

## Policy

### A Positive and Proactive Approach to Behaviour

Responsibility for Policy: SLG AtL (EN/KV)

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#### 1. Rationale

Ours is a community of learning, where secure partnerships create opportunities for students, staff, governors, parents and carers alike to participate and grow to become intellectually, emotionally and socially *fit for life*.

Cedars Academy Trust believes that behaviour is a means of communication and has a cause and a purpose. It is essential that we strive to understand a behaviour's underlying cause to enable appropriate support. For example behaviour that challenges could be the result of a medical condition/diagnosis, sensory impairment, previous trauma or neglect, an unmet need or undiagnosed medical condition.

Behaviour may reflect the challenges of communication and resulting frustrations faced by our pupils with learning difficulties, autistic spectrum conditions and mental health difficulties who often have little choice and control over their lives. These factors may result in behaviours that are challenging reflecting the impact on our pupils being exposed to the challenging environment of school/college which they may not understand or where positive social interactions are lacking or personal choices are limited.

Our pupils need support to have their needs met in different ways and to develop alternative ways of expressing themselves that achieve the same purpose but are more appropriate. Where appropriate, behaviour support plans, drawn up with the involvement of pupils and parents/carers help the pupil to understand better their experiences and behaviour and the steps that could be taken together to meet their needs.

Cedars Academy Trust aims to have a good understanding of its pupils and is committed to meeting their needs with a systematic, positive and proactive approach to behaviour by:

- policies, strategies and practices which promote a positive culture and improve the quality of our pupils' lives
- arrangements which identify, assess and manage risk well
- high quality training for staff
- involvement of pupils, parents and carers, and advocates as appropriate
- arrangements for carefully assessing the needs of pupils and the underlying causes of their behaviour, including through developing behaviour support plans

- tailored support for individual pupils that takes account of their particular wishes, vulnerabilities, learning disability, medical condition or impairments, and their interaction with the environment in which they are taught and cared for, and that responds to their growth and development over time
- clear arrangements for governance and accountability in respect of behaviour and responses to behaviour that challenges.

Cedars Academy Trust adopts a 'hierarchy of responses' to support positive behaviour including:

- creating a supportive environment in which pupils are taught, treated and cared for, which seeks to address factors that are likely to impact on behaviour
- deployment of approaches and techniques to maintain positive environments and de-escalate or calm situations that are appropriate to individual pupils and take account of their rights and views
- development of staff skills and expertise and the use of appropriate external expertise/agencies as appropriate

Cedars Academy Trust recognises that there may be occasions when Physical Intervention (PI) or Restrictive Physical Intervention (RPI) is required to guide or remove a pupil involuntarily from a situation which causes anxiety or distress to themselves and/or others by taking them to a safer place where they have a better chance of calming/composing themselves, with support.

Such a response will only be taken with the key question:

“What is in the best interests of the child and/or those around them in view of the risks presented”

A positive and proactive approach is vital to anticipate potential triggers for behaviour that challenges, and minimise the likelihood of, or avoid the need to use of PI or RPI. Where use of restrictive physical intervention is necessary to safeguard children, young people and others from harm, it should be consistent with clear values and sound ethical principles, comply with the relevant legal requirements and case law and be consistent with obligations under the European Convention on Human Rights, the UN Convention on the Rights of the Child and the UN Convention on the Rights of Persons with Disabilities (Reducing the Need for Restraint and Restrictive Intervention HM Government June 2019).

## 2. Core Values

Cedars Academy Trust therefore aims to:

- uphold children and young people's rights – children and young people with learning disabilities, autistic spectrum conditions, and mental health difficulties whose behaviour challenges have the same human rights as all children and young people and require additional help to overcome the difficulties their behaviour may present
- treat children and young people with learning disabilities, autistic spectrum conditions, and mental health difficulties whose behaviour may challenge as full and valued members of the community whose views and preferences matter

- respect and invest in family carers as partners in the development and provision of behavioural support for children and young people with learning disabilities, autistic spectrum conditions and mental health difficulties
- recognise that all professionals and services have a responsibility to work together to coordinate support for children and young people whose behaviour may challenge and their families
- every child or young person deserves to be understood and supported as an individual
- the best interests of children and young people and their safety and welfare should underpin any use of restrictive intervention
- the risk of harm to children, young people and staff should be minimised. The needs and circumstances of individual children and young people, including their age, particular vulnerabilities, learning disability, medical condition or impairments, should be considered and balanced with the needs and circumstances of others. Decisions on whether or not to intervene with an individual, affect others, including staff
- a decision to intervene with a child or young person is taken to assure their safety and dignity of all concerned, including other children, young people or adults present.

