of search, in the presence of another member of staff.
- 5.8 A School/College Principal may not order a member of staff to carry out a search against their will.
- 5.9 **Suspicion** - The searcher must have reasonable grounds for suspecting a young person may be carrying a weapon or prohibited item. The search can take place on school premises or on a school visit. The searcher can seize anything he or she reasonably suspects is a weapon or evidence of an offence.
- 5.10 **Illegal Substances or Suspicious Items Found** - The searcher may confiscate a weapon or anything which he or she suspects is intended to be used as a weapon; and must pass it to the Police as soon possible. Other evidence of an offence can also be seized and, if seized, this must be recorded, stored carefully before being passed to the Police.
- 5.11 **Use of Force** -. The power to search without consent does not inhibit the power to search a young person where the young person consents. The law on without-consent search defines 'a member of the staff of a school' to include teachers and anyone else authorised by the Principal to have lawful control or charge of a young person
- 5.11.1 Priory schools/colleges always ensure that a searcher is of the same sex as the young person being searched. As well as the searcher, one other member of staff must be present at a search of a young person and must be of the same sex as the young person searched. When the young person's possessions are searched, the young person and a second member of staff must be present, but the staff may be of either sex.
- 5.11.2 The government's guidance makes clear that the existing powers of schools to use reasonable force to prevent a young person committing an offence, injuring themselves or others, damaging property, or prejudicing the maintenance of good order and discipline, also applies to a search without consent. However, the guidance advises that if it is thought that a young person suspected of carrying a weapon is likely to resist physically, school/college staff should call the Police rather than using force to continue a search.

- 5.12 **When Not to Search** - Priory Education Services acknowledge that the guidance emphasises that the power to search is exactly that – a power and not a duty – and should only be used where staff judge that it is safe to do so. In particular, if members of staff believe that a young person is carrying a weapon and is likely to resist a search physically, they should call the Police rather than try to overcome the young person.
- 5.12.1 Other factors that staff can consider in deciding whether they judge that a search would be safe include:
- (a) School/College staff, especially senior managers, are highly skilled and experienced in managing the behaviour of young people in their charge. This includes the ability to resolve difficult confrontations.
 - (b) The law requires a second adult to be present for a search.
 - (c) This guidance recommends training before any staff do a search
- 5.13 **Authorisation for a Search to Commence** - A School/College Principal needs no authorisation to conduct a weapons search without consent Other staff must be authorised by their Principal before they can search a young person. Authorisation may be on a long term or permanent basis, or for a stated shorter period, and should be in writing. It is recommended that the 'second person present' at a search should be authorised and trained to search, because while they are witnessing the propriety of a search, the member of staff conducting the search might ask the member of staff witnessing to help more actively. They must be authorised if they join the search
- 5.13.1 All schools/colleges acknowledge that the power to search on suspicion and without consent enables a personal search, involving removal of outer clothing and searching of pockets; but not an intimate search going further than that, which only a person with more extensive powers (e.g. a Police officer) can do.
- 5.14 **Room Searches for Residential Young people** - In order to provide a safe environment for all young people and staff, young people must be given clear guidelines on what is not acceptable to bring and keep in residential areas, e.g. dangerous or harmful items including drugs, alcohol and inappropriate pornographic material. Rooms will only be searched if there is reasonable evidence that forbidden items are either hidden or kept in the room.
- 5.14.1 If a search has been sanctioned by the Principal or Head of Care, two members of staff will undertake the search and the young person will be informed that the search is taking place, and be offered the option of attending
- 5.15 **Record Keeping** - Local procedures to be followed. Any decision to search must be well documented in the young person's notes indicating:
- (a) The reason for the search
 - (b) Member/s of staff who undertook the search
 - (c) The status of the consent of the young person and if applicable, the person with parental responsibility
 - (d) Discussion with young person and decisions made by staff
 - (e) The extent of the search and the outcome of the search
 - (f) Complete Log book/ Record of Search
- 5.16 Use **ES Form: 01** Record of Search for recording details of a search, available from Priory Intranet.

