



PROMOTING GOOD  
BEHAVIOUR POLICY

---

MAY 2020

# Contents

	Page		
> 1. Statement	3	> 10.5 Considering exclusions	18
> 2. Principles and values	4	> 10.6 Permanent exclusion	19
> 3. Aims	5	> 10.7 Police involvement	19
3.1 Key policies related to behaviour	6	> 10.8 Support after an exclusion or concerning behaviour	19
3.2 Review	6	> 10.9 Alternatives to exclusions	19
> 4. Head teacher responsibilities and the legislative framework	7	> 10.10 Expected standards of everyone at Merrywood School	20
> 5. Creating a positive and structured environment	9	> 11. Classroom expectations	21
> 6. Relationships	10	> Appendices	22
> 7. Educating children how to manage and regulate their emotions	11	1 Positive handling	22
> 8. Pastoral support	12	2 Recording a PH situation	24
> 9. The use of positive handling	13	3 How to complete a PH form	24
> 10. Reflective behaviour management	15	4 Using a PH plan	26
10.1 Celebrating success	16	5 Liability	26
10.2 Unacceptable behaviours	16	6 COVID-19 additions	27
10.3 Consequences	17		
10.4 Offsite bans	18		

## > 1. Statement of Principles, Values, Aims and Objectives

At Merrywood House, we aim to nurture children through education, through promoting positive social, emotional and behavioural social modeling. Nurturing children through education means creating an environment that is supportive and non-judgemental and offers a consistently caring approach across children's education and care. We use holistic approaches with a strong emphasis on prevention and early de-escalation and the therapeutic belief that all people have the capacity for growth, reflection and development.

We believe in the power of building positive, non-judgemental relationships by challenging and holding everyone accountable for their own behaviour. Our environment is built on trust.

Raising the expectations of staff and children to ensure a safe, secure and equal environment sits at the core of everything we do.

Through therapy, play and social modelling, we support children who have experienced trauma and adverse childhood experiences. Our school is set up to provide a nurturing, yet functional environment, that provides a therapeutic approach to learning.

## > 2. Principles and Values

The policy, practice and procedures aim to reflect and demonstrate the importance of the school's commitment to promoting the entitlement of children accessing the highest quality of education, care, health and therapy. The philosophy and ethos of the school reflects acceptance and respect for all children and staff members, irrespective of their age, sex, religion, disability, ethnicity, sexual orientation, gender identity and gender reassignment or immigration status. Our fundamental values:

**Inclusion** – Creating an equal environment, in which everybody in the room is held accountable for the inclusion of others.

**Consistency** – Consistency creates security, sets our clear guidelines and allows everybody to follow a framework that works for the whole school not just the individual.

**Professionalism** – Raising expectations of every professional and every child.

**Collaboration** – 'It takes a village to raise a child' theory, enabling parents and the community to work in partnership with the school to improve the educational outcomes of the child.

**Boundaries** – Boundaries that are clear, fair and safe and are used as a security blanket for professionals, children and parents.

**A non-blame culture** – Identifying needs and vulnerabilities and using transparency to talk about them.

**Relationships** – Using positive relationships to find proactive ways to support the child, the family and the wider community.

**Reflection** – Promoting the wellbeing of the child, family and school, using strategies to support growth mindsets and mindfulness.

**Opportunities** – Providing space for failure and the opportunity to learn from mistakes, repair relationships and time to fill in the gaps (educationally /socially/emotionally).

## > 3. Aims of this policy

1. To set out clear guidelines on our principles, values and expectations which can be translated into an effective framework that transfers into the working day.
2. To provide clear guidance, support and development opportunities to all staff.
3. To ensure our staffs wellbeing is kept in the core of our holistic model.
4. Have a leadership team that has high expectations of self, children and the Merrywood House model.
5. To promote social modelling and make positive change for our children, setting them clear, achievable and realistic goals and to encourage them to access therapeutic interventions.
6. To expect the highest standards of educational attainment and achievement, through the development of acceptable standards of behaviour and conduct.
7. Children should be assisted to show respect, tolerance, empathy and understanding on how to behave daily within their actions. Promoting reflection and a clear understanding of what is right and wrong and to show an even level of respect for self and others.
8. To increase children's knowledge of democracy and what that means both within Merrywood and within society. We teach children to understand their human rights and be encouraged to recognise and respond to their personal responsibilities as a good citizen and member of society.
9. To promote collaboration around the child.
10. To teach children how to regulate emotionally, socially, morally and independently.
11. To prevent bullying or peer exploitation or if bullying does present itself to educate children why this behaviour is unhealthy and the effects that bullying creates.
12. To prevent children entering into unhealthy life choices and behaviours.
13. To teach and deter children from the current issues within our society, such as domestic abuse, youth violence, unemployment, radicalization and more.
14. To comply with the Independent School Standards 2015.

### **3.1. Other key policies related to behaviour**

- Safeguarding
- Anti-bullying
- Equal Opportunities
- Health and Safety
- Complaints policy
- Exclusion Policy

### **3.2. Review**

This policy is subject to annual review yearly. This policy has been reviewed within the first term to reflect the changes within Merrywood House.

