A Review of 'Attendance and Behaviour' Reports and Guidance Issued by Government and Government Agencies in the British Isles

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<td>Additional support needs</td>
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<td>B&amp;A</td>
<td>Behaviour and attendance</td>
</tr>
<tr>
<td>BESD</td>
<td>Behaviour emotional and social difficulties</td>
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<tr>
<td>BEST</td>
<td>Behaviour Education Support Team</td>
</tr>
<tr>
<td>BI</td>
<td>British Isles</td>
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<tr>
<td>BIP</td>
<td>Behaviour Improvement Programme</td>
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<tr>
<td>BSS/T</td>
<td>Behaviour support service/team</td>
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<tr>
<td>CI</td>
<td>Chief Inspector (of schools in Northern Ireland)</td>
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<tr>
<td>CPD</td>
<td>Continuing professional development</td>
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<tr>
<td>CSP</td>
<td>Co-ordinated Support Plan (Scotland)</td>
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<tr>
<td>DCFS</td>
<td>Department of Children and Family Services (replaced DfES, 2007 in England)</td>
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<tr>
<td>DES</td>
<td>Department of Education and Science (Republic of Ireland)</td>
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<td>DoE</td>
<td>Department of Education (Northern Ireland)</td>
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<td>DFE</td>
<td>Department for Education (England)</td>
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<td>DFEE</td>
<td>Department for Education and Employment (England)</td>
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<td>DfES</td>
<td>Department for Education and Skills (England)</td>
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<td>EBD</td>
<td>Emotional and behavioural difficulties</td>
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<td>ECM</td>
<td>'Every Child Matters' (strategy based on English Green Paper, 2003)</td>
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<tr>
<td>EIC</td>
<td>'Excellence in Cities' (English programme for disadvantaged areas)</td>
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<tr>
<td>ELB</td>
<td>Education and Library Boards (Northern Irish local authorities)</td>
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<tr>
<td>EP</td>
<td>Educational psychologist</td>
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<tr>
<td>Estyn</td>
<td>Schools Inspectorate for Wales</td>
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<td>ETI</td>
<td>Education and Training Inspectorate (Northern Ireland)</td>
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<tr>
<td>EWO/S</td>
<td>Education welfare officer/service</td>
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<tr>
<td>HM (C)I</td>
<td>Her Majesty's (Chief) Inspector (England)</td>
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<tr>
<td>KS</td>
<td>Key Stage</td>
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<td>LA</td>
<td>Local authority (LEAs now replaced with Children's Departments)</td>
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<td>LBP</td>
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<tr>
<td>LEA</td>
<td>Local education authority</td>
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<tr>
<td>LSU</td>
<td>Learning Support Unit (English on-site behaviour unit akin to Scottish Pupil Support Base or Irish Republic's Behaviour Support Classroom)</td>
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<td>NBSS</td>
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<td>NIO</td>
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<td>NPSLBA</td>
<td>National Programme for School Leadership in Behaviour and Attendance [part of English National Strategy]</td>
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<tr>
<td>OFM</td>
<td>Office of First Minister (Northern Ireland)</td>
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<td>Ofsted</td>
<td>Office for Standards in Education (England)</td>
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<td>PSE</td>
<td>Personal and social education</td>
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<td>SEBD</td>
<td>Social, emotional and behavioural difficulties</td>
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<td>SEAL</td>
<td>Social and emotional aspects of learning</td>
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<tr>
<td>SEED</td>
<td>Scottish Executive Education Department</td>
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<tr>
<td>SEN</td>
<td>Special educational needs</td>
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<tr>
<td>TA</td>
<td>Teaching assistant</td>
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<td>WAG</td>
<td>Welsh Assembly Government</td>
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Section A: Introduction

A1: Remit. This report:

1. outlines and comments on recent reports, guidance and legislation published by DfES, Scottish Executive Education Department [SEED], Northern Ireland Office [NIO] and Republic of Ireland relating to 'Attendance and Behaviour' (Section B).

2. outlines and comments on initiatives taken by National Strategies and Curriculum Authorities in these countries as they relate to Attendance and Behaviour (Section C).

3. draws together information from 'overview reports' by the respective inspectorates (Section D).

4. synthesises the key points from initiatives described and discussed in Sections A, B and C (Section E).

5. contrasts similarities and differences with practices in Wales (Section F).

6. suggests areas where 'very little research has been undertaken or new research is needed' (Section G).

A wide range of material is outlined but most detailed coverage is given to arguably the most important documents, including the Scottish 'Better Learning Better Behaviour' (SEED, 2001) and 'Engaged and Involved' (SEED, 2006); the English National Strategy advice (DfES, 2003), the Steer Report (DfES, 2005a) and DfES (2007) 'School Discipline and Pupil Behaviour Policies'; and for the Irish Republic, the substantial Martin Report (DES, 2006). Detailed extracts are included to indicate the range of content, the issues seen as important and to repeat key messages on good practice, often drawn from research. The chief source used for depicting the situation in Wales is the National Behaviour and Attendance Review draft report (NBAR, 2007).

NBAR (2007) and SEED (2006) both see progress in behaviour and attendance issues as linked inextricably with developing police and practice that engages and
involves a greater proportion of 'hard-to-reach' children. The focus of this review is therefore primarily on engagement and involvement rather than on material that compares the similarities and differences in technical definitions and processes surrounding the application of government laws and guidance on say, unauthorised absence or permanent exclusions.

More than the ten contracted days were devoted to compiling this report. The writer notes that acute time constraints have resulted in a review of perhaps excessive length and, possibly, an over-use of quite lengthy extracts from sources.

**A2: Scope and definitions.** For simplicity, the term 'children' is used to represent 'children and young people'.

Taking a lead from the interim report of the Steering Group of the Welsh National Review of Behaviour and Attendance (NBAR, 2007), this report covers material relevant to

- reducing low level misbehaviour by a sometimes substantial minority of children in all educational settings;
- children showing (usually) chronic problematic behaviour and often at risk of exclusion from school;
- 'troubled children' (mental health difficulties often overlap with/ contribute in a major way to children's both internalised and externalised challenging behaviours';
- children educated outside mainstream schooling often displaying chronic and complex 'problematic behaviour' ( this grouping to include children attending special schools, Pupil Referral Units and other alternative provision-sometimes in Further Education colleges).

The difficulties of appropriate terminology are sketched in Appendix 1. The term 'Challenging behaviour' (favoured by Ofsted, 2005a) is frequently used in this report to cover terms such as 'disruptive behaviour', 'EBD', the term preferred in Scotland, Ireland and by many professionals in England 'SEBD', and the recently imposed term 'BESD'. NBAR (2007, p.20) opts for 'problematic behaviour'. The terms 'additional needs' or 'additional support for learning' and 'special needs' or 'special educational needs' [SEN] are all used and are believed to have essentially the same meaning. 'Challenging behaviour' is, of course, a major component of 'SEN'.

Appendix 1 also sketches the issue of the frequency of occurrence of challenging behaviour and SEBD in schools.
A3: The continuum of provision for children showing challenging behaviour

Children with challenging behaviour attend a range of placements along a continuum from mainstream classes and units through to day and residential special schools, PRUs and programmes in FE colleges. Ofsted (1999a, para.17) saw it as a major concern that pupils with similar characteristics 'can be found across the country in different types of educational provision ...with greatly differing access to support and other services'. LEAs can lack a range of options (Cole, Daniels and Visser, 1999). Little research since suggests any significant change in this situation. Evidence points to the need to maintain the continuum and expand it in some local authorities to better match provision to pupil need (new English government guidance relating to this is imminent). Misuse of PRUs for long-term placements concerns Ofsted (2006).

Section B: DfES, SEED, NIO and Ireland Reports, Laws and Guidance

B1: England

The Elton Report (DES, 1989) was an important and influential researched-based document, whose messages are as relevant today as in 1989, with many of its messages repeated in the Steer Report (DfES,2005a) and follow up (DfES,2006). The report was commissioned by the government in response to press stories and union surveys, which depicted a crisis of pupil violence and bad behaviour in schools. The committee’s report concluded that press reports had been exaggerated: violent behaviour was relatively rare in schools, but that there was a significant problem of persistent indiscipline of a mild but educationally disruptive nature. Key problems identified by teachers were children who: talked out of turn ['TOOTs']; avoided classwork; hindered other pupils in their work ; were not punctual; made unnecessary non-verbal noises.

