

CABINET MEMBER FOR CHILDREN AND YOUNG PEOPLE'S SERVICES

**Venue: Town Hall, Moorgate
Street, Rotherham.**

Date: Wednesday, 21 October 2009

Time: 8.45 a.m.

A G E N D A

1. To determine if the following matters are to be considered under the categories suggested in accordance with the Local Government Act 1972.
2. To determine any item which the Chairman is of the opinion should be considered as a matter of urgency.
3. Apologies for Absence.
4. Minutes of the meetings held on 6th October, 2009 and on 7th October, 2009 (copies attached) (Pages 1 - 4)
5. Positive Behaviour Management of Children and Young People Overarching Procedural Guidance (report attached) (Pages 5 - 32)

Ruth Bastin, report author

6. Narrowing the Gap (Raising the Bar) Project (report attached) (Pages 33 - 39)

Claire Sneath, report author

7. Minutes of a meeting of the Building Schools for the Future Project Board held on 6th October, 2009 (copy attached) (Pages 40 - 42)
8. **EXCLUSION OF THE PRESS AND PUBLIC**
The following items are likely to be considered in the absence of the press and public as being exempt under Paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972 as amended (information relating to financial or business affairs)
9. Rawmarsh City Learning Centre - Tenders for Construction (report author) (Pages 43 - 47)

David Spiers, report author

10. Rotherham Connexions Universal and Targeted Information, Advice and Guidance Services and Connexions Client Information System - Update (report attached) (Pages 48 - 50)

Nicole Chavaudra, report author

**Date of Next Meeting:-
Wednesday, 4 November 2009**

**Membership:-
Cabinet Member:- Councillor S. Wright
Councillors Havenhand, Senior Advisor, Currie and Tweed, Advisors**

CABINET MEMBER FOR CHILDREN AND YOUNG PEOPLE'S SERVICES
Tuesday, 6th October, 2009

Present:- Councillor S. Wright (in the Chair); and Councillor Currie.

Also in attendance : Councillor Littleboy.

Apologies for absence were received from Councillors Havenhand and Tweed.

55. APPOINTMENT OF LEA SCHOOL GOVERNORS

Pursuant to Minute No. C50 of January 2000, consideration was given to nominations received to fill Local Authority vacancies on school governing bodies.

Resolved:- (1) That, with the effective date of appointment as shown, the following appointments be made to school governing bodies, subject to satisfactory checks being undertaken:-

New Appointments

Brampton Cortonwood Infant	Mr.	Brian	Steele
	06.10.2009		
Canklow Woods	Ms.	Margaret R.	Britton
	06.10.2009		
Ferham Primary	Mrs.	B. Monce	Speight
	06.10.2009		
Meadow View Primary	Councillor	Kathleen	Simms
	06.10.2009		
Swinton Brookfield Primary	Mr.	Horace C.	Atkin
	06.10.2009		
Thurcroft Junior	Mrs.	Jane	Slater
	06.10.2009		
Brampton The Ellis Infant	Mr.	Michael	Sherwood
	06.10.2009		
Aston Comprehensive	Mrs.	Julie	Mepham
	06.10.2009		
Brinsworth Comprehensive	Mr.	Richard G.	Clegg
	06.10.2009		
Oakwood Technology College	Mrs.	Sandra	Gilling
	06.10.2009		
Wales High	Mrs.	Gail	Foster
	06.10.2009		

Re-appointments

Aughton Primary	Mr.	Michael	Woodhouse
	01.11.2009		

Brinsworth Manor Infant	Mrs.	Margaret	Adams
	11.10.2009		
Saint Pius X Catholic High, Wath	Mr.	Anthony	Hawkins
	18.11.2009		

(2) That a review be undertaken of the criteria for the appointment of LEA representatives to school governing bodies.

56. DATES OF FUTURE MEETINGS

Resolved:- That future meetings to consider nominations to fill Local Authority vacancies on school governing bodies take place on the following dates:-

- Tuesday 24th November, 2009
- Tuesday 8th December, 2009
- Tuesday 12th January, 2010
- Tuesday 2nd February, 2010
- Tuesday 16th February, 2010
- Tuesday 23rd March, 2010
- Tuesday 20th April, 2010

**CABINET MEMBER FOR CHILDREN AND YOUNG PEOPLE'S SERVICES
Wednesday, 7th October, 2009**

Present:- Councillor S. Wright (in the Chair); and Councillor Havenhand.

Apologies for absence were received from Councillors Currie and Tweed.

**57. MINUTES OF THE PREVIOUS MEETING HELD ON 9TH SEPTEMBER,
2009**

Resolved:- That the minutes of the previous meeting held on 9th September, 2009 be approved as a correct record.

**58. MINUTES OF A MEETING OF THE CHILDREN'S BOARD HELD ON
16TH SEPTEMBER, 2009**

Resolved:- That the contents of the minutes of the meeting of the Children's Board held on 16th September, 2009 be noted.

**59. MINUTES OF A MEETING OF THE BUILDING SCHOOLS FOR THE
FUTURE PROJECT BOARD HELD ON 30TH JUNE, 2009**

Consideration was given to the contents of the minutes of the meeting of the Building Schools for the Future Project Board, held on 30th June, 2009.

Resolved:- That the contents of the minutes be noted.

**60. CHILDREN AND YOUNG PEOPLE'S SERVICES - REVENUE BUDGET
MONITORING REPORT 2009/2010**

Consideration was given to a report presented by the Finance Manager detailing the expenditure, income and the net budget position for Children and Young People's Services compared to the profiled budgets for the period 1st April until 31st August 2009 and the projected year end outturn position for 2009/2010. The report stated that, currently, the Directorate is forecasting an overspend of £4,498,000.

Members debated the continuing pressures on the Directorate budget.

Resolved:- (1) That the report be received and its contents noted.

(2) That the current 2009/2010 forecast outturn position for the Children and Young People's Services Directorate, based on actual costs and income to 31st August, 2009 and forecast costs and income to 31st March, 2010 be noted.

(The Chairman authorised consideration of the following item at this meeting, to ensure compliance with the required timescale for the appointments)

61. MALTBY ACADEMY - APPOINTMENTS TO BOARD OF TRUSTEES AND GOVERNING BODY

Consideration was given to the appointment of LEA representatives to (i) the Board of Trustees and (ii) the Governing Body of the Maltby Academy.

Resolved:- (1) That Councillor Amy Rushforth be appointed as the LEA representative on the Board of Trustees of the Maltby Academy with immediate effect.

(2) That Councillor Amy Rushforth and Mr. Graham Sinclair (Programme Director, Building Schools for the Future) be appointed as LEA representatives on the Governing Body of the Maltby Academy for a term of four years commencing on Monday, 4th January, 2010.

ROTHERHAM BOROUGH COUNCIL – REPORT TO MEMBERS
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1	Meeting:	Children and Young People's Services Cabinet Member and Advisers
2	Date:	Wednesday 21 October 2009
3	Title:	Positive Behaviour Management of Children and Young People Overarching Procedural Guidance Appendix A – Positive Behaviour Management of Children and Young People Overarching Procedural Guidance
4	Directorate:	Children and Young People's Services

5 **Summary**

The overarching procedural guidance has been developed to provide the service with an overarching document that covers all situations where behaviour management of children and young people is required. The overarching procedural guidance emphasises a positive approach to behaviour management, particularly with regards to de-escalation techniques which can be applied across the range of settings found within the Children and Young People's Service. There are 3 sets of procedural guidance accompanying the policy relating to school and educational settings, the Young People's Service, and Looked After Children and young people.

6 **Recommendations**

That the Cabinet Member Children and Young People's Services approves this overarching procedural guidance.

7 **Proposals and Details**

Prior to the creation of the Children and Young People's Service, separate policies existed in Social Care and Education regarding the positive management of behaviour. Following the formation of the Children and Young People's Service, the need for an overarching procedural guidance was highlighted. The overarching procedural guidance has therefore been developed to provide the service with an overarching document that covers all situations where behaviour management of children and young people is required.

The overarching procedural guidance emphasises a positive approach to behaviour management, particularly with regards to de-escalation techniques which can be applied across the range of settings found within the Children and Young People's Service. The use of restrictive physical intervention is clearly emphasised as a last resort. There are 3 sets of procedural guidance accompanying the overarching procedural guidance relating to school and educational settings, the Young People's Service, and Looked After Children and young people.

Appendix A contains the overarching procedural guidance document.

8 **Finance**

There are no financial implications to the overarching procedural guidance. The provision of training is essential to the success of the overarching procedural guidance, but this is an ongoing training requirement and is already a feature of current training budgets.

9 **Risks and Uncertainties**

There are risks associated with the overarching procedural guidance if staff members are unclear about how to manage challenging behaviour. This could include, in the most serious of cases, the causation of injury to either service user or staff member and the legal implications of this. The recording of incidents of restraint will have an impact on OFSTED inspections of schools and also of Residential Units.

10 **Policy and Performance Agenda Implications**

The overarching procedural guidance has links with a number of other policy areas, which are detailed within the overarching procedural guidance. The recording of incidents of restraint is covered in the overarching procedural guidance and this will have an impact on OFSTED inspections of schools and also of Residential Units.