6 **PROTOCOL FOR INVOLVING THE POLICE**

- 6.1 Priory Education Services recognises that caring for and managing young people with difficult or challenging behaviour is an integral feature of their work. Staff will generally manage problematic situations except where they are so severe that Police involvement is essential in order to avoid physical assault or excessive damage.

- 6.2 To oversee this it is essential that all schools have an agreed protocol for the involvement of the Police. This section represents Priory Education Services policy on the involvement of the Police. It aims to strike a balance between the rights and needs of the young people, the rights of staff and the school decision to instigate Police action.
- 6.3 Regular and effective liaison between the school and the local Police department is most important. While staff have a duty to report known or suspected crimes to the Police, they use their judgement about where this threshold lies, particularly if the information to hand is slight and the crime, or suspected crime, is of a minor nature
- 6.4 The fact that staff report an incident does not mean that the Police will follow pre-decided action, or in some cases any action at all. Wherever possible, as defined in this policy, the action to be taken will be determined following discussions by all concerned, including wherever possible the young person, about the most appropriate response.
- 6.5 **Requirement to Involve the Police** - Staff need to consider the nature and seriousness of an incident before deciding whether to involve the Police immediately, at a later stage, or whether to involve them at all. It is crucial that communication between staff and the Police regarding the incident is clear and factual
- 6.5.1 Where Police become involved, and wish to question or interview young people, the person with parental responsibility will be informed as soon as possible. Young people should only be interviewed in the presence of a responsible adult. Young people will be given the appropriate amount of support during any Police investigation or subsequent action. There will be local procedures in place to cover local arrangements for this.
- 6.6 **Violence by a Young person on Another Young person or a Member of Staff** - Incidents between young people range from minor disagreements through to serious assaults where physical injury is caused. Having two vulnerable parties can complicate such incidents. Priory staff ensure that Priory Health and Safety and Child Protection procedures are followed. Following an incident staff consider attendant factors before involving the Police. These include:
- (a) wishes of victim
 - (b) severity of injury/nature of threat received by the victim
 - (c) probability of a repeat incident
 - (d) previous relationship between victim and offender
 - (e) potential impact on the young person following formal Police involvement
 - (f) effectiveness of Police action/court proceedings
 - (g) future best interests of both parties
 - (h) message sent to other young people
 - (i) availability of alternative courses of action (e.g. restorative approaches – with the consent of the victim).
- 6.6.1 Violence towards members of staff can vary from verbal threats to physical acts amounting to assault and battery. Whilst the school has the responsibility of care towards the young people, their needs must be balanced with the rights of staff not to be subjected to violence in the course of their duties.
- 6.6.2 Where there is no immediate continuing threat of violence, it is in the best interests of the staff member to take time to discuss and consider possible options. This, however, does not remove the individual's right to involve the Police. Following such incidents it is important that staff utilise debriefing processes and refer to the risk management procedures in H&S45 Violence at Work.
- 6.6.3 **Possible Incidents that May Trigger Involving the Police** - The majority of incidents involve damage to fixtures and the structure of the school. Priory schools recognise it is important to see these in the context of the young person and whether involving the Police

is an effective and proportionate response. Factors to consider are:

- (a) level/value of damaged caused
- (b) previous incidents of a similar nature by the young person
- (c) suitability and effectiveness of Police involvement
- (d) impact of Police involvement on the young person's plan
- (e) message sent to other young persons
- (f) availability of alternative courses of action (e.g. restorative approaches – with the consent of the victim)

6.6.4 In responding to incidents of theft, factors to be considered include:

- (a) wishes of the victim
- (b) nature and seriousness of the allegation
- (c) requirements for formal investigation (e.g. insurance claim requires crime reference report within 24 hours)
- (d) availability of alternative courses of action (e.g. restorative approaches)

6.6.5 Following incidents of criminal damage to staff cars/property, other factors to be considered include:

- (a) nature and seriousness of the allegation
- (b) requirements for formal investigation (e.g. insurance claim)
- (c) wishes and best interest of the victim
- (d) availability of alternative courses of action (e.g. restorative approaches)

Young people causing disorder is subjective and requires judgement by staff to avoid unnecessary Police involvement for minor infringement of discipline. The main factors which are considered are:

- (a) nature and seriousness of the disorder
- (b) risk of a threat of violence
- (c) the wishes of and impact on the immediate community
- (d) the availability of alternative courses of action (e.g. restorative approaches)

6.6.6 **Substance Misuse** - The misuse of controlled drugs within a Priory school is a serious issue and it is deemed essential that the response is prompt and effective. In responding to incidents, staff are guided by the Government's 'Tackling Drugs Together Strategy' which proposes collaborative action to:

- (a) reduce the acceptability and availability of alcohol and other drugs to young people
- (b) minimise the health risks and other damage associated with substance use by young people
- (c) increase the safety of communities from drug-related crime.

6.6.6.1 Staff seek to balance these principles with their duty of care for the young people in the school, and their role in managing young peoples' behaviour as part of their care responsibilities, as well as their responsibilities to the wider community.

6.6.7 Where practicable all materials are removed if found in a room in accordance with section 5 Screening and Searching.

6.6.8 Drugs and drug-related materials are stored securely, and if Police attendance has been requested, such items are handed to Police officers on attendance, with details of the receiving officer recorded. Where Police attendance is not requested, for example where a small quantity of drugs has been located, and the matter is being dealt with internally, the drugs are disposed of and it is recorded how this is done.

6.6.9 Staff dispose of alcohol and canisters found on the premises. The disposal is witnessed and a record kept which includes:

- (a) the name of the person removing the material
- (b) a description of the material

- (c) the circumstances of the removal
- (d) the time and date of the removal
- (e) the time and date and means of disposal

7 USE OF FIXED TERM EXCLUSION

- 7.1 Priory Education Services recognise that the use of exclusion is a last resort. It is only ever considered when all other paths are ineffective. It is only ever used for severe cases of violent, persistently disruptive behaviour or an accumulation of poor behaviour. Fixed term exclusions are used for periods of between one and fifteen days.
- 7.2 From and including the sixth day of a fixed term exclusion, the individual school attended by the student is responsible for arranging full time education for the excluded student.
- 7.3 The School Principal is the only member of staff who can sanction the use of exclusion. The decision to exclude is only taken in response to serious breaches of the school's behaviour policy and if allowing the student to remain in school would seriously harm the education or welfare of that student or others in the school.
- 7.4 In all Priory schools extensive steps to resolve problems are taken prior to any consideration of the use of exclusion. These include alternative sanctions such as on-site internal exclusion, segregation from other students, direct therapy and pastoral support.
- 7.5 Wherever possible school staff, working with local authority officers, other professionals and parents, try to be creative in resolving issues and thus avoid the need for exclusion. These arrangements may include all parties agreeing to a managed move to another school.
- 7.6 **Reasons for the use of exclusion** - The following are possible reasons why a student may be given a fixed term exclusion:
- (a) physical assault against another student or an adult
 - (b) verbal abuse / threatening behaviour against a student or adult, including carrying an offensive weapon
 - (c) racist abuse
 - (d) sexual misconduct, including abuse or assault
 - (e) drug and alcohol related incidents
 - (f) serious damage
 - (g) theft
 - (h) persistent disruptive behaviour.
- 7.7 **Alternatives to exclusion** - In all schools a wide range of alternatives to exclusion are used to support positive behaviour (see section 2) and the specific procedures of each school. These include:
- (a) Restorative justice which enables the offender to redress the harm that has been done to a 'victim', and enables all parties with a stake in the outcome to participate fully in the process.
 - (b) Mediation through a third party, usually a member of staff, therapist, pastoral tutor or SMT member, is another approach that may lead to a satisfactory outcome, particularly where there has been conflict between two parties
 - (c) Internal exclusion, which can be used to defuse situations that occur in school that require a student to be removed from class but may not require removal from the school premises. A designated area within each school is used, with appropriate support and supervision. Internal exclusion is only used for a short time and is always subject to review. (Refer to OP10 Deprivation of Liberty Policy and Guidelines).
 - (d) Managed move to another school to enable the student to have a fresh start in a new school. This is only carried out with the full knowledge and cooperation of all the parties involved, and through the educational review process.