The report stressed that these problems were commonly the product of environmental influences within the schools and that solutions would most readily be sought in:

- improved school effectiveness (development of whole school behaviour policies, ethos, positive behaviour management etc.)
- improved teacher effectiveness (classroom management; communication skills).
The Elton Report had a direct bearing on Circular 8/94 (see next paragraph).

**B1.2: The 1994 DFE Circulars on “Pupils with Problems”**

In 1994, for the only time in its history, DFE produced a co-ordinated suite of six circulars for schools offering advice on the education and management of children with challenging behaviour and medical needs in the light of recent legislation:

Circular 8/94 (DFE, 1994a) “Pupil Behaviour and Discipline” built on the recommendations of the Elton Report (see above) and drew on evidence of good practice drawn from HMI reports. It called for the development of whole school policies on behaviour and discipline, underpinned by rules of conduct developed by staff in consultation with parents and pupils, which provide pupils with clear boundaries of acceptable behaviour encouragement of positive behaviour through the use of formal rewards and other forms of positive reinforcement.

(ii) Circular 9/94 (DFE, 1994b) “The Education of Children with EBD” still applies but is to be replaced very soon by Department for Children and Family Services (DCFS - the new DfES). It allows for the fact that most children with EBD will remain in mainstream school settings. It offers a full definition of EBD, much of which still applies today. It suggests that:

> 'Emotional and behavioural difficulties lie on a continuum between ... those that are challenging but within expected bounds and those which are indicative of serious mental illness. Emotional and behavioural difficulties range from social maladaptation to abnormal emotional stresses. ... They become apparent through withdrawn, depressive, aggressive or self-injurious tendencies'. (para. 4)

It offered timeless advice on learning strategies and objectives. It recognised that residential education still had a place. It devoted a section to those with severe mental illness beyond the capacity of EBD schools.

(iii) Circular 11/94 (DFE, 1994c) “The Education by LEAs of Children Otherwise than at School” established the governance of the new Pupil Referral Units (brought into being by the 1993 Education Act and replacing the many 'off-site units' and 'tutorial centres' which operated hitherto with little government oversight). Although no LEA was required to set up a PRU, numbers quadrupled to over 400 by 2006, either as new units or from the conversion of existing off-site units.
B1.3: The 1997 Education Act. A declared intention of the Act was to enable schools to deal more effectively with discipline and behavioural problems. LEAs were charged with the responsibility of making arrangements for “provision of suitable education otherwise than at school”

The Act:
- emphasised the importance of preventive approaches;
- required schools to develop and publish whole school discipline policies;
- required LEAs to publish their plans for supporting schools with disruptive pupils, and their provision for pupils who are excluded (see B1.4).

The powers of schools to apply sanctions were increased, including:
- extending the maximum period for fixed term exclusions from 15 days in any one term to 45 days in any one term;
- establishing a legal basis for schools to hold pupils in detention outside of normal school hours;
- defining the nature of physical restraint procedures and the circumstances in which they are permissible for use by school staff on pupils;
- giving schools a higher level of representation at exclusion hearings.

It also allowed the establishment of home-school behavioural contracts;

Recognising uneven and at times poor and disjointed provision, this circular called for comprehensive, co-ordinated local authority planning and provision for children presenting behaviour difficulties (incorporating children with challenging behaviour). BSPs had to be revised in 2001 and the third BSPs ran from 2004 to 2006. In this year they became part of each LA’s ‘Single Education Plan’ (DFEE, 1998).

These documents (replacing Circular 8/94 and other 1994 circulars on PRUs and exclusions) (DFEE,1999) gave some relevant advice on minimising disaffection (nurture groups, working with parents, sanctions to use, role of LSUs, mentoring, curriculum flexibility, disapplication of the national curriculum, substance abuse, dealing with harassment). Circular 10/99 gave instructions on how to try to avoid exclusions from the mainstream (using Pastoral Support Programmes) and on the mechanics of exclusion. The related document Circular 11/99 was to guide LEAs. The latest English guidance on exclusions is examined in a later paragraph.
B1.6: Revised SEN Code of Practice on the Identification and Assessment of Pupils with SEN 2001. This still current document (DfEE, 2001a) stresses the need for early identification, initial and ongoing assessment and intervention. It offers some guidance on what (using a new term) ‘BESD’ are.

By way of defining BESD, it talks of the ‘persistent emotional/and or behavioural difficulties, which are not ameliorated by the management techniques usually employed in the school’ , ‘underpinned by evidence’ prompting additional intervention ( ‘School Action’) (DfES, 2001. para 6.50 -6.51). In para. 6:64 (p.71), giving the rationale for 'School Action Plus' the revised code talks of the pupil having 'emotional or behavioural difficulties which substantially and regularly interfere with their own learning or that of the class group, despite having an individual management programme.' Moving on to the need for a statutory assessment of SENs, a fuller description of BESD is offered. The LEA should seek evidence of identifiable factors that could impact on learning outcomes including:

‘Evidence of significant emotional or behavioural difficulties, as indicated by clear recorded examples of withdrawn or disruptive behaviour; a marked and persistent inability to concentrate; signs that the child experiences considerable frustration or distress in relation to their learning difficulties; difficulties in establishing and maintaining balanced relationships with their fellow pupils or with adults; and any other evidence of a significant delay in the development of life and social skills’

(para 7:43, p.83)

The ensuing paragraph also urges consideration of environmental and medical factors and interventions by health or social services. In para. 7:52, it talks of 'behavioural, emotional and social development' (BESD) (not 'difficulties') as one of four areas of 'needs and requirements' (the other three, sometimes relating to BESD, being 'communication and interaction', 'cognition and learning' and 'sensory and/or physical'. In para 7:60, under the heading 'behavioural, emotional and social development' another short definition is offered prior to an overview of approaches likely to reduce challenging behaviour:

'Children and young people who demonstrate features of emotional and behavioural difficulties, who are withdrawn or isolated, disruptive and disturbing, hyperactive and lack concentration; those with immature social skills; and those presenting challenging behaviours arising from other complex special needs, may require help or counselling for some, or all, of the following:

- flexible teaching arrangements
- help with development of social competence and emotional maturity
• help in adjusting to school expectations and routines
• help in acquiring the skills of positive interaction with peers and adults
• specialised behavioural and cognitive approaches
• re-channelling or re-focusing to diminish repetitive and self-injurious behaviours
• provision of class and school systems which control or censure negative or difficult behaviours and encourage positive provision of a safe and supportive environment.'

Given the overlap between BESD and mental health difficulties (Cole et al., 2002); this document (DFEE 2001b) is highly relevant. It looks at what mental health is and how it relates to the term 'EBD'. It lists the key characteristics of schools that successfully promote children's mental health. It urges effective engagement with parents and SEBS training for children. It gives useful descriptions of ADHD, depression, anxiety, obsessive compulsive disorder, anorexia etc. It lists the professionals beyond schools who can help.

DoH/DfEE (2004) gives good advice on creating school ethos in which challenging behaviour is likely to be minimised. It stresses the need for pro-active work with parents. It gives a good list of emotional literacy/ SEBS resources.


Until DfES (2007) 'School Discipline and Pupil Behaviour Policies' this and the primary schools version, were very important documents, offering guidance for headteachers, behaviour and attendance leaders on the creation of whole-school behaviour and attendance policies. The advice re-stated many basic tenets of positive behaviour promotion (with echoes of the Elton Report, DES 1989), drawing on effective practice already happening in many schools. Extracts are given in Section C and for the primary stage in Appendix 2.

This report (DfES,2003a) claims there are a growing number of children with 'BESD'. Messages in this report include:
• there is a secure future for special schools (including those making residential provision, often appreciated by parents) and there is a need for more senior teachers to move to them and to seek headships;
• there is a need to provide incentives to encourage more young teachers to enter the special school sector;
• the need for BESD special schools to work in closer partnership with mainstream schools, perhaps as parts of clusters or federations, supporting development of inclusion;
• multi-agency outreach services (eg BESTs) from BESD schools are recommended (para 131);
• PRUs wrongly used as placements for children with BESD, who should be able to move earlier to BESD schools (para 81);
• the need for more resourced provision in mainstream schools;
• the need for closer links and more input from CAMHS into residential schools.