## > 4. Head Teacher Responsibilities and the Legislative Framework

The Head teacher at Merrywood House has set out measures in this policy, taking into account the principles, values and objectives identified above and act within the legislative framework. The Head has developed a therapeutic model to support the education and reflection of the behaviour of our children. Our children have a role in creating rules and values within their everyday schooling environment, this supports children taking responsibility for their own behaviours and the effects this may have on others. We teach children to understand Merrywood democracy and how this plays a role in the safety, security and equality of our school family.

The Head will also consider measures and strategies to manage the following:

1. Children's behaviour, attitude and conduct outside of school, e.g. transport and educational visits.
2. The power to instruct the use of safe handling of children.
3. When to work with other local agencies to assess the needs of children who display continuous behaviours that mean that the child and other children are not able to access the full educational and therapeutic curriculum.
4. Effective safeguarding policy and procedures
5. Create and implement an anti-bullying policy
6. Share our positive behaviour management with parents, professionals and the wider society.
7. Support and care for staff and children and ensure that the wellbeing of both is of equal importance.
8. Have procedures in place to manage, monitor and evidence children's behaviour to safeguard staff and children.
9. Provide clear guidance to all staff with regards their responsibilities to manage children positively and are given strategies that de-escalate children's aggressive behaviours and promote the use of early intervention when children are likely to show behaviours that could harm self or others.

The legislative frameworks that Head teachers are required to consider are:

[http://www.legislation.gov.uk/ukpga/2006/40/pdfs/ukpga\\_20060040\\_en.pdf](http://www.legislation.gov.uk/ukpga/2006/40/pdfs/ukpga_20060040_en.pdf)

**The Education Act 2002, Section 175**

**The Education (Independent School Standards) Regulations 2015**

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/800615/Independent\\_School\\_Standards- Guidance\\_070519.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/800615/Independent_School_Standards-_Guidance_070519.pdf)

**EU Convention on the Rights of the Child 1989**

<https://www.unicef.org.uk/what-we-do/un-convention-child-rights/>

**Equality Act 2010**

<https://www.gov.uk/guidance/equality-act-2010-guidance>

**The Human Rights Act (1998)**

<https://www.gov.uk/government/publications/rights-of-way-advice-note-19-human-rights-act-1998>

**Guidance on the Use of Restrictive Physical Interventions for Staff Working with Children and Adults who Display Extreme Behaviour in Association with Learning Disability and/or Autistic Spectrum Disorders (July 2002)**

<https://www.gov.uk/government/publications/reducing-the-need-for-restraint-and-restrictive-intervention>

**OFSTED Summary Report – Managing Challenging Behaviour (2005)**

<https://www.gov.uk/government/publications/supporting-children-with-challenging-behaviour>

**DfES Use of reasonable force - Advice for Head teachers, staff and governing bodies (July 2013)**

<https://www.gov.uk/government/publications/use-of-reasonable-force-in-schools>

**DfE Behaviour and discipline in schools - Advice for head teachers and school staff (2016)**

<https://www.gov.uk/government/publications/behaviour-and-discipline-in-schools>

**We have also used these factors to support our positive behaviour policy:**

[https://drive.google.com/file/d/1avqBf5RDKK2thGDW1\\_pFpybWnQ1KwPzv/view?usp=sharing](https://drive.google.com/file/d/1avqBf5RDKK2thGDW1_pFpybWnQ1KwPzv/view?usp=sharing)

## > 5. Creating a Positive and Structured Environment

The fundamental practice at Merrywood House is to provide a safe, secure and equal environment that enables children to access an outstanding provision. Our expectations are high, and children are expected to reach their full potential in all areas of their development; academic, physical, emotional, spiritual, moral, social and independence. In order to create an environment in which children feel safe and secure, our framework is based on nurture, attachment, care and support balanced with clear school guidelines that children can understand and a focus on the need for self-discipline, both as a child and an adult.

Our democratic Merrywood objectives aim to promote politeness, courtesy and respect between all members of the Merrywood community, adults and children alike. Merrywood takes into consideration individual children's needs and our positive attitude towards behaviour means our strategies are used to offer consistency throughout the school, but we recognize that some children will be at different stages of intellectual, physical, social, emotional and moral development. We will therefore use reflective conversations, education to discuss the effects and consequences of negative behaviours to both self and others and build on the child's emotional and social regulation. We use behavioural education and a therapeutic environment to meet the individual needs of our children. This reflects the whole ethos of the school in treating children as individuals and tailoring our work to meet individual needs through Individual Education/Behaviour Plans.

The main emphasis at Merrywood House is not on making and enforcing rules but rather on creating an ethos of respect and consideration for others and an environment where people help and support each other. Where rules are in place, they are designed to promote a positive teaching and learning environment; to ensure health, happiness and safety of the children, or are related to consideration for themselves and others.

Staff will intervene and apply reflective consequences in circumstances where a young person's behaviour is likely to cause disruptions to a positive teaching and learning environment, the health and safety of the children and adults, or show lack of consideration for others and impact on their learning. Where staff intervene, they will use methods in line with our reflective practice, children will be given time to reflect on why staff have intervened and have time to regulate themselves. We use reflection as a way of learning, building empathy, self-identification and a tool for independent behavioural regulation.

At Merrywood House we aim to enable our children to reintegrate into mainstream activities and where able mainstream school settings. Our Positive Behaviour and Guidance Policy promotes the desire of all of our children to firstly, stabilize their own behaviour within a safe setting, enable children to explore any emotional distress from previous events and secondly build up their self-identity, self-discipline, self-worth and self-esteem, which will bring a sense of pride and belonging within our Merrywood community and beyond.

