

Supplementary Course Curriculum: Educational Establishments (Wales) - Children and Young People



This information is to be used in addition to the Foundation Children's and Young Persons' course. The Supplementary Handout: Educational Establishments - Children and Young People should be given to participants in addition to the Children's course booklet.

Children have a right to receive and impart information, to express an opinion and to have that opinion taken into account in any matters affecting them from the early years. Their views should be given due weight according to their age, maturity and capability

(Articles 12 and 13 of the United Nations Convention on the Rights of the Child).

Populations

It is important that all participants have a good understanding of the characteristics of the population of individuals that are supported by the purchasing organisation as identified by the training needs analysis. This will include age ranges, intellectual disabilities, emotional and social vulnerabilities and attachment difficulties (list not exhaustive).

Aims: Participants understand the characteristics of the individuals they work with.

Objectives: Participants can identify the diagnosed conditions, communication methods, vulnerability factors and physical characteristics of those they work with (this list is not exhaustive).

Environment

Aim:

Participants are able to identify the areas in which the children / young people have access to in the school and are able to discuss the challenges that each of these presents to staff.

Objectives:

- Participants can identify the different challenges in providing positive behaviour support in the varied school environment.
- Participants are able to identify the different staffing needs in these locations around the school.

Safeguarding

Aims:

Participants recognise their role in safeguarding the children / young people in their care.

Objectives:

- Participants understand that children/young people with a disability are at an increased risk of abuse and neglect.
- Participants understand the local policies around safeguarding, who the safeguarding lead is in the school and how to report and follow up concerns.

"The available UK evidence on the extent of abuse amongst disabled children suggests that disabled children are at increased risk of abuse and that the presence of multiple disabilities appears to increase the risk of both abuse and neglect."

Source: Working Together to Safeguard Children, 2006

Although this comes from the guidance for England we feel that the information and sentiment is pertinent regardless of geography. The Department of Education (2015) Keeping children safe in education: Statutory guidance for schools and colleges advises:

- All school and college staff members should be aware of the signs of abuse and neglect so that they are able to identify cases of children who may be in need of help or protection.
- Staff members working with children are advised to maintain an attitude of 'it could happen here' where safeguarding is concerned. When concerned about the welfare of a child, staff members should always act in the interests of the child.
- All school and college staff have a responsibility to provide a safe environment in which children can learn.
- All school and college staff have a responsibility to identify children who may be in need of extra help or who are suffering, or are likely to suffer, significant harm.
- All staff members should be aware of systems within their school or college which support safeguarding and these should be explained to them as part of staff induction. This includes: the school's or college's child protection policy; the school's or college's staff behaviour policy and the role of the designated safeguarding lead.

Young people

Aim: Participants understand the new rights The Children and Families Act 2014 gives to young people.

<http://www.legislation.gov.uk/ukpga/2014/6/contents/enacted>

The Children and Families Act 2014 gives significant new rights directly to young people once they reach the end of compulsory school age (the end of the academic year in which they turn 16). When a young person reaches the end of compulsory school age, local authorities and other agencies should normally engage directly with the young person rather than their parent, ensuring that as part of the planning process they identify the relevant people who should be involved and how to involve them. Most young people will continue to want, or need, their parents and other family members to remain involved in discussions and decisions about their future. Some young people, and possibly some parents, will not have the mental capacity to make certain decisions or express their views.

It must be documented in any behaviour and risk management plans whether the young person gives consent for their parents / carers to be involved in behaviour and risk management planning.

Capacity must be assumed unless there has been an assessment and documentation to the contrary.

Legislation

Aims:

Participants are aware of the legislation that regulates them in the performing of their roles.

Objectives:

- Participants recognise that the use of restrictive physical interventions can not be used as a form of punishment, and must only be after primary and secondary prevention and non physical reactive interventions have been tried, reviewed and evaluated to be ineffective. (BILD Code of Practice)
- Participants understand their responsibilities to uphold the Equality Act

The Equality Act (2010) <https://www.legislation.gov.uk/ukpga/2010/15/contents> requires that early years providers, schools, colleges, other educational settings and local authorities:

- must not directly or indirectly discriminate against, harass or victimise disabled children and young people
- must make reasonable adjustments, including the provision of auxiliary aid services (for example, tactile signage or induction loops), so that disabled children and young people are not disadvantaged compared with other children and young people. This duty is what is known as 'anticipatory' – people also need to think in advance about what disabled children and young people might need

Safe and Effective Intervention - Use of Reasonable Force and Searching for Weapons (2010) Welsh Assembly Government

Please, read this guidance in full.

<https://gov.wales/safe-and-effective-intervention-guidance-schools-and-local-authorities>

This document represents guidance on 2 aspects intended to support schools, local authorities and their partners in providing a safe environment for children and young people. The power to search pupils for weapons without their consent were introduced in October 2010, whilst the power to use reasonable force are largely the same as those previously in place, introduced in the Education Act 1996.