It wishes to ‘find ways of tracking the emotional and creative development of pupils with BESD in order to assess when they are ready to move from a special to a mainstream schools setting (para 56, p35) but offers no guidance on how this should be done (see para. 2.1 above).

The key Green Paper Every Child Matters [ECM] (DfES, 2003b) is the backdrop to much recent English legislation and guidance and is having an increasing bearing on how co-ordinated services are provided for children, hopefully helping to address the needs of children with challenging behaviour, promoting better attendance. Details are given in Appendix 1. The 5 key outcomes being healthy: staying safe: enjoying and achieving: making a positive contribution: economic well-being appear in much government material and are also used in the revised Ofsted framework for the inspection of schools.

ECM led to the Children Act 2004 which set up or required:
• unified Children's Services departments
• Directors of children’s services to replace Directors of Education and Directors of Social Services.
• Local Safeguarding Children Boards to replace Area Child Protection Committees.
• Children and young people’s plans to replace the many existing plans with one comprehensive plan:
Inspections of children’s services (both education and care) were to come together under Ofsted.

Part 3 of the Act made similar requirements for Wales.

**B1.11: DfES revised SEN Strategy 'Removing Barriers to Achievement' (2004)**

The 2004 strategy for SEN (DfES, 2004a) stressed the government's wish to provide 'personalised education that brings out the best in every child, that builds on their strengths, enables them to develop a love of learning ' (p.16) - obviously of considerable importance to behaviour and attendance.

The government wished to create 'a new cadre of staff with particular expertise in SEN and dealing with pupils' emotional, mental and behavioural difficulties'; there was a need to work with higher education to develop specialist qualifications for those who wish to specialise in SEN (particularly BESD). This is a reference to the NPSLBA training materials described under Section C below. No mention is made of existing University courses in this area. Also recommended are:

- 'golden hellos' and other incentives to persuade staff to enter the special sector;
- encouragement for special schools to participate in the Specialist Schools programme;
- introduction of new generic minimum standards for LA support services.

Para 2.28 referred to the then-ongoing Ofsted investigations into the full range of provision for pupils with challenging behaviour (Ofsted, 2005a). It was hoped that this work would

- clarify the role of PRUs;
- help to reduce exclusions;
- improve quality of provision for BESD in all types of setting (many EBD schools had received poor inspection reports in 1990s/early 2000s);
- advise on how curricula can be made more flexible and motivating;
- explore the scope for developing intensive, short-term interventions, working in partnership with CAMHS, for those at risk of exclusions.

This work was to take into account the *Every Child Matters* (DfES 2003a) agenda and national Standards for CAMH, to be set by the children's National Service
Framework. There was also advice on school self-evaluation and working with parents.

Its sections on 'tacking challenging behaviour' allude mainly to work going on under the National Strategies (see Section C).

The four key areas within the action programme were (issues particularly relevant to SEBD in brackets):
1.) Early intervention (not just age-related, and better multi-agency working, taking forward the hopes of Every Child Matters, DfES, 2003a)

2.) Removing barriers to learning by
   - embedding inclusive practice in every school;
   - involving multi-disciplinary teams;
   - addressing ‘challenges for schools posed by children with severe behavioural, emotional and social difficulties’;
   - using special schools to provide for 'most severe and complex needs and sharing their specialist skills and knowledge to support inclusion in mainstream schools' (p.13);
   - ‘taking steps through the national behaviour strategy to improve the quality of education for children with more severe behavioural, emotional and social difficulties' (p.14).

3.) Raising expectations and achievement by developing teacher's skills and strategies for meeting SEN needs e.g.
   - through a cadre of BESD Advanced Skills Teachers as 'change agents';
   - by having 'young people able to follow courses which build on their interests and aptitudes and lead to recognised qualifications' (p.17);
   - young people involved in decision making about their options post-16);

4.) Delivering improvements through partnerships
   - tackling the culture of mistrust (p.20) between parents and professionals and shortfalls in some agencies' provision;
   - greater integration of education, health and social care in line with Every Child Matters;
• using expert national advisers and SEN Regional Partnerships to advance policy and practice;
• ensure schools make inclusion an integral part of self-evaluation; share best practice).

Her Majesty's Chief Inspector of Schools was to evaluate progress in delivering the ten year strategy.

There were various details of interest in 'Removing Barriers to Achievement' also relevant to challenging behaviour:

• **Probably allusion to 'nurture groups':** para.1.14 (p.17) - 'We will also pilot 'small group interventions for four to eight year olds who need extra help in developing social, emotional and behavioural skills '

• **Local Admissions Forums** (para.2.24, p.42): These, mandatory since March 2003, have a remit to promote agreements for dealing with a range of difficult issues such as arranging transfers for pupils at risk of exclusion and providing well for children who are looked after or have challenging behaviour arriving 'out of the normal admission round'.

• **Reduce reliance on high-cost residential special schools** (p.27). Also, a common contract for use by LAs and independent and non-maintained schools is planned (p.45).

• **Use special school expertise linked to mainstream practice** (para. 2.13)
  - More dual registration to be aided by Budget Share Regulations
  - Local authorities to consider the potential of special schools in delivering outreach to complement existing advisory and support services
  - More special schools should participate in federation, cluster or twinning arrangements with mainstream counterparts, as these bring 'real benefits' (para. 2.13)
  - Mainstream to better use the expertise of special schools (para.2.13)
  - Plan special schools so as to be physically close through e.g. co-locations (para. 2.13)

• **Worries over continuing difficulties in special schools.** Special schools are three times more likely to be in special measures than mainstream schools.(para. 2.16).
Resistance to inclusion: Audit Commission (2002) found that pupils with EBD least likely to be admitted and most likely to be excluded from mainstream schools (para.2.21)

Looked after children: 27% of LAC had statements of SEN in 2001/02. They are difficult to place, tend to be excluded and advice in Social Exclusion Unit's report *A Better Education for Children in Care* (2003, www.socialexclusionunit.gov.uk) should be followed.

Teaching/ Learning Support Assistants: 'play a valuable role' (para 3.16) but can be over-used as a substitute teacher rather than as a complement to the teacher. Also avoid developing over-dependence on TA or LSA ['velcroing']. Get the balance right. 'We will continue to look for opportunities to address their training needs, including developing specialist resources geared to particular needs of SEN' (p.60).

Developing a flexible curriculum and recognised qualifications for all (para.3.31/32). There is probably increased flexibility in the NC but further to go. Schools need to take up government suggestions. 'The greatest concerns are in relation to Key Stage 4, when many young people with SEN become seriously disengaged with learning and leave school with few or no qualifications.' (p.65). The 14 -19 Strategy 'Opportunity and Excellence' sets out an agenda for transforming the learning experiences of all young people by ending the distinction between academic and vocational routes and building on the flexibilities at Key Stage 4 to offer a broader range of choices'. (para. 3.33, p.65).

Improving availability of health and social services for children with SENs/ Extended Schools. The creation of local authority children's departments and appointment of Directors of Children's Services would provide 'clearer accountability'. Information sharing was to be focussed upon. LAs were to work towards *common assessment frameworks* and *common use of language*. *Multi-disciplinary teams* were to help the co-ordination of planning and delivery of services. *Developing integrated services* was to happen e.g. through Sure Start Children's Centres, Children's Trusts and a network of 'Full Service Extended Schools' (at least one such 'one stop shop' in every LA by 2006). The latter would offer childcare, parenting, adult learning and family classes, study support, ICT, arts and sports facilities, and access to health and social care services. Extended schools will provide
opportunities for co-locating services on the same site. All LEAs would be funded to employ co-ordinators to lead the drive for extended schools. It favoured multi-agency work through Full-service Extended Schools. 'In time we want all schools to become extended schools, acting as the hub for services for the local community' (p.85)

Finally, the SEN Strategy had the following view of inclusion and special schools:

'>Inclusion is about much more than the type of school that children attend: it is about the quality of their experience, how they are helped to learn, achieve and participate fully in the life of the school.' (p.25)

'Special schools have an important role to play ... but the number of children in them should fall as the mainstream became more inclusive'. (p.37)


This current guidance (DfES, 2004b) aims to offer practical support to LEAs in their duty to provide alternative provision, including PRUs. It says little in detail about what the needs of the children are or how they should be addressed - rather it offers the legal framework with brief reference to aspects of good practice e.g. the need for parental involvement.