11 **Background Papers and Consultation**

The overarching procedural guidance has been consulted on in its draft form, along with the procedural guidance through the following ways;

- ❖ Social Care Residential Managers
- ❖ Head Teacher representative
- ❖ Early years representative
- ❖ Educational Settings Working Group
- ❖ Union Officers
- ❖ Education Consultative Committee
- ❖ JLT

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Appendix A

Positive Behaviour Management of Children and Young People Policy

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Introduction

Rotherham Children and Young People's Service takes seriously its responsibility to protect and safeguard the interests of all children and young people within the Borough, and is committed to ensuring that the child and young person's wellbeing is paramount (Core Principle in Children and Young People's Plan 2007-2010). All work undertaken with children and young people will contribute to achieving their full potential with regards to the five Every Child Matters outcomes of; Being Healthy, Staying Safe, Enjoying and Achieving, Making a Positive Contribution and Achieving Economic Well-being.

It is acknowledged that some children and young people we work with can sometimes present challenging behaviour. We will work towards ensuring that all work undertaken with children and young people is carried out safely, and that both staff and the children and young people we work with alike will be supported in this.

Positive Behaviour Management Mission Statement

The Children and Young People's Service is committed to working in partnership with all the children and young people we have contact with, in order to develop a culture of valuing others.

Scope of Policy

All staff whether paid or voluntary, have a duty to keep children and young people safe and protect them from physical or emotional harm. This policy covers all Rotherham Children and Young People's Services staff and carers. It provides an overarching approach to the positive management of challenging behaviour which should be used by all staff and carers working directly with children and young people, up to the point of requiring restrictive physical intervention (or restraint). **All staff/carers should therefore make themselves familiar with the Policy, irrespective of the setting within which they work** (pages 2-25 of this document). Guidance on the use of restrictive physical intervention, and some additional guidance, may vary depending on the context of the work being undertaken, and staff and carers must be familiar with and understand, the procedure which is appropriate to their setting. Context specific procedures and the setting to which they apply, are outlined on page 26.

Rotherham children and young people placed outside the Borough are also covered by this policy. When placing a child/young person outside the Borough, it is the responsibility of the RMBC staff member to inform the Service Provider of the Policy, and where appropriate provide a copy of the policy, in addition to information specific to the child/young person. See section on transfer of records outside of the Children and Young People's Services.

Purpose of Policy

This policy and the accompanying context specific procedural guidance is intended to provide staff with the following information:-

- How to prevent challenging behaviour by children and young people,
- How to de-escalate situations where challenging behaviour could be displayed
- How to work appropriately with children and young people when challenging behaviour is being displayed.
- When Restrictive Physical Intervention can be used.
- How to support staff in dealing with potential and actual challenging behaviour.

The Policy and Procedure are not intended to instruct staff on how to implement restrictive physical intervention, as this can only be done through specialist training.

Legislative Framework

This Policy and Procedure draws from the following main pieces of legislation;

- Education and Inspections Act 2006 (Part 7)
- The Children Act 1989 and 2004
- The Care Standards Act 2000
- Children's Homes Regulations 2001 (section 17)
- Health and Safety at Work Act (1974)

Further details of these pieces of legislation, and additional legislation can be found in Appendix 1.

Ethos/Values

This Behaviour Management Policy is based on a number of precepts:

- A service that treats everyone with respect and tries to understand and meet their needs and wishes will provoke less challenging reactions.
- Children and young people do not want to live in a climate of violence or threat of violence, and staff do not want to work in this type of work environment either.
- All challenging behaviour should be acknowledged and positively tackled in order to help the child or young person gain self respect, to make a valued contribution to the community or to develop their independence skills.
- Prevention and de-escalation techniques, including the use of risk-assessments, will always be used to positively manage challenging behaviour. Use of restrictive physical interventions is always **a last resort**.
- The Children and Young People's Service will ensure that staff will receive appropriate levels of support and training in order for them to manage challenging situations as they arise during their working time. Equally, staff can expect support and de-briefing following incidents of particular concern.
- Staff will always endeavour to work anti-oppressively with children and young people, and to positively challenge discrimination, in order to create an environment in which everyone is respected.

Reference to parents/carers covers all those with Parental Responsibility for children and young people.

Challenging Behaviour

What is Challenging Behaviour?

For the purpose of this document, behaviours that pose significant risks to the person displaying the behaviours or to those around them will be considered to be challenging behaviours.

Examples of challenging behaviour:-

- swearing or yelling and screaming;
- name-calling or put-downs;
- physical force towards people: for example, pushing, shoving, elbowing or tripping;
- threatening to use physical force;
- ignoring, or using the 'silent treatment';
- teasing someone about a sensitive issue – a physical trait or family history; or
- invading someone's personal space – trespassing into someone's space, reading someone's private diary or purposely standing too close to them.

Examples of excessively challenging behaviour:-

- harming others physically, using their physical strength, height or physical build to overpower others
- bullying - including using taunts, threats and intimidation to make other people fear them – be they verbal, physical or cyber (including incidents of a homophobic, racist, sexist or ableist nature)
- spreading damaging rumours about someone else
- purposely mutilating or killing a small living animal or pet
- purposely destroying someone else's property and belongings
- stealing and the destruction of public property
- harming her/himself with self-cutting, self-harm or a suicide attempt; or sexually abusing another child

Some children/young people may have learnt that challenging behaviour works when trying to get their own way. Staff should endeavour to show clearly that the unacceptable behaviour will not be rewarded.

Causes of Challenging Behaviours

There are many causes of challenging behaviour. However, it is important to understand that feelings drive behaviours. The feelings behind challenging behaviours can include:

• Physical pain	• Frustration
• Emotional pain	• Loss
• Fear	• Powerlessness
• Anger	• Grief

Challenging behaviour may be caused by a number of factors, including:

- Temperament
- Language delay
- Developmental delay
- Disrupted relationships
- Specific disabilities or conditions e.g. ASD, ADHD
- Parental management techniques
- Family history of abuse or neglect
- Prejudice, oppression, discrimination and labelling
- Learnt behaviour
- Alcohol or other substance misuse
- Major changes or transitions

“Challenging behaviour” is often a reaction to the challenging environments that services create around people, especially where services deliver lifestyles and ways of working that are centred on what suits the service and its staff rather than what suits the person.

Risk Assessment

Risk assessments help to improve working practices and make the environment a safer place for children/young people and carers. The risk assessment is a formal and systematic process which may be applied to practice and procedures as well as the work environment. Children and young people themselves should also feature as part of the risk assessment. Although they may come in many different formats, risk assessments consist of a series of stages as set out below.

- (a) Collate information: it is important to gain as much information as possible regarding the risk to be managed.
- (b) Identify the hazards: what could happen and to whom or what
- (c) Assess the level of risk: taking into account the likelihood of something happening and the impact if it did.
- (d) Develop strategies: to reduce or eliminate the risk.
- (e) Review and update.

Staff will need to refer to the procedural guidance for their work setting for guidance on how to record risk assessments.

Preventative Strategies

Prevention is always better than cure. Protective factors can be identified that may reduce the likelihood of challenging behaviour:-

- **get to know each child/young person well:** a strong relationship based on trust and respect is one of the most effective preventative measures.
- **involve the child/young person:** in decisions about their care and about reasonable limits, appropriate to each child/young person's age and understanding.
- **teach by example:** model respect for children/young people and for each other in all of your work.
- **encourage good behaviour:** notice and respond when children/young people are being helpful, constructive, friendly or just quiet and co-operative.

- **be consistent:** as far as possible, set consistent limits within the setting and find out about the limits the child/young person is used to at home and elsewhere. Plan together with others involved with the child/young person.
- **avoid or change the situation:** when children/young people find certain situations difficult, it may be possible to avoid the situation completely for a time, or to change the situation so that the child/young person can cope with it more easily.
- **plan transitions:** transitions are a very common focus for challenging behaviour (e.g. arriving, leaving, changing activity). Learning to predict and cope with transitions is a useful skill to teach children/young people.
- **involve the child/young person in developing a framework or code of conduct** for getting on with others and in resolving disputes. This should include agreeing appropriate rules and the preferred means of resolving issues.
- **share information about known challenging behaviours:** Risk assess, be prepared and make plans to respond accordingly. Challenging behaviours are often foreseeable.
- **Seek help/advice:** seeking help is sensible.