1.2. All school staff members have a legal power to use reasonable force to prevent pupils committing a criminal offence, injuring themselves or others, or damaging property; and to maintain good order and discipline amongst pupils.

1.3. The focus should be on preventing, as far as possible, the need for the use of force on pupils, by creating a calm, orderly and supportive school climate that lessens the risk and

threat of violence of any kind. The use of force should only be a last resort, schools should minimise the possibility of force being needed. However, this may not always be possible and in such circumstances staff need to be aware of sensitivities associated with any form of physical contact with pupils.

1.5. The purpose of legislating on the use of force was to provide a clear and transparent power which enables staff to use reasonable force on pupils in specified circumstances, whilst at the same time also protects children and young people from physical violence, injury or abuse, as set out in Article 19 of the United Nations Convention on the Rights of the Child.

3.19. Before using force staff should, wherever practicable, tell the pupil to stop misbehaving and communicate in a calm and measured manner throughout the incident. Staff should not act out of anger or frustration, or in order to punish a pupil, and should make it clear that physical contact or restraint will stop as soon as it ceases to be necessary.

3.20. The types of force used could include: • passive physical contact resulting from standing between pupils or blocking a pupil's path; • active physical contact such as: i. leading a pupil by the hand or arm; ii. ushering a pupil away by placing a hand in the centre of the back; iii. in more extreme circumstances, using appropriate restrictive holds, which require specific expertise or training.

3.21. Where there is a high and immediate risk of death or serious injury, any member of staff would be justified in taking any necessary action (consistent with the principle of seeking to use the minimum force required to achieve the desired result). Such situations could include preventing a pupil running off the pavement onto a busy road or preventing a pupil from hitting someone with a dangerous object such as a glass bottle or hammer.

4. The use of restrictive physical interventions for pupils with severe behavioural difficulties.

4.14. The use of restrictive physical interventions should always be considered within the wider context of other measures. These include establishing and maintaining good relationships with children and using diversion, diffusion and negotiation to respond to difficult situations. Use of physical force that is unwarranted, excessive or punitive is not acceptable. Failure to comply with this principle, when considering or using physical force, should be dealt with under school disciplinary procedures.

Section 2: Screening and Searching of Pupils for Weapons

Without-consent search

2.6. The statutory power to search applies where there are reasonable grounds for suspecting that a pupil has with him or in his possessions any of the following:

- anything referred to in this guidance as a 'knife' – to be precise, any article which has a blade or is sharply pointed. The definition does not include a folding pocket knife other than one whose cutting edge exceeds three inches or one which is not readily foldable at all times (such as a locking knife). This definition is taken from section 139 of the Criminal Justice Act 1988;
- an object referred to in this guidance as an offensive weapon – to be precise, any article made or adapted to injure a person, or any article which is intended by the person carrying the article for such use by him or by another person. This is taken from section 1 of the Prevention of Crime Act 1953. Three types of article are covered: • a weapon made for causing injury, such as a gun;

- an article adapted for causing injury, such as a bottle broken deliberately for the purpose; and
- an article not made or adapted for causing injury but which the person who has it intends to be used for the purpose of causing injury, e.g. a baseball bat.

4.1.g. If a school decides a search would not be safe, they should call the police. As this guidance emphasises, the power to search is not a duty: it should only be used where school staff judge that it is safe to do so.

Positive Behaviour Support

In addition to the aim and objectives in the D.ESCAL8™ foundation curriculum:

Objective:

Participants understand that behaviour and risk management plans must be reviewed at least half termly and recognise their role in this process.

- School staff should refer to the school's behaviour policy when developing and implementing behaviour management plans.
- All behaviour management plans should be formally agreed and ratified before implementing them in school and should:
 - meet the pupil's needs
 - encourage the pupil to make positive choices and develop self-control
 - support the pupil in difficult situations
 - safely manage crises if and when they occur

Behaviour plans and risk management plans should be reviewed on a half termly basis, unless emergency interventions result in more frequent review.

Classroom Management Strategies

Aim:

Participants understand the importance of well planned classroom management and the need for effective primary and secondary prevention strategies.

Objectives:

- Participants understand the need for specific planning around children and young people who have been previously disruptive.
- Participants understand the need for using a range of effective primary and secondary support strategies to prevent the use of restrictive physical interventions.

This section of the course is taught and considered in conjunction with the Kaplan and Wheeler (1983) Assault Cycle and Positive Behaviour Support.

Well planned classroom management will be vital in the smooth running of the class. Primary preventative strategies and planning around individuals who have been disruptive in the past is an essential part of classroom management. When behaviour in the classroom

escalates to an extent that the class has some form of disruption, beyond primary preventions and classroom management, secondary strategies will kick in moving the situation from classroom management to behaviour management. It is only in circumstances where the incident becomes crisis management that physical interventions may be needed.