At Merrywood we recognize that many children display disruptive behaviour and trauma symptoms due to anxieties, barriers and low attainment levels. We train our teachers to recognize these behaviours and symptoms and to find alternative ways in which to build our children's learning confidence. Well planned teaching and an in-depth assessment of the child's capabilities should alleviate some of these behaviours that can have detrimental effects on self and others. Where this situation starts to affect the whole class, individual learning maybe be used at times to build the child's educational confidence. Our strategies have been developed by having a sound understanding of how children react after being excluded from mainstream settings and having very low confidence levels in the classroom. Merrywood's holistic approach to learning, recognizes the need to build the child's emotional, social and mental health development at the same speed as their academia.

## > 6. Relationships

Attachment is the biggest part of our social modelling and the relationships formed at Merrywood House start with a well-rounded staff team, who feel valued, supported and able to progress. We see the wellbeing of our team as the fundamental core of the success on creating healthy attachments between children and adults. The role of our senior leaders is to ensure that each and every staff member is given appropriate supervision, a place to share escalated events that may occur and to offer ways in which to empower & unite the team.

Many of our children at Merrywood struggle with forming healthy attachments with key adults, time is given for the child to trust the adults around them and start to engage with their therapeutic interventions. Where a child is refusing intervention, the professional will not “give up” on the child, but gently encourage a consist offering to join in. Understanding attachment helps our team to provide empathetic, reflective and professional responses.

Play is a vital part of our therapeutic curriculum both inside and outside play and we have an equal emphasis on children building bonds with peers as well as adults. Our goal at Merrywood is to support children through independent activities to build the skills required to enter into mainstream society as they grow older. The skills gathered as a young child are crucial in setting their foundations for adult life.

Children (especially those who have experienced trauma and/or have SEMH needs) will test and challenge boundaries, therefore adults responsible for them require the ability to sensitively, firmly and confidently manage the relationship. Empathy, trust and consistency are all important in building relationships and influencing children in making appropriate choices about their life and development.

Equally important is the expectations adults have of children, which should be regularly explained and reinforced, in relation to their behaviour, learning, personal and social development. This however should have a baseline at the start of a child's placement. Merrywood will assess the child's behaviour before entry into the school, this will ensure that all staff can recognize when a child has improved their behaviour, even if this is not obvious to the eye. Target setting will be used to facilitate positive engagement.

## > 7. Educating children how to manage and regulate their emotions

Children with social, emotional and mental health needs are statistically more likely to exhibit behaviours which challenge those around them and the settings which educate and care for them. Children who have experienced trauma often present with symptoms that can be difficult and emotional to deal with. Our team are trained to deliver a trauma informed service that understands the why and focuses on the root cause not the external behaviours. One of the reasons for this is that these children generally experience much greater difficulty in expressing their feelings, needs and choices. Merrywood has developed an educational framework that incorporates the following aspects to increase inclusion and growth:

1. Teaching the children within a home like environment, that uses its surroundings to offer alternative ways to educate children, such as our outdoor learning, calming classrooms, family like eating areas, community focused celebrations and therapy animals.
2. Developing staffs understanding of trauma, attachment and behaviours of our children in order to offer a reflective and emphatic approach within school.
3. Teaching and learning that is set to the children's abilities and needs.
4. Identifying gaps in the learning of our children and setting realistic and reachable goals.
5. Giving children the opportunity to make meaningful choices.
6. Exploring negative behaviours through reflective methods such as thinking time, space for independent emotional regulation, a non-conflicted teaching method, recognising behaviours as a sensory need and giving the child the opportunity to strategise this.
7. Teaching how to identify, regulate and manage behaviours through the Zones of Regulation.
8. Careful attention to physical and emotional needs and offering a therapeutic environment daily.
9. Experiences and activities which are appropriately stimulating.
10. Consistent and careful management of the environment, including the setting conditions and triggers for behaviours.
11. Warm and caring relationships with adults that can influence and impact.
12. Structure, predictability and consistency in daily routines.
13. Clear and explicit boundaries and rules within the learning environment.
14. Discussions about life experiences, societal matters and the world.
15. Clear warnings to children that their behaviours have an effect on self and others.
16. Explanations which are always communicated in ways that individual children understand.

## > 8. Pastoral Support

Merrywood House has been developed to create a home like feel within all of its learning environments. We recognise that this creates a stable environment for our children to access their learning and offer a sound pastoral care package that provides support for children to achieve academically, socially and personally. Our team consists of Teachers, SENCO, Psychologists, Therapists, Speech and Language Therapists, Occupational Therapists and Sports experts. Our attachment model is based on children becoming familiar and building trust with every member of staff at Merrywood to support the child's ability to independently regulate, learn and socialise.

Where identified, individual support is provided consistently by the Pastoral team. The staff team will meet to consider and incorporate all professional views from within the school, before revising targets and actions. All behaviours are recorded, monitored and reviewed on our CPOMS system to analyse, improve, identify any factors which may cause escalation or identify children's needs.