### 3. Key Principles

Physical Intervention and Restrictive Physical Intervention may be necessary to safeguard the individual and/or others from serious injury or harm, and sometimes it will be the only realistic option, for example to prevent a child from running into a busy road. Cedars Academy Trust adopts the following key principles in developing our policies and practice in the context of the particular legal requirements that apply to them:

- promote a positive and proactive approach to behaviour, including de-escalation techniques appropriate to the child or young person, to minimise the likelihood of or avoid the need to use restrictive intervention
- use of restrictive physical (RPI) intervention will be based solely on assessment of risk and to safeguard the individual or others
- restrictive physical intervention is only used where it is necessary to prevent risk of serious harm, including injury to the child or young person, other children or young people, to staff, the public or others if all other interventions have proved ineffective
- any intervention is in the best interests of the child or young person balanced against respecting the safety and dignity of all concerned, including other children, young people or adults present
- restrictive physical intervention is not used to punish or with the intention of inflicting pain, suffering or humiliation
- techniques used are reasonable and proportionate to the circumstances, risk and seriousness of harm; and are applied with the minimum force necessary, for no longer than necessary

- use of restrictive physical interventions, reasons for it and consequences of its use, are documented, monitored, open and transparent
- when planning support and reviewing any type of plan which references restrictive intervention/withdrawal (such as a behaviour support plan) it will be formulated with pupil and parent/carer

#### 4. Acceptable Forms of Physical Intervention

'Physical Intervention' (PI) is the term used to describe contact between staff and pupils where no force is involved. There are occasions where it is totally appropriate for staff to have contact or PI with pupils but to do so in ways applicable to their professional role and to the pupil's individual needs:

- to comfort pupil in distress (appropriate to age)
- to gently direct a pupil
- for curricular reasons (for example PE, Drama, therapy, authorised intimate care etc)
- first aid and medical treatment
- in an emergency to avert danger to the pupil or pupils
- in rare circumstances when restrictive physical intervention is warranted

Restrictive physical intervention (RPI) is the term used to describe interventions where the use of force to control a person's behaviour is employed using 'reasonable force' to control a pupil in circumstances that meet the following legally defined criteria:

- to prevent a pupil from committing a criminal offence
- to prevent a pupil from injuring self or others
- to prevent or stop pupils from causing serious damage to property

There is no legal definition of 'reasonable force' however there are two pertinent considerations:

- the use of force can be regarded as reasonable only if the incident warrants it
- the degree of force must be in proportion to the circumstances of the incident and the seriousness of the behaviour or the consequences it is intended to prevent

**Such RPI must be proportionate and necessary and in the best interests of the pupil**

**Cedars Academy Trust is committed to adopting Evidence-Based Approaches ?**

#### 5. Positive Behaviour Strategies

Cedars Academy Trust aims to develop proactive strategies which help reduce the likelihood of behaviours that challenge that may lead to the use of restrictive interventions by focussing on improving the safety and well-being of children and young people. Such strategies will be based on a good understanding of learning disabilities, autistic spectrum conditions and mental health difficulties and of how children and young people affected by them are at heightened risk of displaying behaviours that challenge. Strategies are consistent with our core values and key principles.

Cedars Academy Trust will work with children, young people and parents/carers to develop behaviour support plans for individual pupils.

Effective behaviour strategies address how staff will be trained to in develop positive behavioural support and include provision for behaviour support plans to be made for individual children and young

people whose behaviour challenges. Cedars Academy Trust will identify where additional help and expertise may be needed to inform our behaviour and support strategies i.e. qualified behaviour specialist, a therapist with expertise in communication or sensory needs, or from a medical consultant.

Cedars Academy Trust recognises that some of our pupils have difficulties with speech, language and communication and can use different ways of communicating such as augmentative and alternative communication. Some of our children and young people may not have sufficiently developed language skills to communicate verbally and may not be able to understand or respond to verbal de-escalation. Verbal and/or non-verbal strategies will be used to ensure the child or young person understands what is happening and has adequate time to process information and respond. Speech and language therapy support may be sought for children and young people with speech, language and communication needs if appropriate.

## 6. Positive Behavioural Support

The term positive behavioural support is, in our context used to describe a framework to better understand, and so reduce, behaviour that challenges in our children pupils with learning disabilities, autistic spectrum conditions and mental health difficulties. It is based on the assessment of the context (triggers) in which the behaviour occurs and uses that information to develop interventions to support. This may include practice changes such as changing their environment, developing their skills, providing focused support and developing reactive strategies for use where necessary.