Conflict Management and De-escalation Strategies

In many professional and care situations violent incidents develop because workers fear losing “face” or control. As a consequence they respond confrontationally to low level challenging behaviour. The situation escalates because neither participant can back down without compromising their status or self-esteem. When things are difficult and conflict arises, staff are advised to use these conflict management techniques which are appropriate in the early stages of the Cycle of Challenging Behaviour (see Appendix 2, pg 23):-

- **focus on the primary behaviour:** avoid being distracted or drawn into secondary behaviour issues.
- **check your own reactions:** with children/young people who are often challenging it becomes easy to under or over react. It is important to think clearly and carefully about what is acceptable and unacceptable.
- **call them by their name, and use “I” and your own name.**
- **use the opportunity for the child/young person to learn:** try to encourage a positive alternative to “bad” behaviour - i.e. “let’s do this” rather than “don’t do that”. Encouraging incompatible behaviours can be a very effective strategy, e.g. you can’t run around if you are sitting still; you can’t bang your head if your hands are busy; you can’t hurt someone if you are being very gentle.
- **try to avoid head-on conflict:** try distraction or compromise - usually it is worth defusing situations if you can, stop them escalating.
- **make a distinction between a child/young person and their behaviour:** make it clear that you will go on caring for the child/young person whatever they do, and recognise that their behaviour is not a personal affront to you.
- **encourage children and young people to find a way out of difficult situations:** make sure the child/young person can escape from a confrontation without losing face, and make sure there are gains in getting out of conflicts.

- **think carefully about punishments:** it is known to be one of the least effective strategies for changing challenging behaviour. If you have to use sanctions, make them immediate, fair, and reasonable - ideally agree them with the child/young person and your team in advance.
- **use appropriate language:** expect compliance but don't provoke confrontation and avoid arguments.
- **be clear:** children and young people need to be aware of what is expected of them. Problems often occur when expectations are unclear or unreasonable. Remind the child/young person of the rules and boundaries – request compliance.
- **offer appropriate choices and warn of consequences – without threatening feelings.**
- **try to understand their perspective:** Show that you are listening and try to reach partial agreement. Challenging behaviour is usually the symptom of a problem and not the problem itself.
- **recognise their feelings:** it might be unreasonable to kick or bite or scream, but it is not unreasonable to feel cross or unhappy: help the child/young person find acceptable ways to express their feelings.
- **offer reassurance:** tell the child/young person that he or she is safe. Adopt a calm body posture but remain alert to danger.
- **encourage them to sit down and then sit down yourself so as not to intimidate but avoid feeling vulnerable.**
- **ask for weapons to be put down** – not handed over and know how to summon help in an emergency.
- **warning a child/young person:** wherever practicable, that force may have to be used, before using it.
- **follow decisions through:** don't make threats you can't carry out and don't go it alone: ask for help or ideas or advice, or just talk things over with someone.
- **stay with a distressed child/young person:** don't leave a child/young person alone when they are upset unless you are sure they are safe, and only use "time out" where this has been agreed as appropriate for that child/young person.
- **remove the audience:** where practical and possible to help diffuse a situation. Realise this could be you if you have become the focus of the other person's escalating anger/fear/upset etc. By withdrawing you may give the person the opportunity to regain some control.
- **acknowledge your mistakes/apologies:** show genuine concern for a person's situation.
- **stay calm:** be aware of your own body language; use open gestures. Shouting across a room may upset other children/young people; consider the impact of a quiet word with a child/young person later.
- **keep your own self control:** get help, or walk away from a situation if you feel you are at risk of losing control.

The Team-Teach Training organisation summarise the above in its acronym **CALM**

Communication - stance – posture – gesture - facial expression - intonation. 80% of communication is non-verbal

Awareness and assessment – reading behaviour – anticipating what might happen next – knowledge of Handling Plans

Listening – give time and space – allow pauses for take up time – give them a way out

Making space – objects, hotspots – safety responses

It is very unusual for challenging behaviour to be targeted on an individual because of dislike or any wish to harm that member of staff. Therefore, although it may seem personal at the time, this is not the case and the response to the incident should be calm and controlled.

When trying to stay calm staff should:

- Keep breathing! Deep breath in and slowly out.
- Drop your shoulders and use open hand signals – palms down.
- Stand at a slight angle to the person and maintain your distance.
- Do not show that you are afraid - even if you are - tell yourself that you can deal with this.
- Request the behaviour you want or want to stop e.g., "I am asking you to stop shouting at me – thank you".
- Do not smile, it may be seen as patronising or that you think the person's problems/feelings are funny.
- Avoid sending any aggressive signals. If you appear aggressive you will be more likely to be attacked.
- Be assertive: assertiveness involves negotiation, co-operation, communication and trust. It is working towards positive outcomes, making your rights and feelings a priority, while not infringing the rights of others. Assertiveness is not about getting your own way. It is not about winning and losing.

The Identification of Warning Signs

Generally those presenting challenging behaviour initially begin by using attack gestures. By learning to identify these signals you give yourself a significant advantage.

Warning signs include:

- Direct prolonged eye contact
- Facial colour deepens
- Head goes back
- Standing tall to maximise height
- Kicking the ground
- Large hand movements close to you
- Breathing rate accelerates

Additionally the person may exhibit personal identification, where they indicate that you are the problem and as a consequence begin directing the aggression towards you. You should be aware that when you identify these signals, the person is becoming distressed or aroused to the point where violence may occur.

This is the time to make a space between you and the person, or even to make your exit.

The Identification of Danger Signs

Danger signs are much more than warning signs. The person will begin to lose control physically. It is critical that you understand and recognise the signs as they indicate a strong possibility of attack.

- Fists clenching and unclenching
- Facial colour pales
- Lips tighten over teeth
- Eyebrows drop to protect the eyes
- Hands rise above waist
- Shoulders tense
- Stance changes from square to sideways
- Person breaks stare and looks at intended target area
- If you are out of reach, the final sign of attack will be a lowering of their entire body before moving forward

NB Some people can hide warning signs but very few people can cover up danger signs. Again, the time to make a space between you and the person, or even to make your exit is when there is a combination of two or three of these signals.

Staying Safe: Underlying Principles

These principles can help you avoid dangerous situations:

- Be aware of the policy and procedures on Staff Safety
- Put Staff Safety on the agenda for staff meetings and supervision
- Expect the best but be prepared for the worst
- Ensure that you have as much information as possible - risk assessment and planning
- Keep calm
- Don't back a young person into a corner, develop a win-win situation with them to help them exit from the situation
- Develop your awareness - including self awareness
- Challenging behaviour can be understood
- Do not take it personally - or undermine their self esteem
- Challenge unacceptable behaviour at the beginning
- If in doubt - leave, or hand over to a colleague
- Work towards a shared responsibility
- Be realistic
- Make your own safety a high priority - don't look or behave like a victim

Safety Awareness

Practical Hints and Tips:

- Be aware of clothing or jewellery that can be grabbed, e.g. earrings, scarf.
- Be aware of items that can be used as weapons.

- Keep the person in sight at all times.
- Have your alarm ready to use.
- Be professional - in your manner and in your dress.
- Do not touch an angry person.
- If sitting in an easy chair, do not sit back - it is difficult to get up in an emergency.
- If sitting at a table, sit sideways - so you can leave easily if necessary.
- Always make sure that a colleague knows your whereabouts.
- Move towards a safer place, avoid corners. Make sure your exit is clear.

A Flowchart of actions for an Escalating Incident can be found in Appendix 3 on page 24.

Violence to Staff

Should a member of staff suffer any injury (emotional and/or physical) a Violence to Staff Incident Report or Accident Report form should be completed, copied to the staff member and returned to the Emergency and Safety Section, Bailey House. It is important that all staff are encouraged to report all incidents of violence to staff. Report forms are available on the CYPs intranet site and Rotherham Grid for Learning (RGFL).

Injury to Child or Young Person

Should a child or young person suffer injury as a result of any Restrictive Physical Intervention, then a "Report of an Accident to a Pupil/Young Person" form should be completed.

The Use of Reasonable Force

Staff should feel able to reinforce dialogue with actions such as standing passively in the way of a child/young person wishing to leave, placing a hand on their arm, or holding the child/young person if he/she is highly distressed. These are acceptable, provided that their use is persuasive rather than coercive. Two types of intervention are identified, that can be used in this manner: physical presence (e.g. standing in the doorway); and holding.

(a) Use of Physical Presence

This refers to actions which reinforce a member of staff's authority or concern. At its simplest level, a staff member's presence in the room with children and young people should be a deterrent to misbehaviour.

Acceptable measures can include standing in the way of a child/young person who is ignoring instructions or losing control, and may be reinforced further, for example, by placing a hand on their arm. The effect of this may be to restrict a child or young person's movement without the use of (forceful) physical restraint. This is acceptable only so long as the duration of this restriction does not extend, for example, into hours. It may be counter-productive if the child or young person's anger or distress increases. Its effectiveness may depend upon the respect that the child/young person has for the particular staff member.

The following principles apply to the use of an adult's physical presence:

- it must be likely to be effective by virtue of the overall authority carried by the staff member, and not simply his/her physical presence
- it must be used in the context of trying to engage the child/young person in discussion about the significance and implications of his/her behaviour
- it should not be persisted with if the child/young person physically resists. In this case a decision will need to be made about whether another form of intervention is justified.

(b) Holding

Small children may frequently be held for a number of reasons not directly concerned with control. There are also occasions when control can be maintained by holding a child in a manner which does not carry the force of physical restraint. A child may be successfully diverted from destructive or disruptive behaviour by being led away by the hand, arm, or by means of an arm around his shoulder.