The school considers whether the behaviour under review gives cause to suspect that a child is suffering, or is likely to suffer, significant harm. Where this may be the case, the school staff should follow the schools' safeguarding policy. They should also consider whether continuing disruptive behaviours might be the result of unmet educational or emotional needs. At this point, the school will consider whether a multi-agency assessment is necessary.

## > 9. The use of positive handling at Merrywood House School (care and control)

Many of the children at Merrywood house display a variety of challenging behaviours which result in a range of strategies, including the need to positively handle the child away from risk to self and others. Preventative strategies are the first and foremost methods used to keep a safe environment for all and to ensure that children are not experiencing any further heightened emotions within the school. Staff are trained to adopt different methods of de-escalation via appropriate training and the promotion of positive relationships throughout the school. By doing this we wish to create an environment whereby all parties are kept safe but that also encourages children to be involved in the process of being reflective about their behaviours. We also believe our model and principles at play throughout the school day will go a long way to de-escalate and prevent many behaviours which may lead to physical intervention. However, this may happen on occasion and thus provisions for doing so safely are integral. Therefore, we have specific members of staff at Merrywood who are qualified to safely handle children.

The use of positive handling must take account of the child's own best interests, sensitivities and sensibilities; his/her own likely perceptions of situations, his/her emotional state and levels of understanding. Positive handling, including withdrawal, should never be used as a punishment and must only be used in line with agreed criteria and procedures. All decisions to use our positive handling strategies must be proportionate and necessary.

"Physical intervention" is defined, in accordance with Section 93 of the Education and Inspection Act 2006 as, the application by an authorised member of staff to use reasonable force in relation to a pupil for the purpose of preventing him/her from doing any of the following:

- Committing an offence;
- Causing personal injury to themselves or others, or the likelihood of such an occurrence;
- Significant damage to property, or the likelihood of such an occurrence;
- Engaging in any behaviour prejudicial to the maintenance of the good order of the school environment which, if unaddressed, may incite, anger or disrupt their peers.

Positive handling involves a proportionate degree of force where a child is showing an increased level of risk to themselves or others. At Merrywood House the use of positive handling is always used as a last resort where other means of de-escalation are unsuccessful and where the degree of risk has been appropriately assessed. The use of positive handling as a strategy in the event of a situation that involves elevated risk will always be determined in reference to:

- The seriousness of the incident
- The relative risks arising from using a physical intervention compared to an alternative strategy.
- The age, needs, culture, background, gender, stature and medical history of the child.
- The application of increasing or decreasing force in response to the child's behaviour.

All of the above would be considered through Risk Assessment and Behaviour Planning, and subject to regular review and monitoring.

“Withdrawal” involves removing a young person from a situation which causes anxiety or distress to a location where they can be continuously observed and supported until they are ready to return to their usual activities.

“Positive Handling” or “Restrictive Physical Intervention” involves the positive application of force in order to overpowering the child. The school interprets this to be, the positive application of force to prevent a child from acting in a particular way against their will or to make them do something they do not wish to do.

The school recognises that the use of force is only lawful if the circumstances of the particular incident warrant it i.e. that it is both necessary and in the best interest of the child. Further, it recognises that the degree of force used must be in proportion to the circumstances of the incident and the seriousness of the behaviour or the consequences it is intended to prevent. Any force used should always be reasonable and the minimum needed to achieve the desired result.

Clearly, it is important that when staff are dealing with potentially dangerous situations involving especially difficult children, dynamic risk assessments will be undertaken to ensure their own safety and that of all the pupils for whom they are responsible.

Only those members of staff who have been trained in the use of agreed techniques, i.e. “Positive Handling Training”, should, in the main, carry out the positive handling of children, but the school acknowledges that everyone has a right to feel safe and as a result, in emergency situations, individuals who have not received the appropriate training may use reasonable responses to protect themselves and others from harm. The school ensures that it has access to qualified trainers and that regular training sessions are provided with the support of other qualified trainers. In addition, any technique used should be in line with information contained in the child’s Positive Handling Plan. The school will ensure that staff members are trained in Level 3 safe handling.

Before using physical interventions, the following key points should be considered in relation to any given situation:

1. It is essential that the use of positive handling is seen as a last resort.
2. Every effort must be made to look for effective ways of working with children that do not involve using this strategy. Children’s Positive Handling Plans should set out clear strategies which should be followed.
3. The circumstances in which the use of force is appropriate can include those where it is imperative that a child complies with instructions - for example, to stop hitting another child or staff member or causing harm to themselves.

In the overwhelming majority of cases, staff should first give children a warning, a clear direction and the opportunity to comply. The issue is not about whether staff can ever enforce compliance but rather in which circumstances it would be reasonable to do so. It is not acceptable or justifiable to use force to obtain compliance because other strategies will not work, or the issue is not serious enough to warrant it.

Whilst the use of positive handling is generally deemed to be the last resort there are circumstances where this will not apply. Records of incidents involving particular children will sometimes show that there are set patterns to their behaviours which, if unchecked, will lead to it becoming dangerous or exceptionally disruptive. In these circumstances, it could be reasonable to exercise a mild degree of positive handling at a relatively early stage. To ensure that this early intervention is only ever used when justified, records of incidents are regularly reviewed and used to inform the management strategies of the children concerned. Such use of force may include staff physically preventing a young child from running out onto a busy road.