- 7.8 **When exclusion will not be used** – Exclusion must not be used for minor disciplinary offences such as:
- (a) failure to do homework or to bring dinner money
 - (b) poor academic performance
 - (c) lateness or truancy
 - (d) breaches of school uniform rules or rules on appearance (for example, relating to jewellery, body-piercing and hairstyles except where these are persistent and in open defiance of such rules)
- 7.8.1 Exclusion is never used as a means of punishing students for the behaviour of their parents, for example, where parents refuse or are unable to attend a meeting.
- 7.8.2 Priory Education Services acknowledge that formal exclusion is the only legal method of removing a student from school. All Priory schools know that informal or unofficial exclusions are illegal regardless of whether they are done with or without the agreement of parents or carers.

8 **References:**

Care Standards Act 2000, Children Act 2004, Equality Act 2010, Education and Inspections Act 2006
Children's Homes Regulations 2015,
Children's Homes (Wales) Regulations 2002
DfE (2015) Residential Special Schools: National minimum standards
Scottish Government (2005) National Care Standards: School Care Accommodation Services
Welsh Assembly Government (2002) National Minimum Standards for Children's Homes
Welsh Assembly Government (2003) National Minimum Standards for Residential Special Schools
The Education (Independent School Standards) (England) Regulations 2010 as amended 2012
DfE (2015) Keeping Children Safe in Education (DfE 00129/2015)
DfE (2011) The Use and Effectiveness of Anti-Bullying Strategies in Schools
DfE (2012) Preventing and Tackling Bullying
DfE (February 2014) Behaviour and Discipline in Schools
Scottish Government (2010) A National Approach to Anti-Bullying for Scotland's Children and Young People
Welsh Government (2011) Respecting Others
Searching, screening and confiscation: advice for schools (Ref: DFE-00034-2014)

Associated Forms:

ES Form: 01: [Record of Search](#)

ES Form: 32: Individual Physical Intervention Risk Assessment Framework

ES Form: 32A: Request to approve use of Front Ground Recovery Hold

ES Form: 32B: Front Ground Hold Incident: Review Form

Appendix 1

Front Ground Recovery Holds: A position statement

Priory Group Education Service (PES) utilises Team-Teach principles and methodology as a means of ensuring the least intrusive positive handling strategy for responding to young people who present with disruptive, disturbing, angry or aggressive behaviours. PES together with Team-Teach emphasise and have a preference for the use of verbal and non-verbal de-escalation strategies being used and exhausted before any positive handling strategies are utilised.

- Front Ground Recovery (FGR) holds are expert interventions which involve a person being restrained to lay on his/her front (the prone position) usually with their head to one side. There are potential dangers involved in undertaking FGR holds as, in a prone position, restriction to the abdomen can prevent the lungs from fully expanding and any restriction to the ribcage will exacerbate the problem.
For example:
- Any pressure placed on the young person in this position can seriously compromise his/her breathing
- The young person's own body weight may also restrict his/her breathing resulting in an adverse outcome particularly with the additional complication of obesity and exertion.

PES and Team-Teach however recognise that the use of front ground holds, safely and properly undertaken, when all other intervention strategies have been tried and have not resolved a situation can prevent the incidence of:

- Serious injury to the young person, other young people, staff and members of the public;
- Contact with the police and further negative involvement with the criminal justice system;

PES and Team-Teach are therefore committed to reducing the use of holds but recognise that in extreme cases such holds may be used for:

- A minority of young people who enter PES with the use of FGR holds already being a part of an agreed care plan; and
- A minority of young people may, due to the extreme nature of their behaviour, in rare instances, require the use of planned FGR holds during the course of their care with PES.

Safety and oversight procedures

The use of FGR holds is subject to stringent procedures.

- The School Principal and/or Registered Manager is responsible for ensuring that young people, before entering their service, have been suitably assessed in terms of the de-escalation and physical intervention techniques that are likely to be required.
- Before any young person enters PES an assessment must be undertaken to ascertain whether FGR holds are already a part of the young person's care plan and/or whether there is the potential for staff to have to use the intervention should the young person enter PES.
- If it is intended to use FGR holds the School Principal or Registered manager must ensure before the young person is admitted that the necessary plans and training are in place and evidence that these are in place has been sent to the Operations Director.