Children/young people having an argument or a fight, which in itself is not likely to cause serious harm, but is nonetheless disruptive, may be successfully separated by being held firmly and guided away. A range of safe, non-intrusive holds of this nature are a clear part of the Positive Handling Strategies training such as that provided by BILD accredited providers such as Team-Teach or Effective Training Consultancy (ETC). Team-Teach techniques seek to avoid injury to the service user, but it is possible that bruising or scratching may occur accidentally, and these are not to be seen necessarily as a failure of professional technique, but a regrettable and infrequent side effect of ensuring that the service user remains safe.

Staff may also use 'holding' techniques in order to cause something to happen e.g. to get a child/young person to move away from a difficult situation. If staff judge that it will not make matters worse, they may firmly encourage a child/young person to move away from a situation by placing a hand on their arm, back, or around their shoulders, and guiding them away. This is only likely to be successful if staff are sufficiently firm and decisive, and should not change to pushing/pulling.

Staff should adopt the following principles when dealing with children and young people in this way:

- whenever possible, the staff involved should have an established relationship with the child/young person and should explain to them what they are doing and why
- holding should not arouse sexual expectations or feelings, and should cease if the child/young person gives any indication of this
- staff should be careful where they hold children and young people. For instance, staff should be careful not to hold a child or young person in a way that involves contact with breasts or genitals
- if the child/young person forcibly resists or demonstrably objects, then 'holding' should no longer be used. Consideration should be given to other means of intervention, in consultation with other staff if circumstances permit.

Touching

This guidance is not intended to deter normal physical contact between staff and children and young people. On occasions it may be necessary to use physical interventions to safeguard and control children and young people, but for some youngsters physical contact may form an important element of their everyday care and education. For children and young people with learning, physical or sensory disabilities, physical contact might be the primary means of communication, and staff may have to undertake intimate activities such as washing, cleaning or changing the children and young people.

Similar situations sometimes occur when working with very young children. Staff should feel able to express appropriate affection towards children and to provide comfort to ease a child's distress. However, the following guiding principles are suggested:

- staff will need to use their professional judgement but wherever possible it is recommended that two adults/members of staff should be present
- physical contact should not be in response to, or be intended to arouse sexual expectations or feelings
- age and gender are appropriate considerations in deciding proper physical contact
- cultural factors will also be significant in determining unacceptable forms of physical contact

Where a member of staff feels that it would be inappropriate to respond to a child/young person seeking physical comfort, the reasons for denying this might best be explained to the child/young person. The child/young person should be comforted verbally, as necessary if there are any concerns, staff should ascertain through discussion with the parents and other professionals, the significance for the child/young person of physical contact with adults

There may be some children/young people for whom touching is particularly unwelcome. For example, some children/young people may be particularly sensitive to physical contact because of their cultural background or because they have been abused. It is important that staff who come into contact with these children/young people, should have the relevant information and that the setting has a system for informing them. In addition, the setting will need to develop clear common practice towards particular groups of children/young people and events. There should be a common approach where staff and children/young people are of different sexes. Physical contact with children/young people becomes increasingly open to question as children/young people reach and go through adolescence, and staff should also bear in mind that even innocent and well-intentioned physical contact can sometimes be misconstrued.

If it is discovered that the child/young person is not comfortable with physical contact, this should be taken into account and communicated to staff. Staff may need to refer to the RMBC Safeguarding procedures at Safeguarding Children Board.

The Use of Reasonable Force and Pregnant Staff/Young Women

Staff should be aware when working with young women that there is potential for them to be pregnant. At the point of disclosure that a young woman is pregnant, staff should undertake a Risk Assessment with regards to the use of reasonable force. In the case of staff who are pregnant, Managers should follow the New and Expectant Mothers at Work (Guidance on Protecting the Health and Safety of New or Expectant Mothers at Work) [Rotherham Council Intranet - Health and Safety](#). The phrase 'new or expectant mother' means a worker who is pregnant, who has given birth within the previous six months, or who is breastfeeding. The same definition should be applied to working with young women who are pregnant.

Support and Debriefing

Debriefing and support are different things. It is important that each is done but attempting to do both under the same umbrella can result in neither being addressed satisfactorily. Doing the right thing but at the wrong time can lead to as much if not more harm than not doing anything at all.

Debriefing should involve meeting with the member of staff or young person, at a pre-arranged time, in a suitable environment. The member of staff or young person should be allowed to retell the incident if appropriate, in a way that learning can be gained from the situation. The atmosphere should be supportive and the outcome should be recorded. Any good practice or good behaviour should be recognised in addition to any learning and areas for development.

Support should be given both immediately after the event, and over the medium and long term as necessary. Support can be provided in a number of ways and may range from making someone a cup of tea, to long term counselling, depending on the nature of the incident and the support required.

- Do not be surprised if people react in different ways - we are all unique individuals
- Take the situation seriously
- Discuss incident in private
- Allow and acknowledge personal feelings in relation to the child/young person
- Be prepared for unexpected feelings
- Give each other support
- Pre-agree level and manner of team feedback
- Consider local support i.e. Occupational Health, Stress at Work

Recording and Reporting

The Education Inspections Act (2006 – part 7) states that all recording of Restraint must be in a bound book (where pages cannot be removed). The National Minimum Standards Children's Homes Regulations under Standard 22 also state that these must be recorded in a bound and numbered book (22.9).

Transfer of Records

The transfer of records/reports about managing challenging behaviour is vital with regards to working with children and young people, and particularly with regards to Health and Safety e.g. Handling Plan, Risk Assessments. Important information may include any known triggers to challenging behaviour. All staff (including part-time and temporary staff) should make themselves familiar with any such information about children and young people. The Off-site Placement Health and Safety Manual contains information for staff regarding work placements with a college/training provider, and forms for recording information to be passed on, and should be used in all such situations.

Transfer Outside of the Children and Young People's Service

Information which may need to be transferred outside of the Children and Young People's Service is likely to include the Risk Assessment, depending on the context of the situation. If staff have any concerns regarding the transfer of information, they should consult with the Information Governance Officer. Information regarding work placements can be found in the policy Checklist for Briefing Students on Work Experience (EDSHS 60 Issue 1 Sept 2001) found at [Rotherham Council Intranet - Health and Safety](#).

Training

For information on training, staff should consult the relevant section in the specific guidance which is relevant to their place of work.

Children and Young People with Special Educational Needs and/or Disabilities

Children and young people with special needs and disabilities are potentially the most vulnerable in the system. They are vulnerable often in their lack of ability to express their needs to others, and in their lack of ability to protect themselves against abuse of all kinds. They have the same rights as other children to be treated as individuals with care, dignity and respect. Those exercising the power to use force **must** take proper account of any particular special educational need (SEN) and/or disability that a child/young person might have.

The nature and principles of therapeutic methods of intervention should be essentially the same for all children and young people. However, the implementation of techniques used does differ. For example, children and young people with communication difficulties and/or mobility problems will inevitably take longer to process and act upon verbal instruction. Staff should give time to allow the child/young person to understand and act on what is being said.

Those children and young people who are identified as having Special Educational Needs and/or Disabilities will require appropriate plans/protocols, depending on the setting, and staff must be adequately briefed and trained to cater for their needs. It is imperative that methods are agreed and supported by all involved with the child/young person, and included in their plan/protocol. Wherever possible, children/young people should be involved in this process. Specific behaviour targets need to be shared meaningfully with the child/young person.

Staff may need to add to existing risk assessments where it is foreseeable that Restrictive Physical Intervention is likely to be necessary to restrain a particular child/young person. Such children and young people need to be taught how to communicate in times of crisis and strategies to use in a crisis (such as using personal communication passports/time out cards and non-verbal signals to indicate the need to use a designated safe area or cool-off base) and ensure that staff are familiar with these strategies.

In the course of training and practice development, staff should be assisted to develop values which include always being prepared to question their own practices and motivation, e.g. “Am I intervening in order to prevent the child/young person from self-injury or injuring others or am I taking advantage of the fact that he/she is unable to confront or challenge me because of their special needs? Have I explained (in a manner that can be understood by the child/young person) what I am intending to do and why?”

Restrictive Intervention – Children and Young People With Learning Disability and Autistic Spectrum Disorder

There must be a written protocol for each child or young person with Learning Disability and Autistic Spectrum Disorder which includes:

- a description of behaviour sequences and settings which may require a physical intervention response
- the results of an assessment to determine any contra indications for use of physical interventions
- a risk assessment which balances the risk of using a restrictive physical intervention against the risk of not using a physical intervention
- a record of the views of those with parental responsibility
- a system of recording behaviours and the use of restraint using an incident book with numbered and dated pages, and any other recording appropriate to the setting
- previous methods which have been tried without success
- description of the specific physical intervention techniques which are sanctioned, and the dates on which they will be reviewed
- a description of staff who are judged competent to use these methods with this person
- the ways in which this approach will be reviewed, the frequency of review meetings and members of the review team

All the above information and protocols must be included in the child/young person's individual care plan and the case file.

Physically moving a child/young person

For some children and young people with a physical impairment, it may be necessary in an emergency to physically move them from a situation by lifting and carrying, or pushing them in their wheelchair. In these situations, it is imperative to give the child/young person notice of what is happening e.g. “I am going to help you move away from here until you are calmer”.