**Coverage.** (Section2) This guidance covers: pupils permanently excluded from school and those receiving fixed-term exclusions of more than 15 days; pregnant schoolgirls and schoolgirl mothers; anxious/ vulnerable pupils; school refusers, phobics and young carers; pupils unable to attend school because of medical reasons; children in the public care; pupils with statements of special educational need (SEN) whose placements are not yet agreed; and pupils awaiting assessment of SEN; asylum seekers and refugees who have no school place.

**LEA Duties.** (Section 3) LEAs will need to assess pupils’ needs; arrange suitable placements at PRUs or other alternative education centres; check that the provision is of acceptable quality; monitor pupils’ attendance and achievements; review the impact of local policies on admission and re-integration .[p.4]. Suitable education can be provided by contracting out services to e.g. voluntary sector or work-based
learning providers or FE colleges, but LEAs have to check the quality of these. A named senior officer is recommended to ensure an integrated approach.

**Definition of Alternative Provision.** A detailed description is given of what alternative provision and alternative education are. It includes provision which is directly managed by LEAs, through full or part-time placement in pupil referral units (PRUs), pupil referral services, hospital schools, hospital and home teaching services, tuition centres, e-learning centres and other local arrangements.

**The Statutory Admission Forums** (came into force on 2003) The guidance suggests that the Admission Forums could be the best way to ensure a cooperative approach to managing and funding local Alternative Provision.

**Funding a balanced approach** 'LEAs will need to decide, in consultation with their schools, the balance to be struck between prevention (through PRU out-reach and dual registration) and intervention, and between delegation and central funding.

**The Legal Position: Pupil Referral Units** PRUs are a type of school but not subject to all the legislative requirements that apply to mainstream and special schools.

**Definition of a PRU / notifying DfES of PRUs** The term PRU can mean a single-site, multi-site provision under single management, peripatetic pupil referral service (generally in rural areas), e-learning approaches, hospital and home tuition and provision for young mothers etc. LEAs must notify DfES of their centres, which are PRUs.

**What PRUs provide.** (para. 4.5) PRUs may provide full or part-time education. They may offer provision directly or can organise packages of educational provision for pupils of compulsory secondary school age involving other providers e.g. Further Education (FE) colleges, employers and work-based trainers and programmes offered by the voluntary and community sector and by other statutory agencies.

**Excluded pupils must have full time provision.** (para. 4.10) Full-time means offering supervised education or other activity equivalent to that offered by mainstream schools in the area (as defined in Circular 7/90 and subsequent revisions). i.e.: Key Stage 1: 21 hours; Key Stage 2: 23.5 hours; Key Stage 3/4: 24 hours; Key Stage 4 (Yr 11): 25 hours. A full timetable for an excluded pupil may look significantly different to that provided in a mainstream school. LEAs may also offer pupils individualised
programmes, made up of a range of activities possibly offered in different venues but must be effectively monitored.

**Numbers of pupils/age range** (para. 4.12) The number of pupils in a PRU will vary. Grouping pupils by age and the nature of their referral, where possible, enables PRU staff to match the education more closely to pupils' needs. Effective education can be difficult if there is a wide mix of age range, ability and reasons for being in the PRU. LEAs may want to review their policies on local provision when setting up new PRUs. It is good practice for PRUs that provide for pupils with medical needs to cater exclusively for them.'

**Management Committees** (para. 4.14) LEAs must establish Management Committees to support and oversee the work of PRUs

**Staffing and professional development.** (para. 4.18) PRU staff must be qualified teachers or suitably qualified instructors. It is good practice for a PRU always to have at least two members of staff on site to provide support in case of disruption and to give respite to staff during the day.'

(para. 4.19) 'The LEA should provide opportunities for career development and in-service training for staff employed in PRUs. This is particularly critical when teaching staff are recruited to work in PRUs who have not received previous training in dealing with challenging behaviour. In these circumstances, appropriate levels of induction and support will be critical. Teaching staff in PRUs should also be entitled to access continuous professional development in the same way as qualified teachers in mainstream settings. In addition, it is important that LEAs consider how to provide support and supervision for staff who may be dealing with pupils with high levels of emotional, social and personal difficulties. In addition to support in developing expertise in behaviour management, staff in these circumstances may need access to specialist supervision to enable them to deal with the impact of pupil distress or other difficulties.'

**Curriculum.** (para. 4.20) The LEA must have a statement of its curriculum policy for PRUs. Although PRUs do not have to teach the full National Curriculum, they should offer a balanced and broadly based curriculum that includes English, mathematics, science, PSHE, ICT and careers education and guidance post-13. Pupils' attainment and progress must also be monitored. Reference is made to Qualification and
**Admissions Policies and Procedures.** (para.4.24) There is need for clear criteria. Each pupil must have an Individual Learning Plan, including targets for re-integration in mainstream or special schooling, FE or employment.

**Admission of Pupils with SEN.** (para. 4.27) Pupils with statements of SEN can be placed in PRUs but it sees this as an interim measure.

**Pupils in Public Care.** (para. 4.31) Short advice is offered on these, noting LEAs' duty to secure an education placement, where appropriate full-time, within 20 school days for every child in public care.

**Registration and attendance.** (para.4.43) The school's attendance register should show a pupil attending an 'approved educational activity outside the school premises' showing the nature of the activity.

**Exclusions.** (para.4.48) Heads/Teachers in Charge must have regard to current guidance on exclusions. Teachers in Charge have the power to exclude a pupil for fixed term or permanently.

**LEA 'Duties under Race Relations Act, 2000.** (para.4.56) This Act requires LEAs and schools to promote racial equality and to monitor ethnically all aspects of its provision as well as train all staff in the legislation. LEAs should ensure the Act is applied to Alternative Provision.

**The SEN and Disability Act, 2001.** (para.4.60) There may be a need under the Disability Discrimination Act (1995) for PRUs to make 'reasonable adjustments, particularly as this relates to children and young people with statements of SEN for emotional, behavioural and social difficulties'.

**Partnership with Parents and Pupil Involvement.** (para.5.4) ‘Parents and carers have a key role to play in the education of pupils out of school, as in the education of all pupils. LEAs should therefore involve parents at an early stage in discussions about alternative education, and ensure that they are provided with written information about placements being offered. This should include information about their responsibilities in terms of attendance. Parents should also be asked for their signed consent for pupils to attend external alternative provision, and to personal data being shared.'
(para. 5.5) 'The support of parents can also be a key determinant in the success of a pupil's educational placement. This applies to progress in Alternative Provision and to reintegration to mainstream settings. Regular communication with parents and steps to encourage their on-going involvement in the placements will therefore be important. Parents of children out of school may also feel isolated and the LEA, in partnership with other agencies, may want to offer support to the family whilst their children are being educated otherwise than in school.'

(para. 5.6) 'Involvement of pupils in planning for their education also contributes to more successful placement outcomes. This can be supported through systematic planning on an individual basis, and the use of documentation that encourages pupils to contribute. Plans should also include objectives which cover pastoral and educational objectives.'

**Re-integration** (para. 5.11) 'For most pupils, school is the best learning environment, because it provide them with access to the full National Curriculum and support, activities an social interaction. Whatever the reasons for pupils attending Alternative Provision (exclusion from school, medical reasons, or awaiting a place), reintegration to mainstream settings will almost always be in the pupil's best interests'

**Progression to post-16 learning** (para. 5.17)
'It is important that all young people, regardless of their placement, receive appropriate support at points of transition ' e.g. through local Connexions Partnership.

**Tracking Missing Children**, (para. 5.20) LEAs should have procedures [using efficient databases] in place for following up children of school age who may not be on the roll of a school or who are unable to attend school because of medical conditions.

**Sharing of Data.** (para. 5.22) 'As well as using data to monitor the placements, progress and attainment of individual pupils, and to oversee trends, effective use of data will inform the LEA’s understanding about which forms of provision most successfully re-engage pupils and will enable LEAs to monitor reintegration rates.