Approaches using such a framework are to:

- build skills – for example communication skills, so that a pupil may communicate needs effectively without challenging behaviour, or resilience skills to gradually learn to cope with demands which were once too much for them
- enhance quality of life – for example, by changing the environment, introducing a sensory diet, movement breaks or classroom setting or staff input to reduce the likelihood of behaviours that challenge e.g. development of proactive strategies such as avoiding sensory overload, planned changes to routine.
- focus on preventative strategies to ensure pupil's needs are met and secure improvements in quality of life - it will also include strategies to ensure that early signs of anxiety and agitation are recognised and responded to and strategies for when a pupil's agitation escalates to a point where they could place themselves and/or others at risk of harm.
- enable person-centred planning – the needs of the pupil are central to the development of plans for their support and their views will be obtained in order to support pupils to develop positive personal relationships and help staff to understand their individual needs to support better person-centred planning.
- better assess need – to understand why a pupil presents behaviours that concern or challenge; and what helps predict their occurrence or causes the pupil to continue presenting them or regularly reverting to them. Assessment can help to identify areas of unmet need. Assessment requires consideration of a range of contextual factors including personal factors, mental and physical health, communication skills and the pupil's ability to influence the world around them. For pupils displaying significant levels of behaviour that challenges, assessment will be conducted by a psychologist or behaviour specialist with appropriate training and qualifications. Assessment will take account of the views of the pupil and parents/carers.

## 7. Training and Development of Staff

Cedars Academy Trust believe that training and development play a crucial role in promoting positive behaviour and supporting those whose behaviour challenges. Cedars Academy Trust ensures that it actively enables staff to develop the understanding and skills to support children and young people and help parents/carers to secure a consistent approach.

Training is tailored to take account of the needs of the children and young people being taught and the role and specific tasks that staff will be undertaking. It covers approaches to meeting children and young people's needs more effectively, preventing the escalation of crisis situations, and reducing and minimising the need for restrictive physical intervention through positive behavioural support.

Training includes knowledge, understanding and skills in relation to:

- considering the views and experiences of children, young people and their families;
- communicating with (and listening to) pupils whose way of communicating is non-verbal, including those with speech, language and communication needs
- identifying the causes of and triggers for behaviour that challenges, including those that may stem from medical conditions, sensory issues, or an unmet need or undiagnosed medical condition
- the thoughts and feelings of staff on being exposed to behaviour that challenges
- the assessment and management of risks, including dynamic risk assessment
- building positive relationships by involving pupils, parents in planning and developing individual behaviour support plans and reviewing support emphasising effective use of techniques to calm a situation or de-escalate
- safe implementation of restrictive physical intervention, including how to minimise associated risks, particularly in respect of the growth and development of children and young people
- examples of effective practice in meeting the needs of children and young people whose behaviour challenges

## 8. Assessing and Managing Risks: Restrictive Intervention

Cedars Academy Trust use Restrictive Physical Intervention as a **planned** intervention within a Behaviour Support Plan and only for a limited period of time during which appropriate assessments and investigations are instigated to minimise the risk of intervention or explore alternative appropriate provision. Cedars Academy Trust understands that pupils' behaviours that challenge are often foreseeable, though it may be difficult to predict exactly when they will occur or the degree of challenge they will pose and therefore seeks to reduce risk and improve foresight by:

- exploring why children or young people behave in ways that pose a risk
- trying to understand the factors that underlie or influence the behaviour and the triggers for it – which may stem from the environment
- recognising the early warning signs which indicate that the behaviour is beginning to emerge
- developing the skills to manage difficult situations competently and sensitively
- understanding and developing intervention such as de-escalation techniques

A decision on whether or not to use restrictive physical intervention will always require consideration of individual circumstances and is a matter of professional judgement. Decisions will be made within the framework of core values and key principles.

Any use of restrictive physical intervention can contain risks. That risk may be to the pupil whose behaviour challenges, other pupils, staff, other adults or property. They may arise as a result of

interactions between the pupil and their environment, the direct impact of their behaviour that challenges, or measures and interventions used to limit or manage risks to pupils.

Those risks need to be balanced against the risks associated with other courses of action, including the risks of taking no action at all. Risks associated with using restrictive intervention or deciding not to do so include causing physical injury, causing a flight response, psychological trauma, distress and emotional disturbance to the child or young person and to staff.

Assessing risk involves using what is known from experience to make rational judgements about risks and weighing up options. It is about trying to predict the situations in which risks may occur, estimating the likelihood of the risk and potential harm that may occur, and gauging the seriousness of any harm that could result.

**Sound assessment of risks will enable decisions to be made which:**

- respect our pupil's rights
- limit the level of inherent risk to which the pupil and others are exposed
- avoid unreasonable risks for the pupil and others
- ensure that an intervention is necessary, appropriate and proportionate to the risks that it presents

When considering whether to use restrictive physical intervention with a pupil, as staff we should ask ourselves: "At this moment what is in the best interests of the pupil and/or those around them, taking account of the risks presented?"