It is also vital to maintain the child's/young person's dignity, e.g. their clothing does not ride up in the process and it is important to ensure that any form of rough handling is avoided.

Policy Links

This policy should also be considered in conjunction with the following RMBC policies:

- Behaviour/Discipline
- Health and Safety
- Anti Bullying
- School/setting Exclusions
- School/setting Attendance
- SEN
- Child Protection/Safeguarding
- Allegations against members of staff
- Teaching and Learning
- Drugs and Looked After Children

Glossary

Abbreviation	Title
ABC	Anti-social Behaviour Contract
ADHD	Attention Deficit Hyperactivity Disorder
ASD	Autistic Spectrum Disorder
BILD	British Institute for Learning Disabilities
CAF	Common Assessment Framework
DCSF	Department for Children Schools and Families
DFES	Department for Education and Skills
DoH	Department of Health
LDD	Learning Disabilities/Difficulties
OFSTED	Office for Standards in Education
PRU	Pupil Referral Units
PSP	Pastoral Support Programme/Plans
RPI	Restrictive Physical Intervention
SEBD	Social, Emotional and Behavioural Difficulties
SEN	Special Educational Needs

Appendix 1: Legislative/Policy Framework

Across All Settings

Disability Discrimination Act (1995)

All school/settings must have their own policy (Secondary school/settings since December 2006 and Primary school/settings since December 2007) to reflect their key duties to their school/setting and community.

Under this Act school/settings have two key duties:

1. not to treat a disabled child/young person less favourably, for a reason relating to his or her disability, than someone to whom that reason does not apply, without justification; and
2. to take reasonable steps to avoid putting disabled children at a substantial disadvantage to children who are not disabled (known as the reasonable adjustment duty).

Guidance on 'reasonable adjustments' duty can be found at:

[Teachernet, Disability Discrimination Act](#)

Human Rights Act (1998)

This states that any actions involving a physical intervention must be “absolutely necessary”, and protects the rights of individuals to; privacy, protection from degrading treatment, liberty, and security, amongst others.

Health and Safety at Work Act (1974)

It shall be the duty of every employer to ensure, so far as is reasonably practicable, the health, safety and welfare at work of all his employees.

The Management of Health and Safety at Work Regulations (1999)

Places a duty on employers to assess and manage risks to their employees and others arising from work activities. Employers must also make arrangements to ensure the health and safety of the workplace, including making arrangements for emergencies, adequate information and training for employees, and for health surveillance where appropriate. Employees must work safely in accordance with their training and instructions given to them. Employees must also notify the employer or the person responsible for health and safety of any serious or immediate danger to health and safety or any shortcoming in health and safety arrangements.

Guidance on Restrictive Physical Interventions for People with Learning Disability, Autistic Spectrum Disorder, in Health, Education and Social Care Settings. DoH/DfES Joint Guidance (2002)

Provides guidance for all areas of service (inc. Health, Education and Social Care) concerning restrictive physical intervention by staff with service users (children and adults) in all settings. Although the title suggests that it only applies to people with a learning disability or autistic spectrum disorder it contains the clarification that it

includes children with severe behavioural difficulties, and emotional and behavioural difficulties which result in them displaying extreme behaviour. For residential homes the guidance should be read alongside Permissible forms of Control in Children's Residential Care (DoH 1993).

Includes a number of definitions and distinctions. Distinctions are made between:-

- Non-restrictive Physical intervention and Restrictive Physical Intervention
- Physical intervention using bodily contact, mechanical devices or changing the environment.
- **Restrictive Physical Intervention (RPI)** – involves the use of force to restrict movement or mobility to control behaviour or to break away from dangerous or harmful physical contact.
- **Seclusion** - when a person is *forced* to spend time alone, (requires a statutory order unless in an emergency).
- **Time Out** – when a person is removed from a rewarding environment or activity as part of a planned behavioural programme.
- **Withdrawal** – when a person is taken away from a difficult situation possibly using reasonable force with someone remaining with the person until they have recovered.

The guidance also makes the distinction between:

- Planned intervention - recorded strategies based on a risk assessment.
- Emergency or unplanned use of force occurring as a response to unforeseen events

The guidance emphasises preventative strategies and acknowledges that the proactive use of restrictive intervention is sometimes in the best interests of the service user and could form part of a therapeutic strategy.

There is emphasis on strategies based on risk assessments and on judging whether the risks involved in employing physical intervention are lower than those of not doing so. Any intervention must be *proportionate* to both the behaviour and the harm it may cause.

There is a requirement that in care settings that if it is foreseeable that a service user might require a restrictive physical intervention it must be recorded as such in their care-plan, which must include a risk assessment and descriptions of specific strategies and techniques.

Education Settings

Education and Inspections Act 2006 (Part 7) - aimed particularly at senior school/setting leaders i.e. Governors, Head Teachers, and staff who are designated as "lead behaviour professional" within a school/setting, though it is relevant **to all staff members and Governors and other educational settings**.

Replaces earlier guidance including DFES Circular 10/98, The Use of Force to Control or Restrain Child/young persons, provided by the National Strategies on school/setting behaviour and attendance policies and came into force on 1 April 2007. Some of these provisions, such as the statutory power to discipline are new

while others re-enact or replace existing legal provisions. The Act clarifies and strengthens school/settings' powers to discipline, reducing the risk of challenges to their disciplinary authority. Local Authority educational provision settings are advised to review their existing policies in the light of this clarification.

Part 7 (sections 88 to 111) makes changes to the framework for the discipline, behaviour and exclusion of children and young people in Local Authority maintained settings. Many of the changes emanate from the Report of the Practitioners' Group on School/setting Behaviour and Discipline published in October 2005 (Steer Report). The guidance aims to help school/settings understand their overall legal powers and duties as regards establishing a school/setting behaviour policy and disciplining children and young people.

The new measures include:

- the legal right to confiscate inappropriate items such as mobile phones or music players;
- statutory powers to discipline children and young people who behave badly on the way to and from schools/setting, for instance when travelling on buses and trains;
- greater legal scope and flexibility in giving children and young people detentions, which may include after-school/setting and Saturday detentions;
- a legal duty on school/settings to make provision to tackle all forms of bullying;
- Strong emphasis on staff training in de-escalation strategies alongside physical intervention skills;
- No school/setting/setting should have a policy of - 'No physical contact' as the statutory power to use force is held by individual members of staff.

Screening and Searching of Child/young persons for Weapons: Guidance for School/Setting Staff DfES 2007 (Section 45 – Violent Crime Reduction Act 2006).

Although reasonable force may be used to search children and young people without their consent, there is a clear and strong emphasis that advises school/settings not to search a child where resistance is expected, but rather to call the Police. Guidelines came into force 31st May, 2007. Allied to the Education and Inspections Act 2006 (see above).

Guidance for Safe Working Practice for the Protection of Children and Staff in Education Settings DfES September 2006

Produced by the National Network of Investigation and Referral Support Co-ordinators.

Guidance on the Use of Physical Interventions for Child/Young Persons with Severe Behavioural Difficulties, September 2003 Ref. no: LEA 0264/2003

Provides clear practical advice for drawing up policies, as does the 2006 Use of Force to Control or Restrain Child/Young Persons Guidance.

Guidance on the Use of Restrictive Physical Interventions, July 2002 Ref. No: LEA/0242/2002

Applies wherever restrictive physical interventions are used. Provides joint guidance from the Department of Health (DoH) and DfES on how to provide safe services for people with learning disabilities and autism spectrum disorder – should be taken into account by all educational settings.

The Anti Social Behaviour Act 2003 introduced Parenting Contracts and Orders. These were amended under the Education (Parenting Contracts and Parenting Orders) (England) Regulations Full guidance can be found in the Local Authority Circular 59 'Exclusion of Child/young persons – Policies and Procedures or at www.dcsf.gov.uk/school/settingattendance/

There is separate legislation on the use of force by staff in Further Education Colleges. This guidance is available at:

www.aoc.co.uk/aoc/Members/health_safety/power_to_use_force/ptuf.pdf

Social Care

The Children Act 1989 and 2004 defines the legal framework surrounding issues of control and physical intervention with children in public care. This specifies that all adults working with children have a duty of care towards them. Failure to take reasonable steps to protect children from being harmed could open individuals to charges of negligence. Its guiding principle is that the “welfare” of the child is paramount, therefore it supports: “any necessary action to prevent injury or serious damage to property” (Section 8 (3b)).

- **Residential Care:** The Guidance and Regulations issued with the Children Act 1989 (Volume 4 Residential Care) state that “physical restraint should be used rarely and only to prevent a child harming himself or others or from damaging property. Force should not be used for any other purpose, nor simply to secure compliance with staff instructions” (DoH 1991 p15).
- **Foster Care:** The Fostering Service Regulations 2002 state that the fostering service provider shall take all reasonable steps to ensure that
 - (a) no form of corporal punishment is used on any child placed with a foster parent;
 - (b) no child placed with foster parents is subject to any measure of control, restraint or discipline which is excessive or unreasonable; and
 - (c) physical restraint is used on a child only where it is necessary to prevent likely injury to the child or other persons or likely serious damage to property.