**Practical Considerations.** (Section 6) Brief attention is given to topics such as supervising pupils for health and safety, child protection; restrictive physical
interventions; work experience; work-related learning; child employment and insurance cover.

**Policies.** (Section 7) A section lists the 28 statutory policies that schools (and therefore PRUs) have to have and provides web-links to most of these, covering items such as insurance and restrictive physical intervention.

**Inspections arrangements (Section 8)**

**Funding of Alternative Provision.** (para. 9.1) LEAs’ funding allocations should relate to the numbers of pupils in PRUS and other forms of Alternative Provision.

**Annual PRU census and returns to DfES.** (para.9.2) The Annual PRU Census return requires teachers in charge of PRUs to provide a range of information:

**Appendix A: Child Protection.** A useful appendix covers child protection duties, including vetting of staff prior to appointment.


**B1.13.1 Introduction.** This highly publicised report advocates approaches well-rehearsed by the Elton Report (DES, 1989), Circular 8/94 (DFE, 1994a) and the carefully researched Ofsted (2005a), which reduce low-level disruption, help to minimise the occurrence of challenging behaviour in mainstream settings and help to combat absenteeism. This report specifically excluded addressing issues surrounding severe BESD. The follow-up to the full Steer Group report 'What Works in Schools' (DfES, 2006) gives a condensed version (with case studies) of good general practice.

**B1.13.2 The Task.** The Practitioner Group's was tasked with advising government on 'how effective practice in promoting positive behaviour and preventing misbehaviour can be embedded in all schools, drawing on the approaches currently used by successful schools, including specific consideration of:
• 'how we can build up effective collaboration between schools;
• whether teachers need further support through initial teacher training or professional development in managing behaviour;
• whether there is merit in a national code of behaviour setting out the responsibilities of schools, pupils and parents in promoting good behaviour' (from para.10, p.8).

B1.13.3 The Practitioners' Group's Core Beliefs (p.2)
The Steer Report is said to be 'based on a series of six core beliefs, to which the Group collectively subscribes:

• The quality of learning, teaching and behaviour in schools are inseparable issues, and the responsibility of all staff;
• Poor behaviour cannot be tolerated as it is a denial of the right of pupils to learn and teachers to teach. To enable learning to take place preventative action is the most effective, but where this fails, schools must have clear, firm and intelligent strategies in place to help pupils manage their behaviour;
• There is no single solution to the problem of poor behaviour, but all schools have the potential to raise standards if they are consistent in implementing good practice in learning, teaching and behaviour management;
• Respect has to be given in order to be received. Parents and carers, pupils and teachers all need to operate in a culture of mutual regard;
• The support of parents is essential for the maintenance of good behaviour. Parents and schools each need to have a clear understanding of their rights and responsibilities;
• School leaders have a critical role in establishing high standards of learning, teaching and behaviour.'

B1.13.4 Key extracts from the Report's Introduction
(para 1.) '... where unsatisfactory behaviour does occur, in the vast majority of cases it involves low level disruption in lessons. Incidents of serious misbehaviour, and especially acts of extreme violence remain exceptionally rare and are carried out by a very small proportion of pupils.'
(from para.3). 'The main issue for teachers and for pupils is the effect of frequent, low level disruption. This has a wearing effect on staff, interrupts learning and creates a climate in which it is easier for more serious incidents to occur.'
“The most common forms of misbehaviour are incessant chatter, calling out, inattention and other forms of nuisance that irritate staff and interrupt learning.”
(Ofsted, 2005 cited in Steer)

(para 4.) 'Learnt poor behaviour becomes manifest early on in pupils' school careers. If not managed effectively, this can lead to pupils either excluding themselves or being excluded from school.

(para. 5) The core message of the 1989 [Elton] report ... about the need for a coherent whole school approach to promoting behaviour that is based on good relationships between all members of the school community, still holds true... [but] changes in technology have given rise to new opportunities, but also to new problems.'

(para. 6) [This report contributes...] 'to the implementation of Every Child Matters. The commitment that every child should have the support they need to be healthy, stay safe, enjoy and achieve, make a positive contribution and achieve economic well-being has our full and enthusiastic support. Throughout our work, we kept these principles very much in mind and have aimed to reflect them in the conclusions and recommendations which follow.'

(Recommendation 1.1.1): the DfES should look separately at how to improve the quality of provision for those with BESD in particular the recruitment and retention of high quality staff and minimising bureaucracy.

B1.13.5 Section 2: Principles and Practice: what works in schools


- school leadership;
- classroom management, learning and teaching;
- rewards and sanctions;
- behaviour strategies and the teaching of good behaviour;
- staff development and support;
- pupil support systems;
- liaison with parents and other agencies;
• managing pupil transition; and
• organisation and facilities.

It notes that the government's Primary and Secondary National Strategies have developed tools to help schools audit these aspects of practice.

**Visible senior staff.** Senior staff should be 'visible', patrolling schools and reachable by all teachers by mobiles.

**School-wide strategies for starting lessons.** Classes should (para.35) use 'commonly agreed classroom management and behaviour strategies such as a formal way to start lessons. In secondary schools, this could include: all pupils being greeted by the door, brought into the classroom, stood behind their chairs, formally welcomed, asked to sit and the teacher explaining the purpose of the lesson';

**Collaborative approach.** (para. 35) Schools should 'adopt a collaborative approach that involves pupils; use peer and self assessment 'to increase pupils' involvement';

**Seating** (para.35): ensure all teachers operate a classroom seating plan' ('Educational research shows that where pupils are allowed to determine where they sit, their social interactions can inhibit teaching and create behaviour problems' (p19-20).

**Rewards.** Schools should ensure they use rewards to good effect as well as sanctions (para 37).

**All staff to apply school behaviour policy.** (Para. 40): all staff must fully understand and apply the school's behaviour policy/strategy

**Modelling** (para.40) : all staff to model desired behaviours.(+ para.43: 'Children learn respect by receiving it. How staff speak to pupils and praise them helps motivate them to do well. By not taking account of pupils' prior learning, secondary schools can inadvertently de-skill and de-motivate them. For some pupils this will result in alienation by the end of Year 8' (p22)

**SEAL.** All schools to familiarise themselves with and to use DfES Social and Emotional Aspects of Learning materials
Supply teachers (p22 case study): 50% of behaviour problems emanated from the 7% of lessons taught by supply teachers. The school changed policy and started to employ its own cover teachers.

Staff Development and Support (para 44) All staff in schools should be provided with the skills to understand and manage pupil behaviour effectively. This as important for heads as it is for Newly Qualified Teachers and support staff. Training and coaching are both vital elements of a high quality professional development programme. These must be made available for staff taking up a new post and form part of a regular training programme.'

All schools should (para.44, p.23):
- provide regular opportunities for all staff to share and develop their skills in promoting positive behaviour;
- monitor the effectiveness of the behaviour management techniques used by the school as part of the school performance management system;
- ensure funds are allocated within training budgets to enable support staff to be involved in training programmes with teachers using a variety of expertise including specialist advisory teachers;
- ensure that all staff joining the school receive induction training. This need applies equally to Newly Qualified Teachers, senior managers and experienced teachers from other schools whose needs are often neglected;
- create opportunities for staff to learn from the expertise of those with a particular responsibility for pupils whose behaviour is challenging. This could include teachers who manage Nurture Groups, Learning Support Units or other provision, and specialist advisory staff; and develop the specialist skills of staff who have particular leadership responsibilities for improving behaviour.

Effective pupil support systems (para.45) All schools should:
- recognise that a good pastoral system involves teachers and support staff. Schools should use Teaching and Learning Responsibility points to support this work;
- ensure that staff allocated with pastoral responsibilities:
- have appropriate time to carry out their task;
are appropriately trained;
have adequate administration support; and
have access to specialist support. These might include, as appropriate services such as educational psychologists, Education Welfare Officers, Child and Adolescent Mental Health Services, and Speech and Language Specialists. For secondary schools, it would in future, include Targeted Youth Support Teams.
recognise that pupil support is not just about behaviour. Poor pastoral support just focuses on ‘naughty pupils’. Good pastoral support is concerned with academic attainment and developing pupils’ ability to become good citizens;
ensure that pastoral staff understand and are responsive to the needs of particular groups within the school and wider community; and
ensure that pupils are helped to identify as belonging to a community by sharing a common dress code. The dress code should be arrived at after consultation with parents.