All incidents of positive handling are recorded and monitored rigorously. The school keeps detailed, written reports of all interventions where any form of restrictive positive handling is used. Where incidents occur that result in a child having a restrictive hold being applied, the child will be seen by a member of the leadership team, a detailed report is submitted by key members of staff involved in the incident and the parents/carers are informed of the incident on the same day or at the earliest possible time following. Thereafter, a post incident review is undertaken to support the child, the staff involved, rebuild relationships and ensure that lessons are learnt from the incident.

It should also be noted that it is accepted that sometimes an incident can escalate to a high level very rapidly and with little or no warning. In these instances, staff may have to take emergency action whilst trying to use positive handling methods to intervene safely. Although all techniques used seek to avoid injury to the child, there is some potential for possible bruising or scratching to occur accidentally. These are not to be seen necessarily as a failure of professional techniques, but a regrettable and infrequent side effect of ensuring that the child remains safe. Such marks will be recorded on a Body Map, reported to parents/carers and discussed in the post-incident review.

## > 10. Reflective Behaviour Management

Reflective behaviour management creates an environment in which positive and reflective approaches improve children's understanding of behaviour. Our approach focuses on developing positive relationships and helping to build children's self-esteem, sense of belonging and ability to self-regulate.

### 10.1 Celebrating Success

At Merrywood, we celebrate all success and use this as a tool to increase children's wellbeing and ability to have meaningful relationships with others, whilst promoting self-growth.

We do this through:

- Personal praise and reflective conversations to identify change and progress
- Sharing an individual's success in staff briefings
- Celebrating success in school assemblies
- Displaying children's work – classroom, school displays, newsletters, exhibitions, parents/community coffee mornings, and so on
- Informing parents and carers of an individual's success, through our home communication logs and phone calls home
- Celebrating individual achievement of learning and behavioural targets

### 10.2 Unacceptable Behaviours

Unacceptable behaviours include:

- Physical assaults
- Verbal abuse
- Play fighting
- Bullying and intimidation
- Discrimination and prejudice towards age, ability, gender and gender identity, race, sexual orientation or religion
- Smoking is NOT permitted and will be treated as a serious breach of the school code of conduct.
- Alcohol and the use of prohibited drugs will also be treated as a serious breach of the school's code of conduct.
- The intentional disruption of lessons will not be tolerated. All children are entitled to learn in their lessons; children preventing learning will face consequences.
- The use of mobile phones is prohibited in school, all phones should be kept at home or handed in to school staff in the morning

### 10.3 Consequences

The age, needs, and abilities of the child should be considered when applying sanctions. Staff must act reasonably, fairly, consistently and proportionately when administering a sanction. Staff should also evaluate the risks or special circumstances when administering a sanction.

The school has a number of methods to support children to learn and to become reflective about behaviours, both positive and negative. We highlight and educate children that any behaviours that cause harm, distress or effects to others is wrong and has consequences. Our methods include:

- Reflection time in the head teacher's office.
- Identifying what zones children are in and why.
- Identifying when a child is ready to return to lessons or sessions.
- Having conversations with staff members about the situation/incident and developing that into a social story (for reoccurring behaviours).
- 1:1 learning to increase children's ability to refocus and to self-regulate.
- Saying sorry and understanding why they are sorry.
- Raising empathy between children and staff through restorative justice.
- Recognising when a child requires an exit card and needs to leave the room.
- Recognising the need for children to have structured sensory breaks to reduce sensory overloads.
- Using a risk net approach with staff, meaning risks are identified a lot quicker and therefore incidents tend to de-escalate a lot quicker.
- Using signage to increase children's communication and regulation.
- Partnership working with parents to understand the deeper cause of persistent negative behaviours and are then able to find a therapeutic way of supporting the child.

## **10.4 Offsite Bans**

Children may not be able to attend offsite visits because of:

- Persistent absconding
- Inappropriate behaviour in school vehicles (Refusal to wear seat belts etc.)
- Fighting
- Leaving the building without permission
- Missing four or more entire lessons over the course of the day
- Racist/homophobic comments depending on the intention
- Causing significant disruption to learn, such as running around school
- Spitting
- Biting
- Extreme behaviours

A risk assessment will take place to determine whether or not we feel it safe for a child to attend offsite visits. Where a child is deemed to be a high risk, targets will be put in place so that the child has a clear goal to reach in order to attend in the future.

## **10.5 Consideration of Exclusions**

### **Fixed Term Exclusions**

At Merrywood House, we know the detrimental impact of exclusions for children who have already experienced multiple exclusions in their lives. Therefore, we view exclusions as an absolute last resort and not something we will often have to do. The school Head teacher or Assistant Head will only consider applying fixed term exclusions when all other interventions and support has been put in place to reduce such behaviours, but in the case of continuous breaches of the following unacceptable behaviours it would have to be considered:

1. Assaulting a member of staff or another child.
2. Damaging school property to the level where it will cost for it to be repaired (a bill will also be sent home to be paid).
3. Bullying, Racism, Sexism, Homophobic behaviour, Intimidation.
4. Persistent disruption of lessons over a long period of time.
5. Persistent health and safety issues e.g. unsafe travel in transport to and from school, unsafe behaviour off site during the school day.