Permissible Forms of Control (DoH 1993): This is guidance issued to supplement Volumes 3 and 4 Children Act Guidance. It suggested that physical restraint should be used “...when staff have good grounds for believing that immediate action is necessary to prevent a child from significantly injuring himself or others, or causing serious damage to property”(5.6i p10).

Taking Care, Taking Control (DoH 11/96): This is a training manual for Children's Homes regarding physical intervention with an emphasis on defusing situations, communication and post incident structure for children and staff.

The Control of Children in Public Care Interpretation of the Children Act 1989: Herbert Laming (1997) made it clear that staff should take steps to prevent children being placed at risk, suggesting that, on occasion, proactive steps need to be taken immediately to prevent a child from coming to harm later. Laming also suggested that "harm" should not be limited to physical injury, and that a reasonable parent would act to protect children from "moral harm" for example by preventing them putting themselves at risk by indulging in criminal behaviour.

The Care Standards Act 2000

Standard 21 of The Children's Homes standards refers to children enjoying "sound relationships with staff based on honesty and mutual respect" with "clear professional boundaries, which are effective for both the individuals and the group," (Standard 21, paragraph 21.1, page 31). Other guidance includes:

- "Staff ...are able to set and maintain safe, consistent and understandable boundaries for the children in relation to acceptable behaviour." (21.2)
- "Expectations of behaviour for both staff and children are clearly understood and negotiated by those and working at the home, including exercising appropriate control over children in the interest of their own welfare and the protection of others." (21.3)
- "All staff receive training in positive care and control of children..." (21.5)

Standard 22 of the Children's Homes standards focuses on Behaviour Management:

- "Staff respond positively to acceptable behaviour, and where the behaviour of children is regarded as unacceptable by staff, it is responded to by constructive, acceptable and known disciplinary measures approved by the Registered Manager." (22.1)
- "The Registered Manager has a clear written policy, procedures and guidance for staff based on a code of conduct setting out the control, disciplinary and restraint measures permitted and emphasising the need to reinforce positive messages to children for the achievement of acceptable behaviour. (22.2)
- "Sanctions and physical restraint are not excessive or unreasonable." (22.6)
- Physical restraint is only used to prevent likely injury to the child concerned or to others, or likely serious damage to property. Restraint is not used as a punishment, as a means to enforce compliance with instructions, or in response to challenging behaviour which does not give rise to reasonable expectation of injury to someone or damage to property..." (22.7)
- "The registered person's policy on the use and techniques of physical restraint and other forms of physical intervention...is consistent with any relevant government guidance on approved methods of restraint and physical intervention." (22.8)
- "All children are given an opportunity to discuss incidents and express their views either individually or in a regular group forum..." (22.14)

Standard 9 of the National Minimum Standards for Fostering Services indicates that;

- Foster carers should receive support that includes training in safe caring skills and managing behaviour.
- Safe caring guidelines are provided, based on a written policy, for each foster home, in consultation with the carer and everyone else in the household. The guidelines are cleared with the child's Social Worker and are explained clearly and appropriately to the child.

The Fostering Service makes clear to the foster carers that corporal punishment is not acceptable and that this includes smacking, slapping, shaking and all other humiliating forms of treatment or punishment. This is set out clearly in written information for Foster Carers.

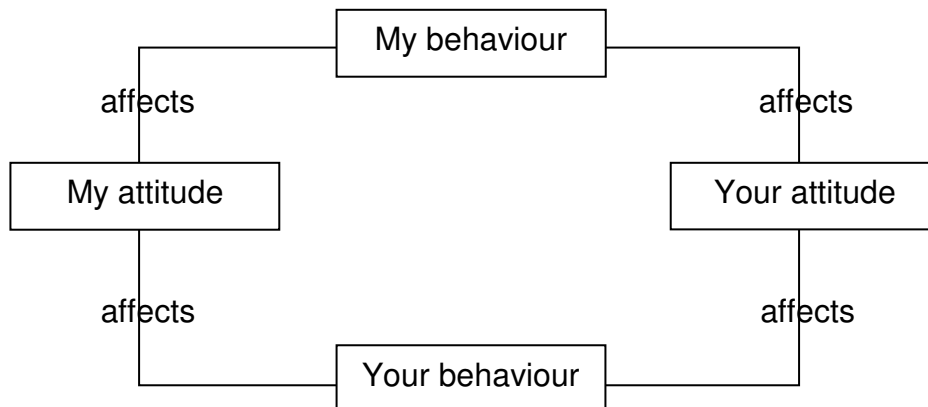
Appendix 2: Understanding the Cycle of Challenging Behaviour

Understanding challenging behaviour will help you deal with it more effectively.

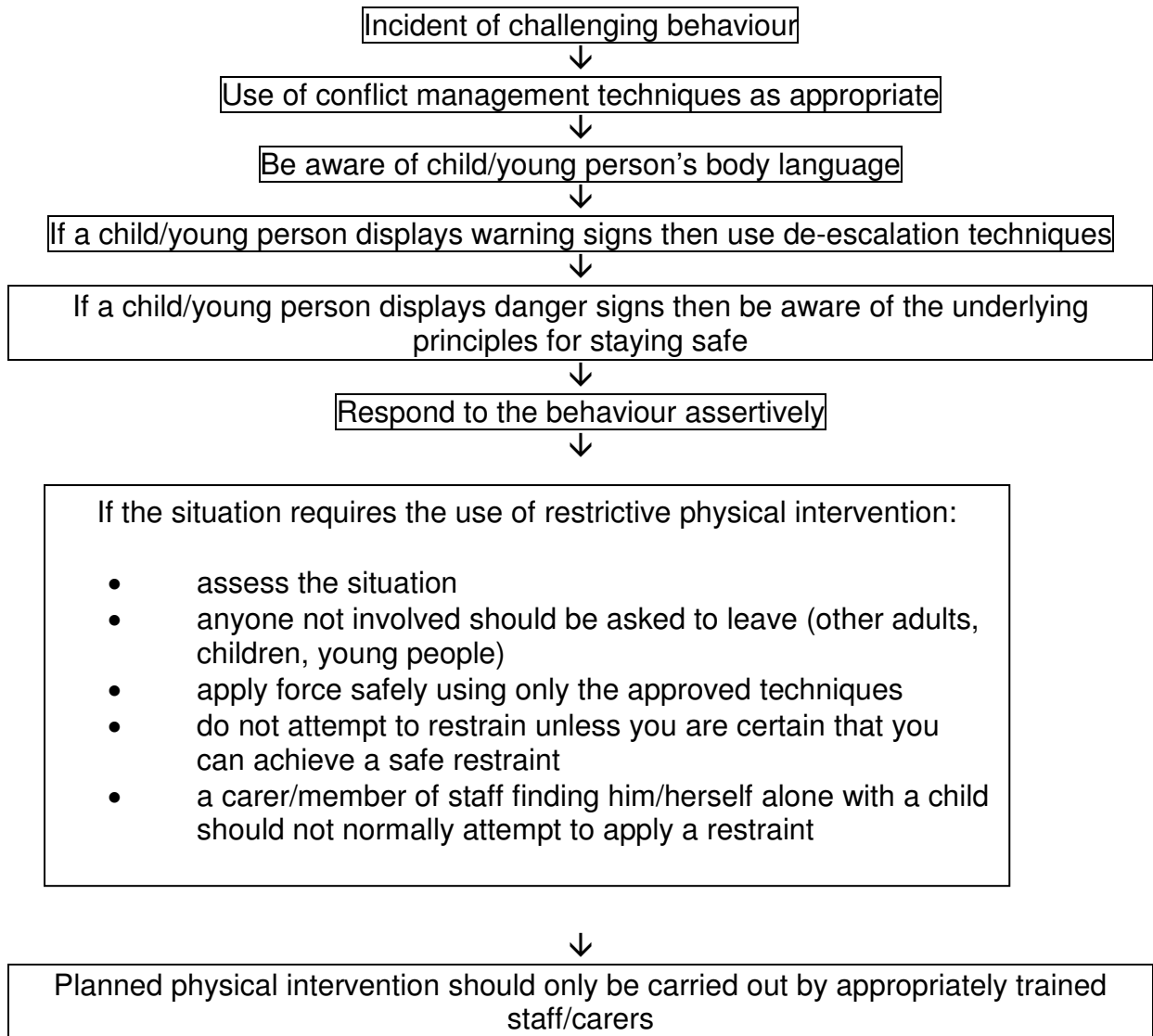
There are five interrelated phases to the Cycle of Challenging Behaviour:

- (a) **The triggering phase** - All clients have a normal or baseline set of non-aggressive behaviours. The triggering phase is the client's first behaviour which indicates a movement away from their baseline.
- (b) **The escalation phase** - The client's behaviour deviates more and more from baseline. Without intervention it becomes less amenable to diversion. The client becomes overly focused on a particular issue.
- (c) **The crisis phase** - As the client (and the worker) become increasingly physically, emotionally, and psychologically aroused, control over aggressive impulses lessens and directly assault behaviour becomes more likely.
- (d) **The recovery phase** - The client's high state of physical and emotional arousal can remain a threat for up to 90 minutes after the incident.
- (e) **The post-crisis depression stage** - the client regresses below baseline behaviour. Mental and physical exhaustion is common and the client may become tearful, remorseful, guilty, ashamed, distraught or despairing.