**Anti-bullying etc. (para 46.)** Schools should make clear to pupils, parents and staff, that bullying, harassment and oppressive behaviour in any form is totally unacceptable and will not be tolerated; ensure that bullying, harassment and oppressive behaviour is punished; adopt the Anti-Bullying Charter for Action; and use the Anti-Bullying Charter for Action to involve pupils in creating systems to support each other. Schools should consider the use of strategies such as Restorative Justice or “buddying” and “befriending” systems.

**Liaison with Parents and other Agencies (para. 48)** Gaining the support of parents and carers is essential - work in partnership. Secondary schools need to be more active in linking with parents and carers to help pupils who have difficulty with their attitudes and behaviour, as parents do not come to school regularly, as they do for primary children. All schools should ensure that reception and other support staff and teachers are trained, so that they are welcoming, and have the skills to deal with difficult parental conversations; have clear and well understood procedures in place, for dealing with distressed and angry parents; allocate sufficient resources to allow the school to communicate effectively with parents and carers.

**Working with other agencies (para 52).** ‘Schools by themselves cannot resolve all the issues that some children come to school with. Liaison with other agencies takes a
great deal of time and can be frustrating where the priorities of each partner are not well understood by the others. However, despite the frustrations that can occur, we believe that working with other agencies is important. We know, through the Behaviour Improvement Programme, where resources are enhanced to enable agencies to work together, that pupils, parents and communities benefit.

Managing Pupil Transition (paras 53 -55) There is a need for carefully managed transitions and supported inductions (noting the particular needs of 'high mobility' children).

Physical environment and supervision (para. 57) There must be a clean, attractive environment where graffiti and mess are cleaned up quickly; the toilets are clean with towels and soap or hand dryers; play areas are zoned to allow boisterous and quiet activities; key points of movement, secluded areas and bottle neck corridors etc are supervised by staff; there are comfortable areas for parents.

Timetabling for difficult groups (para.57) Timetabling arrangements should ensure teachers are not responsible for very difficult groups two years running.

Children with reading difficulties (para.57) Pupils with reading difficulties should have at least one lesson a day 'where they have a practical activity'.

False allegations against staff (para.57) Teachers can end up in court for 'responding sensibly in difficult situations'. There should be clear national guidance on restraining pupils and on how allegations against teachers should be handled [awareness not shown of guidance on these issues].

Reward pastoral responsibilities (para.57) Pastoral care is integral to teachers' work. Teachers' responsibilities for pastoral work should continue to attract additional salary.

B1.13.6 Section 3 Policy Recommendations

(a.) Extracts from Chapter 1 Existing Initiatives on Behaviour

- The Primary and Secondary National Strategies 'initiatives are making a positive contribution but require more time for schools to fully utilise the training and materials they offer. As a Group, we feel schools do not require a
wide range of new initiatives. They need the opportunity to consolidate existing initiatives.' (para59)

- **Self evaluation** (p33) Recommendation 3.1.2: all schools should make regular use of self evaluation tools for behaviour and attendance, such as those provided by the National Strategies and commercially available pupil tracking systems.

- **LA Behaviour and Attendance Consultants** (paras. 64) are often invaluable but can lack expertise and training.

- **Programmes on Social and Emotional Behaviour Skills** (para.67) [SEAL]
  "Pupils do not necessarily know how to behave well. Some will not have had the opportunity to learn good behaviour at home; others may be learning it, but their skills need reinforcing. We see the development of pupil’s social, emotional and behavioural skills as integral to good learning and teaching. It is also integral to making classrooms orderly places for learning. This means teaching all pupils from the beginning of education to manage strong feelings, resolve conflict effectively and fairly, solve problems, work and play cooperatively, and be respectful, calm, optimistic and resilient."

- **Violence reduction** (para.69) The report welcomes the work the DfES has been undertaking in developing the Violence Reduction In Schools (VIRIS) Programme and the development of training materials by the National Programme of Specialist Leaders for Behaviour and Attendance.

(b.) **Chapter 2: Spreading Good Practice**

- a **National Behaviour Charter** is supported (para.80). There should be 'national guidelines setting out the rights and responsibilities of all sections of the school community, including families, in promoting positive behaviour' but individual school should make decisions/establish school rules to reflect their particular context.
(c.) Chapter 3: Training in Improving Behaviour (para. 88.)

- **Initial Teacher Training and In-service.** Training in improving behaviour must be an integral and substantial component of all initial teacher training. ‘Good quality in-service training in improving behaviour is also essential. This includes training on the context of the individual school and its community. We underline the need for behaviour training to be provided for all school staff, particularly those in the early years of their career, or those who have recently transferred to the school. It should be an integral part of every school's professional development programme. In addition, more specialist training should be available for those who lead on behaviour improvement.’ (para 89) Peer support and on-the-job coaching can be especially effective. The school's professional development programme should include targeted coaching to meet individual needs as well as group training.

- **Lead Behaviour Professionals** are seen as 'an effective way of raising the status, consistency and effectiveness of behaviour improvement within a school.' (para. 97)

(d.) Chapter 4: Diet, Sport and the Wider Curriculum

The report argues that sport, music and the arts and work-related learning all have an important role to play in fighting disaffection by increasing chances for responding to pupil strengths and preferences and building their self confidence: 'Where schools provide wider opportunities as part of, or in addition to, the formally taught curriculum, behaviour improves.' (p47)

Steer worries about the increasing numbers of overweight children who it says 'are less likely to integrate into the school community and are more likely to be bullied.' (p47)

It notes the largely anecdotal evidence linking poor diet to bad behaviour and calls on DfES funded research into the impact of diet on behaviour (to include PRUs) (Recommendation 3.4.1.)

(e.) Chapter 5: Exclusions and Alternative Provision

- **Exclusions necessary.** The report says clearly that exclusions are a necessary and important sanction but schools need to focus on preventative
action, lessening low level disruption, creating a respectful environment and early intervention (para 124), that will make the need for exclusions less. It endorses the view that internal exclusion e.g. through ‘withdrawal rooms’ is better than fixed period exclusion (which could be seen, it says, as bad behaviour being rewarded with a holiday, p53).

- **Identify and address SENs.** Children with SEN are four times more likely to be excluded than those without. Poor behaviour often links to ‘previous failure to deal with a pupil's special needs properly’ (p.55). It criticises bureaucratic obstructions to providing for SENs notably the demands associated with the SEN Code of Practice. It wants more psychologists in support of schools.

- **More input from educational psychologists** (para.131). Greater availability of advice from educational psychologists would also aid schools in designing programmes of support for pupils whose behaviour is disruptive and developing training programmes for school staff.

- **Children with severe BESD.** (para.132). Some pupils with SEN (notably with BESD) causes serious distress to school staff, pupils, parents and carers and also cause significant disruption. To avoid excluding such children, mainstream schools need a clear indication of the circumstances in which such pupils might need to be referred to a more specialist placement, such as a Pupil Referral Unit (PRU) or special school.'

- **Exclusions Appeals Process** (para.137) Exclusion Appeal panels should be kept but their effectiveness and efficiency could be improved, 'particularly regarding membership of the panels (heads on panels must be from the same phase or sector) and the grounds for overturning exclusion decisions (stop overturning decisions on technicalities).'

- **Unofficial Exclusions** (para. 146). 'The practice of unofficial exclusions does not meet legal requirements, is not in the interests of the pupil, the school or society, and exposes vulnerable pupils to risk. We believe parents or carers should never be pressured into removing their child from the school under threat of a permanent exclusion, nor should pupils' names be deleted from the school roll on disciplinary grounds unless the formal permanent exclusion
procedures set out in statute and in the DfES's exclusions guidance have been adhered to. We condemn this practice because it is bad for pupils and bad for schools. All maintained sector pupils should be entitled to a good education whether in school or out of school.'

- **From 6th day full-time provision** for permanently excluded recommended (3.5.22)
- **Full-time provision for permanently excluded pupils** endorsed (para. 153)

(f.) Chapter 6: 'Schools Working in Collaboration'
The Steer Group supports moves towards educational partnerships. The partnerships should cover managed transfers of 'hard to place' children, but ensure that schools in special measures [or equivalent] should be able to refuse to take pupils.