In all cases where the use of FGR holds is in place or has the potential to be put in place

- The use of FGR holds and other intervention strategies must be clearly described in the young person's care and education plans and there must be a strategy for reducing and eradicating their use. **(ES Form: 32)**
- The care plans and other supporting evidence must be sent to the relevant Operations Director who will assess the evidence and may after consideration give approval for FGR holds to be used **(ES Form 32A)**.

- The data and policy lead in the Quality Team must be informed as soon as possible in cases where approval is given.
- There will be a full documented review of the case management every three months. It is not expected that permission to use FGR will be renewed as the provision will be working to cease using FGR holds.

Before approval will be given by the OD:

- Young people with serious pre-existing medical conditions for example congenital heart defects, severe asthma, obesity, epilepsy and cystic fibrosis will need to have a medical assessment undertaken by a doctor or nurse to risk assess the likely impact of the use of FGR holds. The preferred techniques should be demonstrated and explained to the assessor. Alternative actions, strategies and/or placement should be considered if such responses are advised against.
- Staff that are likely to be involved in incidents which may require the use of FGR holds must be trained to an appropriate level and authorised to undertake this intervention. This will require authorisation to have been given by the School Principal and the Team Teach trainer.
- Staff who are authorised to use FGR holds must receive annual refresher training.
- Staff who work with young people who display behaviour which may have the potential to require FGR hold interventions have regular and direct access to a School Principal and/or Senior Team Teach Trainer and the arrangements for this made clear.
- Staff who are authorised and trained to use FGR holds are First Aid trained with the minimum of a nationally recognised one day qualification that includes recognising signs of physical respiratory distress, physical collapse and how to take appropriate action, including basic life support skills.
- There must be an assessment to clarify whether the young person has pre-existing known emotional conditions resulting from past physical or sexual abuse. The evidence of this should be documented in the risk assessment and positive handling plan. Holds that place such individuals in positions that result in flashbacks and/or painful memories should be avoided and alternative strategies or provision considered.
- There is a named person responsible for monitoring and evaluating the use of FGR holds on a monthly basis. Transparent reporting and recording processes must be in place and be effective
- There is evidence that placing authorities and other stakeholders (including parents/carers) are in agreement that FGR holds can be used.

Reporting and Monitoring strategies

- All Incidents which involve FGR holds must be reported:
 - On the Priory Group incident reporting system which should contain details about the duration of the incident and the staff involved;
 - In the hard copy incident reporting book; and
 - To Team-Teach for quality control, monitoring and over-sight purposes.
- Injuries to any individuals involved should be reported and recorded. Body maps and photographs (taken with permission) should be attached/ integral to the incident report.
- A report should be provided to the following individuals after any incident involving the use of FGR holds:
 - The relevant PES operations director who will review the nature and circumstances of the intervention;
 - The young person's placing authority care commissioner; and
 - Family, carers and relevant others.
- Following any incident involving FGR holds there should be a debrief with those involved. As far as possible this should include the young person. The debrief should explore any antecedents of the incident and consider how it could have been prevented, the actions of those involved at the time of the incident and how such incidents could be avoided/prevented in the future. The debrief should be documented (**ES Form 32B**).

Where there are concerns about the use of FGR holds for example the frequency or nature of their use then these can be raised by any of the following: the School Principal, school staff, young people, their relatives, commissioners, Team Teach staff, the Director of Quality or Director of Safety (note that this

list is not exhaustive). Concerns should be raised with the School Principal, the OD, and the PES Director of Quality.

Incidents of the use of FGR holds will be reviewed at the PES site staff meeting, at regional meetings, at PES assurance meetings and at the Priory Group Safeguarding Forum a report of which is provided to the Priory Group Assurance Committee.

Reduction targets will be identified at a local PES level. The targets will as far as possible be agreed by the young person/group of young people and the staff team. Alternative strategies will be identified by the staff team as a means of avoiding the use of FGR holds. The targets will be agreed with the relevant commissioners and the Director of Quality. Progress against the targets will be monitored at PES assurance meetings.