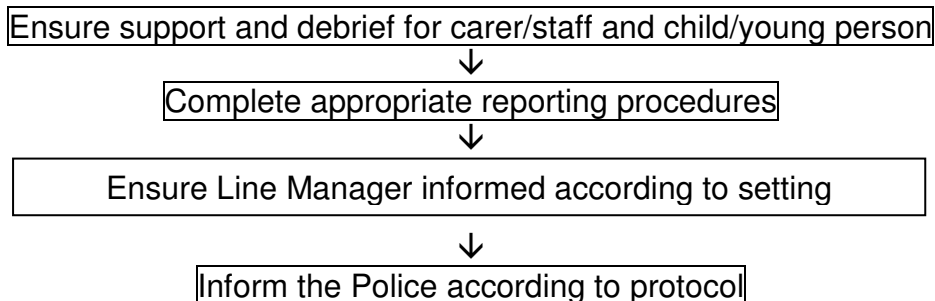
As human beings we mirror each other's behaviour: it is crucial that we avoid mirroring aggressive behaviour but remain calm.



Appendix 3 - Flowchart of Actions for an Escalating Incident



Following Use of Restrictive Physical Intervention



Children and Young People's Services

RISK ASSESSMENT RECORD

Premises:

Work Activity:

Assessor(s):

Date:

Review date:

1. What could go wrong/factors to consider	2. Who might be harmed?	3. Control measures at present	4. Further action required (if any)

ROTHERHAM BOROUGH COUNCIL – REPORT TO MEMBERS
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1	Meeting:	Children and Young People’s Services Cabinet Member and Advisers
2	Date:	Wednesday 21st October 2009
3	Title:	Narrowing the Gap (Raising the Bar) Project
4	Directorate:	Children and Young People’s Services

5 Summary

The purpose of this report is to inform the Cabinet Member and Advisers for Children and Young People’s Services of the background, progress to date and initial recommendations of the project.

6 Recommendations

- **That the report be received.**
- **That the Cabinet Member for Children and Young People’s Services notes the concerns related to the gap in attainment between the lowest 20% and the mean at Foundation Stage, Key Stage 1 and Key Stage 2.**
- **That the Cabinet Member for Children and Young People’s Services endorses the drive to encourage all schools to narrow the gap by addressing the needs of vulnerable pupils and their families.**
- **That the Cabinet Member for Children and Young People’s Services endorses the recommendations of the project group to increase the number of children accessing quality pre school provision in order to improve future outcomes in the academic attainment of boys and other vulnerable and underachieving groups.**
- **That the report be presented to Cabinet and Children and Young People’s Services Scrutiny Panel for consideration.**

7 **Proposals and Details**

a) Background

The 'Raising the Bar' research project began in the Autumn Term of 2008 as a result of serious concerns arising from the following issues:

- The gap in Rotherham between the lowest 20% and the mean at the end of Foundation Stage in 2008 was one of the highest nationally.
- There was an increasing proportion of children attaining below Level 2 in all core subjects at the end of Key Stage 1, exceeding national and regional trends. There was also an increasing percentage of children attaining below the level of the tests at the end of Key Stage 2, compared to a decline regionally and nationally. These children will experience difficulty in accessing the curriculum at secondary school and are statistically more likely to be excluded or to truant.

Why is there a significant gap in Rotherham?

Rotherham has a range of contextual features which may have a negative impact on children's attainment, for example Super Output Areas (SOA) around 53%, compared to 33% nationally, and a Child Wellbeing index below that of statistical neighbours. However, as a result of the Council's commitment to breaking the link between poverty and underachievement, an in-depth investigation was commissioned by the Executive Director of CYPS.

Involvement of the Education Action Zones (EAZs).

All but three schools in the L.A. reported children in the lowest 20% at the end of Foundation Stage in 2008. However, most of these children were living in communities linked to the three Education Action Zones. For example the Clifton EAZ has around 30% of the lowest 20%. The EAZ Project Directors recognised the benefits of the project and how it could support the more efficient deployment of resources.

b) Aims of the project

The aims of the project are:

- to increase our collective knowledge and understanding of the specific characteristics of those children who are at greatest risk of underachievement in order to target action and resources to overcome these barriers to learning.
- to make recommendations to key stakeholders across the Council, regarding the deployment of services, resources and enhanced provision.

c) Collection of evidence

The three EAZs organised a collection of data for children in the bottom 20% at Foundation Stage, Key Stage 1 and Key Stage 2, using the following characteristics:

- Background information such as Free School Meals, SOA, English as an Additional Language (EAL), ethnicity, Special Educational Needs (SEN), home circumstances, attendance, punctuality, significant life event
- Engagement with learning, including motivation to learn and understanding how to be an effective learner
- Self esteem and confidence
- The acquisition of skills such as listening, verbal, spatial, memory, and social interaction.
- Disrupted key stage and mobility
- Term of birth
- Gender
- Pre school experience
- Interventions

Scoring

Each characteristic was given a score according to the following criteria

0 – not a factor

1 – minor factor

2 – medium factor

3 – major factor

It quickly became apparent that moderation of the scores would be necessary in order to establish consistency and accuracy across all of the schools; for example, a characteristic judged as a grade 3 in one school might be judged as 2 in another.

d) Analysis of data

The data collection sheets were submitted to the LA data team. However, in spite of an in-depth analysis, no significant conclusions were drawn. The data connected with pre-school experience was very limited. Some schools, particularly Junior schools, had little or no knowledge of children's pre-school experience. The EAZ Project Directors made the decision to ask schools to revisit this area and new data collection sheets were issued, with the expectation that school staff would make every effort to obtain the information.

It became apparent that it was very difficult to track children's pre-school experience as unique pupil numbers are not issued at this stage. Many schools reported that significant numbers of pupils had not accessed pre school provision, particularly the 'hard to reach' and those with EAL.

At this stage the membership of the project group was extended to include representatives from the Early Years and Childcare team.

National research

A number of recently published documents highlighted the significance of the education of the mother, attendance at quality pre school settings and gender as being the most significant indicators of future academic achievement. Attending a high quality pre school was found to be particularly beneficial for boys, pupils with SEN and those from disadvantaged backgrounds. Attendance at poor quality or less effective provision was seen to have very limited impact on future attainment.

Recommendations arising from the work so far

Implement well focused and sustained system-level strategies for remediating child and family poverty to improve the range of ECM outcomes for young children and impact upon their future progress and attainment.

- Ensure that sufficient places are available in high quality settings that are accessible and meet the needs of the children and families.
- Provide culturally sensitive outreach and family support to help parents and ensure that their children attend pre school provision. Parents should also be encouraged to engage in simple educational activities with their children and contribute to the quality of the home learning environment. Some re alignment of the workforce may be necessary- currently Children's Centre Outreach Workers and Family Support Workers are either overstretched or inadequately deployed.
- Seek to boost a mother's education and pass on positive learning behaviours to their young children - possible support from 'Inspire Rotherham'
- Allocate Unique Pupil Numbers to pre school pupils so that their attendance can be tracked
- Develop a more effective multi professional approach, involving the localities.
- Identify the services which hold information about 'hard to reach' families and establish what could be shared in order to provide better services for vulnerable children.

Outcomes for 2009

The gap in attainment between the lowest 20% and the mean has been considerably reduced at Foundation Stage from 2008 to 2009.

The table below shows the % of pupils achieving the Early Years Outcomes for 2008 and 2009.

Pupils in the LA	2008	2009	Diff
% achieving 6+ in Personal, Social and Emotional Development (PSED)	68.5	73.6	5.1
% achieving 6+ in Communication, Language & Literacy (CLL)	47.1	53.8	6.7
% achieving 6+ in PSED & CLL	44.2	50.4	6.2
% achieving 78 points across the Foundation Stage Profile	64.7	72.1	7.4
% achieving 78 points & 6+ in PSED & CLL	44.2	50.4	6.2
LA % gap between median and lowest 20%	44.4	35.7	-8.7

However, at Key Stage 1, the gap has increased in the majority of areas. This is particularly significant in mathematics for all pupils and girls at Level 2+, and girls at Level 2B+. The gap in girls' writing, and boys' reading at Level 2+ are also a cause for concern.

Improvements include girls' reading at Level 2B+ and mathematics at Level 3.