(g.) Chapter 7: 'Parents'
This covers working with parents of children who are challenging and recommends DfEs 'Involving Parents, Raising Achievement' (2003). Voluntary parenting contracts 'can have a beneficial impact on both behaviour and attendance' (p73) but schools should be able to arrange these without an exclusion first having taken place. Schools should also be able to apply or a parenting order, following serious misbehaviour at school in cases where the pupil has not been excluded.' (recommendation 3.7.4).

(h.) Chapter 8: 'Support and Guidance for Pupils and Parents'

- **Reward those with pastoral responsibilities.** 'We feel strongly that all teachers have a pastoral role and that this is an essential part of being a good teacher.'(para. 190).

- **Learning Support Units** (para 191) Learning Support Units (LSUs can have particularly beneficial effects in supporting, motivating and developing individual pupils. (para.192) Their role is to provide short term and early intervention. 'Pupils should be referred to them in a planned way and for positive reasons. They perform a different role to “withdrawal rooms” or
similarly described space to which teachers can refer disruptive pupils immediately (we endorse the use of such facilities in paragraph 125). We believe that LSUs, operated well, teach pupils how to be better learners. We also believe that the work of the LSU should be an integral part of the whole school behaviour and attendance policy and strategy.' (para.193) LSUs can support 'the most vulnerable pupils, at a time when they would otherwise be failing to learn. This includes targeted intervention for groups of pupils with specific behavioural problems, supporting pupils to develop better learning strategies, and flexible provision including multi-agency work. LSUs can serve as a base for reintegrating pupils who are poor attendees or returning from exclusion, reducing levels of exclusion and acting as a centre of expertise in behaviour and attendance improvement. They should never however become a place of punishment or dumping ground, an isolated bolt-on provision, nor a quick route to exclusion. They should complement other work in the school, not compensate for lack of provision.'

- **Nurture Groups** These are recommended in paras. 196 -198.

- **Learning Mentors** (para.201). 'Our own experience as practitioners is that Learning Mentors can have an enormously beneficial effect, in improving the standards of learning and behaviour for individual pupils, in those schools where they are currently available.'

- **Every Child Matters 5 outcomes** (paras 203 to 212) All schools must work to the Every Child Matters 5 Outcomes agenda, noting that building links between school and home is an important part of this.

- **Pupil Parent Support Worker** (para. 206). 'We believe that there is a gap in the staffing arrangements of many schools which needs to be filled. We use the term Pupil Parent Support Worker (PPSW) to describe, in overall terms, the kind of role we have in mind.' This role could be shared. (para. 208) The PPSW function should, we suggest, be undertaken by school support staff working with teachers as part of an integrated team. It would provide an important support to pastoral managers ...
  - **aiding provision for fixed-term excludes** (para. 209) PPSWS 'would also work with schools working in collaboration, acting as a key link
between schools that are trying to find new and imaginative ways of collectively managing the placement of fix term excluded pupils. Where circumstances allow, we would encourage secondary schools and their partner primary schools to pool their PPSW resources in order to secure continuity of support over the key period of school transfer.

- helping with 'extended schooling' (para. 210). "As well as working in schools, PPSWs could be employed to work outside schools hours contributing to the implementation of the extended schools initiative including contributing to arranging school holiday clubs.

- liaising with outside agencies (para. 211)

(i) Chapter 9: 'School Building Design'
This recognises the importance of the physical environment in promoting good behaviour. It quotes the following (p.91)

"Physical elements in the school environment can be shown to have discernible effects on teachers and learners. In particular, inadequate temperature control, lighting, air quality and acoustics have detrimental effects on concentration, mood, well-being, attendance and, ultimately, attainment." (Centre for Learning and Teaching, 2005).

Instead of traditional dining rooms it recommends 'A pleasant cafe-style space that is open all day is more appropriate for a modern learning environment and can become the social centre of the school as well as a place for informal learning.' (p91)

(j.) Chapter 10: 'New Powers'
- Recommendation 3.10.1: 'The Government should introduce a single, new piece of legislation to make clear the overall right to discipline pupils. This should be framed in such a way as not to diminish existing, wide legal rights; provide a clear read across to the duties and responsibilities of parent and carers; and reaffirm teachers' right to restrain pupils using reasonable force.'

- (para 225 The report welcomes the violent Crime Reduction Bill clause which gives heads the right to search pupils without their consent if the head teacher has reasonable suspicion that the pupil is in possession of an offensive weapon.

- Recommendation 3.10.4 School should be required to have a clear policy on the possession and use of mobile phones on the school site, including details of the sanctions, if pupils disobey the policy.'
B1.13.7 Recommendations relating to 'BESD' (from Section 3):

- 3.1.1 DfES should look separately at how to improve quality of provision for those with BESD, in particular the recruitment and retention of high quality staff and minimising bureaucracy;

- 3.5.3 DfES to reduce bureaucracy associated with the SEN Code of Practice

- 3.5.5 DfES should produce guidance on the needs of pupils with BESD, including a clear indication of the circumstances in which they might be referred to a more specialist placement including a PRU or a special school.

- 3.4.8 DfES should undertake research into what happens to pupils who are excluded from PRUs or BESD schools [study now taking place in 2007]

B1.14 The Education and Inspections Act, 2006

B1.14.1 The White Paper 'Higher Standards, Better Schools For All'. Much of this relate to creating 'trust schools' and increasing parental choice. Other parts relate to behaviour in schools - our concern here. The government sought to:

- 'Create a step change in the personalised learning support available to every child - renewing the focus on English and maths, stretching gifted children and supporting those who may fall behind'

- Ensure this happens in the context of an environment where behaviour is well-managed and integrated services support the wellbeing of the whole child (extended services and opportunities beyond the school day, better referrals, school food, health and sport etc)


B1.14.3 A summary of key points relating the behaviour

(a.) Overview The Act:

- places a duty on governing bodies to promote well-being and community cohesion, and to take the Children and Young People's Plan into consideration;
creates a power for staff to discipline pupils;

extends the scope of parenting orders and contracts;

improves provision for excluded pupils;

establishes new nutritional standards for food and drink served in maintained schools;

merges several existing inspectorates into a single inspectorate to cover the full range of services for children and young people, as well as lifelong learning.

The Act gives effect to some of the key recommendations of the Steer report. The press release said: 'It will create, for the first time, a clear statutory right for school staff to discipline pupils, putting an end to the "You can’t tell me what to do" culture. It will extend the scope of parenting orders and contracts and will improve provision for excluded pupils, with parents taking responsibility for excluded pupils in the first five days of their exclusion. Governing bodies and local authorities will be required to provide full-time alternative provision from the sixth day of an exclusion.'

(b.) Use of reasonable force [section 91, p74/5]

[From clause 40, Part 7 — Discipline, behaviour and exclusion; Chapter 1 — School Discipline.] Members of staff (not just qualified teachers) can use 'such force as is reasonable in the circumstances for the purpose of preventing a pupil from doing (or continuing to do) any of the following, namely—

(a) committing any offence,
(b) causing personal injury to, or damage to the property of, any person (including the pupil himself), or
(c) prejudicing the maintenance of good order and discipline at the school or among any pupils receiving education at the school, whether during a teaching session or otherwise.'

(c.) Confiscation from pupils [section 94] Confiscation is lawful under some circumstances.

B1.15: DfES (2005) Safeguarding Children/Allegations against Staff Guidance

Supporting staff through stressful times is an important aspect of retaining well-motivated, confident staff, functioning at optimal efficiency and willing to enhance their skills in a way that better engages and motivates children with challenging
behaviour. This guidance says LAs must have a designated allegations officer(s) and
the police should have similar, to liaise with all bodies and to provide advice and
guidance to schools and other agencies (para.12). The guidance also covers:

**Physical contact.** (para.19) 'If the allegation is about physical contact' take into
account that teachers and other staff 'are entitled to use reasonable force to control
or restrain pupils in certain circumstances, including dealing with disruptive
behaviour, under s55-A of the education act 1996.' [some re-assurance to staff!]