## **10.6 Permanent Exclusions**

We will try to consult with parents, carers and local authority representatives before a permanent exclusion, however, this may not always be possible, depending on the level of risk or incident, please see below:

1. Violent physical assault on another individual that causes actual bodily harm.
2. Use of alcohol or prohibited drugs.
3. Knowingly bring weapons onto the school site.
4. Unable to meet the child's needs.

## **10.7 Considerations of police involvement**

The Senior Leadership Team only are permitted to sanction police involvement on the site of the school. Staff are entitled to consider police involvement but should inform and consult with the SLT before pursuing such action.

The school monitors sanctions for effectiveness of use and seeks children's comment through sanctions records. A record of all serious sanctions is kept on the schools behaviour tracking sheets

## **10.8 Support after exclusion or concerning behaviours**

An Individual Behaviour Plan is an agreement to monitor concerns after a period of exclusion or concerning behaviour. We initiate a meeting between school, child, and the child's parents/carers that sets targets and support for a child's behaviour. The school will identify any further needs of the child and outline the time frames in which to measure and monitor the child's progress.

Our aim is to take steps toward improvement so that it feels more "do-able" to the child. We emphasise that the parent, child, and school are all part of the Merrywood school family, and it takes us all to support the growth of the child. We use a number of ways to measure behaviour in school such as CPOMS, engagement levels of the child and we communicate with parents via our positive school- to-home communication book

The school will make every attempt to promote positive and reflective behaviour. The school hopes that by promoting positive and reflective behaviour all children will feel safe, secure and equal and able to access their learning.

## **10.9 Alternatives to exclusion**

Exclusion should not be used if there are possible alternative solutions available. Examples of alternatives to exclusion which the school may want to try including:

1. Using a restorative justice process and reflective teaching, which enables the child to redress the harm that has been done and enables all parties with a stake in the outcome to participate fully in the process. This has been used successfully to resolve situations that could otherwise lead to exclusion.
2. A managed move. If a school feels that it can no longer manage the behaviour of a particular child, the school may ask another school to take over his or her education. This should only be done with the full knowledge and co-operation of all parties involved, including the parents and the LEA, and in circumstances where it is in the best interests of the child concerned. Parents should never be pressured into removing their child from school under threat of a permanent exclusion, nor should children be deleted from the school roll to encourage them to find another school place. Section 9 of the Education (Pupil Registration) Regulations 1995 details the only lawful grounds for deleting a child's name from the school roll.

### **10.10 Expected Standards of everyone at Merrywood School**

Merrywood House has a clear code of conduct for its children, staff and visitors, we want to create a safe, secure and equal school in which everybody feels welcome and valued. Our standards enable a happy and peaceful schooling experience.

1. We are polite, respectful and use appropriate language at all times.
2. We cooperate and comply with each other's requests and instructions at all times.
3. Teachers are aware of children's social, emotional and mental health needs and children are aware of the need to act safely in school.
4. Children are expected to engage positively in all lessons, completing set work and requesting support appropriately.
5. Children are expected to follow the instructions set by staff at Merrywood.
6. We are all expected to cooperate and comply with Health and Safety requirements e.g. the wearing of protective clothing in Science, Art and DFT lessons.
7. We are all expected to cooperate and comply with the School dress code.
8. We are all expected to uphold the good reputation of the school both onsite and offsite.
9. We value human rights in our school and every single person is free from intimidation and threats or acts of aggression towards others.
10. We all cooperate and comply with the Equality and Diversity Act 2010, which stipulates that all members of the school community respect SEN, religious faith and beliefs, race/ethnicity, sexual orientation, gender and immigration status.

## > 11. Classroom expectations

Every child will be expected to follow the classroom expectations as set out below:

1. Pay attention and follow instructions.
2. Respect others, their space and their belongings.
3. Do your best.
4. Use positive language and remember – ‘please’, ‘thank-you’, and ‘excuse me’.
5. Safely use, don’t abuse, equipment and furniture.
6. Think before you act and try to reflect when you struggle with this.
7. Have a go attitude.

## > Appendices

### **Appendix 1. Positive Handling of children**

The school accepts that despite our philosophy, ethos and experience, children may on occasion be unable to responsibly control their own actions. All parties must agree that, for the child's own welfare, there is the need for Positive handling in some circumstances and set procedures; relating to this that must be followed. Presented below are the procedures adopted by our school, which include:

Stage 1. De-escalation and Avoidance tactics.

Stage 2. When positive handling may be required,

Stage 3. Agreed methods of positive handling.

Stage 4. Recording a positive handling incident.

Stage 5. Systems for further action.

#### **Stage 1. Avoidance Tactics.**

- The positive handling of a child is not desirable and should be avoided whenever possible. Aspects of effective de-escalation and avoidance tactics include:
- Staff recognising the signs displayed by individuals prior to a difficult situation occurring
- The use of extensive and varied de-escalation techniques, such as change of staff or environment and distraction
- The use of a variety of responses by staff in order to defuse a situation or reduce the risk of a situation escalating
- The use of the information gathered at the referral, the interview and at the home visit in the form of a Child Summary Report to ensure all staff are aware of each individual child's potential difficulties.

#### **Stage 2. When positive handling may be required.**

Positive handling will be used in the following circumstances and, normally, only when all other practical options have been exhausted. It is important that staff attempt all possible methods outlined in Stage 1 before proceeding to Stage 2.