	Reading								
	L2+			L2b+			L3		
	All	Boys	Girls	All	Boys	Girls	All	Boys	Girls
2008	62.0	58.2	65.9	64.2	57.6	71.5	24.0	19.3	29.0
2009	64.8	61.8	67	64	58.2	69.5	25.7	20.8	30.9
Difference	2.8	3.6	1.1	-0.2	0.6	-2.0	1.7	1.5	1.9

	Writing								
	L2+			L2b+			L3		
	All	Boys	Girls	All	Boys	Girls	All	Boys	Girls
2008	65.2	63.5	65.4	56.2	48.7	64.2	12.5	8.7	16.6
2009	66.1	63.2	67.8	59.2	49.7	69.2	13.4	9	18.1
Difference	0.9	-0.3	2.4	3.0	1.0	5.0	0.9	0.3	1.5

	Maths								
	L2+			L2b+			L3		
	All	Boys	Girls	All	Boys	Girls	All	Boys	Girls
2008	39.7	35.3	45.8	56.4	52.6	61.9	21.9	22.3	21.5
2009	44.2	36.8	56	58.1	52.2	66.4	21.1	23.4	18.6
Difference	4.5	1.5	10.2	1.7	-0.4	4.5	-0.8	1.1	-2.9

Outcomes for Key Stage 2 are not yet available.

Actions Taken

School Improvement Partners (SIPs), advisers and consultants have contributed by consistently emphasising the need to address the underachievement of vulnerable groups, which will be an area of particular focus in the new Ofsted framework.

The three EAZs have also been very proactive in exploring the issues and in working to engage the 'hard to reach'. The project has divided into two main areas of work

1. the engagement of children and families in pre-school provision and support for the vulnerable
2. the use of the data to enable schools to improve provision for children in the lowest 20%.

The Clifton Project

As part of the Council's commitment to 'local leaders finding local solutions' the Clifton EAZ has set up a strategy group, including representation from a number of agencies, and is working towards the following aims.

- A small amount of time is to be committed by a number of agencies to work towards engaging with identified families with pre-school age children in order to support them to access appropriate services and appropriate pre-school provision for their children.
- Workers will engage with a small number of identified families over the long-term (up to a year initially), making contact regularly to provide support
- Workers will initially support 2 families; when the need for support reduces, another family will be added to their caseload. However, cases will not be 'closed' and contact will continue for the full year.
- Staff will work under the guiding principles of the Clifton Behaviour Improvement (BIP) Team, which includes looking at the needs of the whole child, as in ECM, to address inequalities, to be non-judgmental, to build trust, to be solution-focused and persistent, doing 'whatever it takes'

The Extra Mile Project

The LA is now involved in a high profile DCSF research project which focuses on narrowing the gap between the attainment of children from low income families and their more affluent peers.

It involves five schools (one of which will be a 'lead school') and is funded by the DCSF. All of the schools are situated in the EAZs and this work will link to the 'Raising the Bar' project.

National College for School Leadership (NCSL) Narrowing the Gap Project

Headteachers in the Clifton EAZ have been successful in securing funding to support the development of leadership and CPD in narrowing the gap. This will also link with the work already being done through the 'Raising the Bar' project by the deputy headteachers.

8 **Finance**

Funding for the identification of, intervention in and support for schools that are underachieving is a key focus for the core budget of the School Effectiveness Service.

Additional grant funding of £27,000 has been provided by the DCSF for the 'Extra Mile' project.

£4,000 has been secured for the NCSL Narrowing the Gap project.

9 **Risks and Uncertainties**

Should Rotherham's schools show insufficient progress in narrowing the gap in future years, this could result in:

- Declining and lower standards at the end of KS2
- Significant numbers of children underachieving, which reduces their opportunities post statutory education

- The Council's rating, in relation to the quality of services and its statutory responsibility to raise standards will be affected through the CPA and APA systems
- The Council's intervention rating with DCSF could be increased.

10 Policy and Performance Agenda Implications

Pupil achievement is a key performance indicator (Learning), in the Community Strategy, the Corporate Plan, the Children and Young People's Single Plan and The learning without Limits Partnership Plan (schools).

11 Background Papers and Consultation

- Narrowing the gap in outcomes for young children through effective practices in the early years – Centre for Excellence and Outcomes in Children and Young People's Services (2009)
- Pre school, school and family influences on children's development during Key Stage 2 – DCSF (2009)
- Breaking the link between disadvantage and low attainment –DCSF (2009)
- The Extra Mile – DCSF (2009)

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**BUILDING SCHOOLS FOR THE FUTURE
PROJECT BOARD
Tuesday, 6th October, 2009**

Present:-

Councillor Shaun Wright	Cabinet Member for Children and Young People's Services (in the Chair)
Councillor Ann Russell	Chair of the Children and Young People's Scrutiny Panel
Joyce Thacker	Strategic Director of Children and Young People's Services
Graham Sinclair	Programme Director, Building Schools for the Future
Philip Marshall	BSF Strategic Educational Adviser
Robert Holsey	BSF Project Manager
Ian Smith	Director of Asset Management
Kevin Crotty	Partnerships for Schools

Apologies for Absence:-

Councillor Gerald Smith	Cabinet Member for Economic Development, Planning and Transportation
Karl Battersby	Acting Chief Executive
Andrew Bedford	Strategic Director of Finance

1. Minutes of the Previous Meeting

Agreed:- that the minutes of the ninth meeting of the Building Schools for the Future Project Board, held on Tuesday, 30th June, 2009, be approved as a correct record.

2. Strategy for Change Part 2

The Project Board considered the contents of the Transforming Rotherham Learning – Building Schools for the Future Strategy for Change Part 2 document, together with the Executive Summary document. These documents had already been submitted to the Department for Children, Schools and Families and Partnerships for Schools (during August 2009) and indication had already been given that the documents were acceptable (a letter of confirmation was shortly to be issued by Partnerships for Schools). A main principle of Strategy for Change Part 2 was the creation of 0-19 years learning communities.

Consequently, the Borough Council would now proceed to submission of the Outline Business Case for Strategy for Change Part 2.

Strategy for Change Part 2 included issues which had been emphasised during the consultation:-

: early language acquisition;

: literacy development;

: promoting the progress of and support for vulnerable learners;

: help and support for families who are stuck in a cycle of under-achievement in educational terms.

Reference was made to the need to review sixth form provision in the light of the 14-19 Strategy, including the delivery of appropriate courses/training for students and ensuring that such provision was available locally for students, so that they would not have to travel far to access learning opportunities.

There would be a continuing dialogue with pupils, schools, parents and stakeholders to work through the implications and consequences of Strategy for Change Part 2.

Reference was made to the possibility of schools opting for trust status.

Agreed:- that this Project Board confirms its approval of the contents of the Transforming Rotherham Learning – Building Schools for the Future Strategy for Change Part 2 document.

3. Outline Business Case – Main Tasks / Risks

The Programme Director, Building Schools for the Future, presented a report listing the main tasks and risks of the Outline Business Case for Strategy for Change Part 2. This document would be submitted to Partnerships for Schools by the deadline of 26th January, 2010. The process of obtaining bids from the private sector would begin during April, 2010.

The Project Board noted that the John Sorrell design process with pupils of Phase 1 schools was progressing well and an appropriate event would be arranged to celebrate the completion of the pupils' work.

There would be a further report on suggestions for a logo and brand image for Transforming Rotherham Learning.

The Project Board noted the importance of the education strategy for BSF, which would have a significant influence upon the schools' building programme in order to ensure the establishment of quality learning environments for children and young people.

Agreed:- (1) that the details of the Outline Business Case be noted.

(2) that the Outline Business Case document be submitted to a future meeting of this Project Board.

4. Maltby Academy - Update

The following issues were highlighted:-

(a) the Local Authority representatives on the Maltby Academy Board of Trustees and the Governing Body would shortly be appointed;

(b) there had been further, positive discussions with school staff at the Maltby Comprehensive School;

(c) the lease of land to the Maltby Academy, detailing the area of the Academy campus, was now being prepared; there would be an initial short-term lease until 2014, with the full long-term lease being for a period of 125 years;

(d) the Deed of Gift, for the transfer of funding from the Borough Council to the Maltby Academy, was now awaiting approval from the Department for Children, Schools and Families.

5. Gateway Review

The Gateway Review was a process of a peer review, by other local authorities, of this Council's Building Schools for the Future project. The review would begin on Monday, 11th January, 2010. The result of the review may indicate areas for further development.

6. ICT Update

The Project Board noted that the Borough Council had received an invitation to bid for the early draw-down of funding for ICT facilities as part of the BSF process. Details of the funding for ICT central services were highlighted and it was agreed that a further report on this matter would be submitted to the Cabinet Member for Children and Young People's Services.

7. Facilities Management and the Private Finance Initiative

Reference was made to the consequences for all learning communities of the Private Finance Initiative (PFI) and the design and build programme. It was noted that all Phase 1 schools would have PFI contracts. All schools in the BSF programme would be invited to sign up for the unitary charge.

A facilities management group had now been established to consider premises' issues, in particular the procurement arrangements, staffing and costs for school catering and for the cleaning of school premises. It was agreed that these issues should be discussed further with the Cabinet Member for Children and Young People's Services.

8. Dates and Times of Future Meetings

Agreed:- (a) that the next meeting of the BSF Project Board take place at the Town Hall, Rotherham on Tuesday, 10th November, 2009, commencing at 4.00 p.m.

(b) that the dates of future meetings of the BSF Project Board be as follows, with a start time of 4.00 pm:-

Tuesday 8th December, 2009

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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of the Local Government Act 1972.

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