Trainer-led discussion around primary and secondary prevention strategies.

Working with parents and carers

Aim:

Participants understand the importance of working with parents and carers of the children/young people they work with.

Objective:

- Participants understand the need to take into account the views of parents when making behaviour and risk management plans in order for the child/young person to have consistency and continuity in their positive behaviour support
- Participants understand the need to keep parents and carers informed with regards behaviour support plans and incidences where restrictive practices occur
- Participants understand the need to maintain a good relationship with the parents/carers

Parents' views are important during the process of carrying out needs assessments and drawing up or reviewing behaviour and risk management plans in relation to a child. Schools should enable parents to share their knowledge about their child and give them confidence that their views and contributions are valued and will be acted upon.

A guide that parents and carers can be made aware of and encouraged to read is the from the Welsh Assembly Government - Information for Parents and Carers of Children and Young People who may have Special Educational Needs (2010).

<https://gov.wales/sites/default/files/publications/2018-03/information-for-parents-and-carers-of-children-and-young-people-who-may-have-special-educational-needs.pdf>

Residential Special Schools

National Minimum Standards for Residential Special Schools (2003) Welsh Assembly Government

<https://www.careinspectorate.wales/sites/default/files/2018-01/130910nmsspecialschools.pdf>

Please, read in full if relevant to your organisation.

Standard 10 Measures of Control, Discipline and Restraint

10.4 Measures of control and sanctions are based on establishing positive relationships with children and are designed to help the child. Such measures are fair and consistently applied; they also encourage reparation and restitution and reduce the likelihood of negative behaviour becoming a focus of attention.

10.5 Any measures taken to respond to unacceptable behaviour are appropriate to the age, understanding and individual needs of the child, for example taking into account that unacceptable or challenging behaviour may be the result of illness, bullying, certain disabilities such as autism, or communication difficulties. Specific measures of control or physical intervention are selected, avoided or adapted as necessary to take the child's needs, characteristics plus any disability/SEN into account.

10.6 No unreasonable, idiosyncratic or excessive punishments are used by staff or others at the school, including any punishment intended to cause pain, anxiety or humiliation, or use of any of the following as a punishment:

- corporal punishment
- any form of hitting of a child (including hitting a child in anger or retaliation)
- deprivation of access to food or drink
- enforced eating or drinking
- prevention of contact by telephone or letter with parents or any appropriate independent listener or helpline
- requirement to wear distinctive clothing or nightclothes by day
- use or withholding of medical or dental treatment
- intentional deprivation of sleep
- use of fines other than by way of reparation and not exceeding two thirds of the child's immediately available pocket money provision
- locking in a room or area of a building
- intimate physical examination of the child
- with-holding of any aids or equipment needed by a disabled child.

10.7 Sanctions applied to groups of children are not used as punishment for the offences of individual children or as a means of applying group pressure against a child.

10.8 Children, including prefects and those in positions of authority, are not given authority to use any sanctions or physical intervention against other children.

10.10 Physical intervention is only used to prevent likely injury to the child concerned or to others, or likely serious damage to property. Physical intervention is not used as a punishment, as a means to enforce compliance with instructions, or in response to challenging behaviour other than in situations set out in s550A of the Education Act 1996.

10.12 The school provides or secures the provision of training for staff in safe and appropriate physical intervention techniques with children, and the circumstances in which restraint may be used, which includes training in reducing or avoiding the need to use physical intervention.

10.15 The school's records of sanctions and physical interventions are reviewed at least twice a term by a senior member of the school's staff to monitor compliance with the school's disciplinary, control and physical intervention procedures and to identify any patterns in incidents leading to sanctions or physical restraint becoming necessary.

Further Reading

National Minimum Standards for Accommodation of Students under 18 by Further Education Colleges (2003) Welsh Assembly Government

<http://careinspectorate.wales/docs/cssiw/general/131009nmsfeeducationen.pdf>

Standard 4 Student Disciplinary Policy and Restraint

4.9 Any use of physical restraint with a student is by reasonable and non-injurious means, only for the minimum time necessary to prevent injury to self or others or very serious damage to property, and always recorded in writing.

Social Services and Well-being Act (Wales) (2014)

https://www.legislation.gov.uk/anaw/2014/4/pdfs/anaw_20140004_en.pdf

Children and Young People's National Participation Standards (2017)

<https://gov.wales/children-and-young-peoples-national-participation-standards>

Keeping learners safe The role of local authorities, governing bodies and proprietors of independent schools under the Education Act 2002. Welsh Assembly Government.

<https://gov.wales/keeping-learners-safe>

Safeguarding Children in Education: handling allegations of abuse against teachers and other staff (2014) Welsh Assembly Government

<https://gov.wales/sites/default/files/publications/2018-11/safeguarding-children-in-education-handling-allegations-of-abuse-against-teachers-and-other-staff.pdf>