Positive handling may be required when children are involved in: -

- Committing an offence;
- Causing personal injury to themselves or others, or the likelihood of such an occurrence;
- Significant damage to property, or the likelihood of such an occurrence;
- Engaging in any behaviour prejudicial to the maintenance of the good order of the school environment which, if unaddressed, may incite, anger or disrupt their peers.

### **Stage 3. Agreed Methods of Positive Handling.**

- The intensity and duration of a child's behaviour is deemed excessive, and/or
- There is a clear health and safety risk to staff and/or other children, and/or
- A criminal offence has been, or is likely to be, committed, the police may be called to deal with the incident.

#### **Option 1.**

Where possible do not actually physically hold the child. Try the following techniques:

- If the child is sitting then hold the arm of the chair and stand close to the child,
- Allow the child to stay in a corner of a room in his/her own space, or
- In a withdrawal room, put yourself between the child and the exit.

#### **Option 2.**

To be used in conjunction with option 1 but to be moved on to if staff feel it is necessary to hold the child. This should initially only be a minimum token of positive handling, for example gently guiding a child using 'friendly hold' or 'Caring Cs'. From this point as soon as possible revert to option 1.

#### **Option 3.**

From this point the situation must be fully recorded on a PIF form at the appropriate level. Care needs to be taken to ensure the child does not kick or head butt. The approaches learned from Level 3 safe handling course must be followed at all times.

#### **Negotiation.**

During any of these options staff should continually talk to the child, explaining what is happening and why, while always providing an option of a way out of the situation. If a child is unwilling to negotiate with a member of staff, then a different member of staff should negotiate with the child. Replacement staff should also take over if/when the presence of an individual member of staff is thought inflammatory.

Children will return to programmes as soon as they are judged fit to do so by their key worker or teacher. This decision will be made as part of a process of negotiation and will relate to the child's verbal and non-verbal responses. An appropriate return to programme will be agreed.

Stage 4. All positive handling situations will be recorded, as appropriate, on a Positive Handling Incident form and on the Positive Handling log.

## **The monitoring of Positive Handling**

All positive handling at any level are recorded in the Positive handling Log, and the dates by which they are completed by those staff involved in the positive handling. The positive handling Log is available to the Senior Leadership Team at any time, who review it on a daily basis.

The information recorded in the log allows incidents relating to specific child to be tracked. This data can then be used to review approaches to the management of particular child's behaviour and new Positive Handling Plans to be developed.

The positive handling log is stored on the school's CPOMS.

It is the responsibility of the Head teacher to review all records and to raise any issues with the appropriate person i.e.

Child

Member of staff Safeguarding Officer Parent/carer

CEO for the school

The Head teacher may decide to raise such issues with:

Local Authority representatives

Social Care representatives

Any other agency involved

## **Appendix 2. Recording a positive handling situation**

Merrywood House School accepts the definition of restrictive physical intervention as "the positive application of force with the intention of overpowering the client." (DOH "Permissible Forms of Control" 4/93...Section 5.2). The school will record all incidents where force is used to control the pupil. There are, however, occasions where it is necessary to use physical interventions that do not require the "overpowering" of the pupil e.g. in incidents that use prompts and guides. These incidents will not routinely be recorded unless there is a cause for concern.

## **Appendix 3. Completing the PHF**

Staff are responsible for informing the head teacher or other SLT of any incident they are involved with. The SLT will agree from the list of staff involved with the intervention which person will be responsible for completing the appropriate sections of the form. The child will be interviewed by a member of the SLT and the parent/carer will be informed of the incident. The member of the SLT who interviewed the child will read the submitted report within 24 hours to determine if there is a safeguarding concern.

Note: All sections of the form must be completed.

If the senior manager is dissatisfied with the completion of the form the member of staff involved will be asked to discuss the matter and ensure all aspects of the form are completed appropriately.

## **Prompt sheet for Child Post-incident Review and Reflection**

To maximise the support given to the child, the post-incident review should take place before the member of the Senior Leadership Team responsible for evaluating the incident receives the staff report.

1. Ask the child for their version of events
2. Ask whether the child has sustained any actual/potential injuries - body map and injuries to be recorded in pupil accident book.
3. Discuss any triggers and attempt to get the child to reflect on how the incident could have been avoided
4. Ask the child if they could have done anything differently to prevent the positive handling.
5. Does the child think that the staff responses were reasonable and proportionate to the behaviours being displayed? If not, record their reasons
6. Does the child wish to make a complaint about how the incident was managed? If yes, the intervention is to be recorded at level 2.
7. Make a judgement whether a staff-child relationship is damaged and make plans to repair this relationship
8. Explain to child that this review will be shared with members of staff involved in the incident
9. Agreed follow-up actions

## **Prompt sheet for Staff Post-incident Review and Reflection**

This post-incident review is to take place by the member of the Senior Leadership Team responsible for evaluating the incident after the child Post-incident Review and Reflection.