**In assessing risk, staff should take into account:**

- the size, age and understanding of the pupil
- the specific difficulties they face
- their particular vulnerabilities, learning disabilities, medical conditions and impairments
- the relative risks of not intervening
- the child or young person's previously sought views and experiences, and those of parents and carers, on strategies and approaches they considered might de-escalate or calm a situation
- the impact of intervention on the future relationship with the child or young person

### **9. Behaviour Support Plan (Example given/template?)**

Measures agreed for managing identified risks will be set out in an agreed behaviour support plan for the pupil. The pupil and their parent/carer will be fully involved in the process. The plan will be shared with all those with a role in implementing it and monitoring its impact. Appropriate training should be provided for staff to ensure that they have the competence and skills to implement it particularly in relation to de-escalation techniques. In some cases, training may be required as a matter of urgency so that the plan can be implemented without delay.

Regular reviews of risk assessment and management measures, including arrangements for staff training and development should inform future planning and help to improve day-to-day practice.

### **10. Planned and Unplanned Interventions**

Planned interventions are when Cedars Academy staff employ, where appropriate, planned and agreed approaches to behaviour that challenges that have been set out in a pupil's behaviour support plan and detail all actions to aid de-escalation and where appropriate withdrawal/restrictive

intervention. Planned interventions will be based on a careful risk assessment, including an understanding of the pupil's needs including vulnerabilities, learning disabilities, medical conditions and impairments.

Unplanned interventions require professional judgement to be exercised in difficult situations, often requiring split-second decisions in response to unforeseen events or incidents. Such decisions, known as dynamic risk assessments, will include a judgement about the capacity of the pupil at that moment to make a safe choice. Staff training and supervision of practice will support dynamic risk assessment. Unless the situation is urgent, staff will seek assistance to de-escalate. If such assistance is not available, any response will still be reasonable and proportionate, and will use the minimum intervention necessary in order to achieve the aim of the decision to use restrictive physical intervention.

Once pupils are well known to the school/college they will have had their needs carefully assessed, and, where required, support for their behaviour will be in place through their individual behaviour support plans. Such plans will include planned and agreed approaches to managing behaviour that challenges and prevent it from escalating and, if appropriate, any agreed approaches to restrictive physical intervention.

An unplanned intervention for a pupil with a behaviour support plan will prompt discussion about whether the plan needs to be changed.

## 11. Safeguarding the Welfare of Staff

Cedars Academy Trust has a duty under section 2 of the Health and Safety at Work etc Act 1974 (1974 Act) to ensure, so far as is reasonably practicable, that the health, safety and welfare at work of their employees. Section 3 of the 1974 Act places a duty on employers to conduct their undertaking in such a way as to ensure, so far as is reasonably practicable, persons who are not their employees and who are affected by the employer's undertaking are not exposed to risks to their health and safety.

Cedars Academy Trust must:

- assess the risks to employees and others (including the risk of reasonably foreseeable violence) and implement steps to reduce these risks:
- provide adequate information, instruction, training and **supervision** to ensure the health and safety of employees
- monitor and review arrangements put in place to reduce the risks to ensure they are effective
- establish transparent processes to acknowledge the hazardous nature of any foreseeable incidents and of any restrictive interventions.

The duty includes risks arising from both violence and the use of restrictive interventions.

## 12. Recording and Reporting

Restrictive Physical Intervention, whether planned or unplanned will be recorded on CPOMS and Information will be open and transparent

CQC and Ofsted will take into account the quality and impact of the recording in their inspection activity. Where this fails to meet the requirements or good practice expectations set out in the relevant regulations, guidance or standards they will take action as appropriate, including enforcement action.

Cedars Academy Trust in line with other non-residential special schools are not covered by a specific statutory requirement to record and report but it is our policy to record any restrictive physical intervention, whether planned or unplanned on CPOMS and Information will be open and transparent

- the names of the staff and pupils involved
- the reason for using a Restrictive Physical Intervention (rather than another strategy)
- how the Restrictive Physical Intervention was employed
- how the incident began and progressed, including details of the pupil's behaviour, what was said by each of the parties, the steps taken to defuse or calm the situation, the degree of intervention used, how that was applied, and for how long
- the date and the duration of the intervention
- whether the pupil or anyone else experienced injury or distress and, if they did, what action was taken

Policy informed by:

HM Government: Reducing the Need for Restraint and Restrictive Intervention

27<sup>th</sup> June 2019

Department of Education: Use of Reasonable Force

July 2013

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