Clarify any points for discussion from the incident report. For example;

1. Was a two-person response used? If not, why?
2. Get staff to discuss the trigger and how this was identified and managed.
3. Was the child managed in-line with their PHP?
4. Were graded and gradual responses used?
5. Was the intervention necessary, reasonable and in the best interest of the child?
6. Did the member of staff receive any injuries? (Has it been recorded in the accident book?)
7. Reflection of the incident
8. How the incident could be managed differently
9. Share the child's view with the member of staff.
10. Implications for the child's PHP?
11. Agreed follow-up actions

#### **Appendix 4. Using the Positive Handling Plan Guidelines**

1. An assessment of information gathered from the child's referral, the school-based interview and home visit which indicates that there is a risk of physical intervention being required,
2. Following a series of physical interventions which are concentrated over a relatively short period of time.
3. Following any serious incident
4. PHPs to be reviewed half-termly.
5. Children to be consulted when drawing up and reviewing PHPs.
6. A register of child's with PHPs and copies of current PHPs and to be kept centrally.
7. Copies of PHPs to be kept by appropriate staff and in child's files.
8. All staff to be aware of contents of PHPs for health and safety purposes.

#### **Appendix 5. Public liability/employers' liability: all employees**

In brief the public liability/employer's liability policy indemnifies all employees against claims from third parties or fellow employees. As long as each employee is working within the scope of their duties, they cannot be personally responsible for any action of negligence.

The key wording in this is 'working within the scope of their duties'. Therefore, if those persons trained in the Management of Aggressive Behaviour are now deemed qualified by a nationally accredited organisation to train others, in this case level 3 safe handling and this is a requirement of their normal duties, an indemnity will be provided in the event of a claim.

## **Appendix 6. COVID 19 – additions to Merrywood House Positive Behaviour Policy**

The principles as set out in Merrywood House Independent Special School Positive Behaviour Policy remain and should continue to be followed. This addendum should not be used as a stand-alone document and should be read in conjunction with the existing policy. It sets out the expectations of Merrywood in light of the COVID-19 pandemic and the need for children to behave differently. It describes the new systems in place and how pupils will be supported to adhere to them.

This addendum follows the advice and guidelines provided by the DFE.

- following any altered routines for arrival or departure
- following school instructions on hygiene, such as hand washing and sanitising
- following instructions on who pupils can socialise with at school
- moving around the school as per specific instructions (for example, one-way systems, out of bounds areas, queuing)
- expectations about sneezing, coughing, tissues and disposal ('catch it, bin it, kill it') and avoiding touching your mouth, nose and eyes with hands
- tell an adult if you are experiencing symptoms of coronavirus
- rules about sharing any equipment or other items including drinking bottles
- amended expectations about breaks or play times, including where pupils may or may not play
- use of toilets
- clear rules about coughing or spitting at or towards any other person
- clear rules for pupils at home about conduct in relation to remote education

All pupils will be supported in the following ways:

- Throughout the school there are signs/posters/visual prompts to remind pupils and staff of the new safety measures in place that should be followed.
- All adults will explain new routines sensitively and help pupils to feel safe and reassured by the rules in place.
- The new routines and expectations will be explained and repeated by the pupils' teacher every day and throughout the day. This will reassure all pupils and particularly the most anxious.
- All adults will explain hygiene rules sensitively every day and provide reminders throughout the day.
- Whilst new expectations are established, we will focus on routines, safety and well-being rather than academic challenge.
- An age appropriate strategy for pupils to share their concerns e.g. a worry hero, will be available in every group so that pupils' concerns can be heard and responded to every day.
- School staff will pay particular regard to families and pupils who are classified as clinically vulnerable so that appropriate additional support is put in place to reduce anxiety as appropriate to the circumstance.
- For pupils who are not managing for any reason to follow our school expectations we will follow the process outlined in our original behaviour policy.
- If, despite all appropriate support and guidance, a pupil repeatedly breaks our current safety rules, the headteacher may, as a last resort, consider alternative arrangements or exclude a pupil either for a fixed period or permanently.

Support for pupils who have additional or special educational needs:

- Pupils will have their individual support plan/proactive behaviour plan /risk assessment reviewed in light of the new circumstances.
- If there are concerns that appropriate support is not possible during this period, despite our best endeavours, a meeting will be held with parents (and relevant external professionals) to discuss next steps and what additional adaptations may be possible to ensure the pupil can manage his/her behaviour safely.

## Positive Touch and Physical Intervention

There may be times when a pupil's behaviour requires staff to use physical intervention to ensure the pupils' own safety, the safety of other pupils and staff, or that property is not seriously damaged.

Merrywood School will be guided by the following principles in these circumstances:

- Given the current pandemic, staff will also need to consider the possible risk of infection if they physically intervene, contrasted with the possible risks of infection should they not intervene.
- Any decisions made should be in accordance with Public Health and Government guidelines on COVID-19.
- Advice remains firmly focused on restraint reduction. The emphasis is on de-escalation, reducing triggers, and early interventions to manage risk.
- When deciding to use restrictive interventions, any such restriction must be a last resort, reasonable, and proportionate action.
- Staff need to ensure their decisions consider the risks of doing something contrasted with the risks of doing nothing.
- Schools should continue to explore non-restrictive alternatives that maximise safety and minimise harm at the point of risk behaviour.
- At the heart of all decisions is our desire to maintain the Care, Welfare, Safety and Security of everyone, staff as well as pupils.

**Date:** May 2020

**Date of review:** May 2021



The Old Pheasantry, Merrywood Grove, Tadworth KT20 7HF

01737 336352

[admissions@merrywood.org.uk](mailto:admissions@merrywood.org.uk)

[merrywood.org.uk](http://merrywood.org.uk)