**Suspension.** (para. 23) 'A person must not be suspended automatically, or without
careful thought. School must consider carefully whether the circumstances of a case
warrant a person being suspended from contact with children until the allegation is
resolved.... (para.24)

**False allegations.** (para.34) 'In the rare event [sic] that an allegations is shown to
have been deliberately invented or malicious, the Head teacher should consider
whether any disciplinary action is appropriate against the pupil who made it.'

**Summary of process.** This comes at the end of the guidance:

- allegations to be reported to the head teacher immediately or if against head,
to Chair of governors;
- on the same day, the head must pass on the allegation to the LA Designated
officer;
- LA Designated officer to discuss the allegation with head;
- if the allegation does not require formal disciplinary action, the head should
institute appropriate action within 3 working days;
- an investigating officer (acting for the school) should produce a report to the
school within 10 working days;
- if a disciplinary hearing is required it should be held in 15 working days;
- if a school 'ceases to use the [the accused'] person's services, or the person
ceases to provide his/her services, the school should consult the LA
designated officer about referral to DFES is required. If a referral is
appropriate the report should be made within one month.' (para 49)
It is claimed that (para. 11) 'It is in everyone's interest to resolve cases as quickly as
consistent with a fair and thorough investigation.' In reality in England cases can still
be protracted over a year and good, innocent staff see their careers wrecked.

This guidance should be viewed alongside for 'Safeguarding Children in Education

B1.16 DfES (2007a) 'School Discipline and Pupil Behaviour
Policies: Guidance for schools'

B1.16.1: Introduction
This guidance should 'be seen as the centre piece to an overall suite of DfES
guidance across the broad range of issues around school discipline, pupil behaviour
and attendance' [para. 1.6] and therefore merits detailed coverage. It is an
accessible and helpful restatement of both the law and of good practice. It
incorporates recent legislative amendments which give schools more powers
(Section 91 of the Education and Inspections Act 2006 introduces, for the first time, a
statutory power for teachers and certain other school staff to discipline pupils - see
para.3.3.1) on and off their premises. It also draws heavily on the good sense of the
Steer Report (DfESa,2005). It is also clearly underwritten by much other research
and experience since Elton Report (DES,1989 - to which reference is occasionally
made). This guidance supersedes all previous guidance in this area (including the
2003 National Strategy documents in the B & A area). The style is helpful with
paragraphs often arranged under the following three headings. 'Key points' [in
coloured boxes] 'What the Law says' and 'This means in practical terms' in boxes.
The document runs to 67 pages and inevitably, particularly in relation to powers of
detention, confiscation, disability and SEN, covers complex matters e.g. definitions of
what is 'reasonable'.

B1.16.2 Contents
The introduction (Section 1) on purpose and coverage of this guidance is followed by
(Section 2) statutory guidance for school governors. Section 3 is the key section for
most practitioners, having the following sub-sections:

3.1 Developing the behaviour policy
3.2 Communicating the behaviour policy
3.3 The power to discipline: what it means
3.4 Regulating pupils’ conduct and disciplining them for misbehaviour outside school premises
3.5 Promoting and rewarding good behaviour
3.6 Punishing poor behaviour – use of disciplinary sanctions
3.7 Detention
3.8 Confiscation (including retention and disposal) of inappropriate items
3.9 Taking account of individual pupil needs

Extracts from these sub-sections form the bulk of the paragraphs below.

Section 4 consists of three tables, drawing on the content of Section 2 and 3, listing the rights and responsibilities of schools, pupils and parents in ensuring an orderly climate for learning.

B1.16.3 Section 1 Purpose and scope
1.1 This guidance aims to help particularly leaders in schools understand their overall legal powers and duties as regards establishing a school behaviour policy and disciplining pupils, providing more specific advice on key sanctions (e.g. detention and confiscation). It is not a definitive interpretation of the law.

1.5 Some topics eg pupil exclusions, use of force, truancy, or tackling bullying 'raise extremely sensitive and complex issues' and have separate guidance.

1.7 The guidance covers all the provisions in the School Discipline chapter of the EIA 2006 except, for reasons already indicated, the use of force.

1.12 ‘...this guidance to be disseminated to staff through training sessions or continuing professional development (CPD) events' with 'ongoing reviews'.

B1.16.4 Section 2 (2.1-2.24) Statutory guidance for school governors.
This covers e.g. duty 'to make and from time to time review a written statement of general principles to guide the head teacher in determining measure to promote good behaviour’ (para.2.2), statement of principles to help the head develop specific disciplinary measures, consultation in shaping the legally required behaviour policy.
2.25 **School Partnerships** *By September 2007 all secondary schools are expected to be in partnerships designed to improve behaviour and tackle persistent absence. Many primary schools, special schools and PRUs will also be involved. It is important that head teachers and governing bodies of partner schools understand and respect each other’s behaviour policies. Some degree of harmonisation may also be helpful,* ...

**B1.16.5 Non-statutory guidance for head teachers and other school staff**

**3.1 Developing the behaviour policy**

**Key points**

- Every school must have a behaviour policy, including disciplinary measures, determined by the head teacher in the light of principles set by the governing body [3.1.1]
- The policy must be designed to promote good behaviour and deter bad behaviour, including all forms of bullying.
- The policy must be publicised to school staff, pupil and parents.

**3.1.2** Head teachers are legally required to ensure that the measures aim

- to promote good behaviour and respect,
- prevent bullying including bullying related to race, religion and culture; homophobic bullying; bullying of pupils with SEN disabilities; sexist or sexual bullying; and cyberbullying. The anti-bullying policy is best incorporated into the behaviour policy.
- ensure that pupils complete assigned work
- regulate the conduct of pupils.
- measures to regulate behaviour outside school premises
- different rewards and sanctions staff have at their disposal (meeting legal requirements to disabled or those with SENs) [p12]

**3.1.3** The school’s “lead behaviour professional” may help the head teacher to establish appropriate disciplinary measures.

**3.1.4** All staff have a general power to impose sanctions on pupils, head teachers have the power to decide that particular members of staff should or should not have the power to impose certain penalties.
3.1.5 It is the head teacher’s legal duty to maintain and publicise the behaviour policy to pupils and parents and staff (at least once a year).

3.1.6 School behaviour policies should aim to establish a positive school ethos and promote effective learning by establishing:
   - clearly stated expectations of what constitutes acceptable behaviour;
   - effective behaviour management strategies;
   - processes which recognise, teach, reward and celebrate positive behaviour;
   - processes, rules and sanctions to deal with poor conduct.

3.1.7 The behaviour policy may also include a specific code of conduct. The code of conduct establishes appropriate standards of behaviour within the school.

3.1.8 Head teachers should work with other staff in developing disciplinary measures. This should include a lead behaviour professional if the school has one, the inclusion coordinator or SENCO as appropriate, and consultation with school workforce unions. This will help ensure that staff have ownership of and confidence in the behaviour policy.

3.1.9 The Steer Report (DfESa 2005) describes ten key aspects of school practice, which schools should reflect on in developing their behaviour policies. These are:
   - a consistent approach to behaviour management, teaching and learning;
   - school leadership;
   - classroom management, learning and teaching;
   - rewards and sanctions;
   - behaviour strategies and the teaching of good behaviour;
   - staff development and support;
   - pupil support systems;
   - liaison with parents and other agencies;
   - managing pupil transition; and
   - organisation and facilities.

3.1.11 The National Strategies on Behaviour and Attendance offer schools practical materials to help familiarise staff in primary settings with the Social and Emotional Aspects of Learning (SEAL [pilot happening in secondary schools]).
3.1.12 Audits of behaviour recommended to identify strengths and weaknesses and areas for improvement. Use the National Strategies for School Improvement audit tools. Follow with use of the downloadable National Strategies toolkit for secondary schools and CPD materials for primary schools.

3.1.13 Good teaching and learning is a way of improving behaviour. Approach behaviour as a whole-school issue. The quality of the relationship between teacher and pupil should be given 'utmost regard'.

3.1.14 Work in partnership with other schools and with outside agencies is very important, including communicating agency referral systems to all staff.

3.1.15 The Common Assessment Framework (CAF) might help for some pupils [with complex needs] to enable practitioners and/or multi-agency teams to provide a co-ordinated response. One practitioner is then likely to act as the 'lead professional'.

**Staff development, training and support**

3.1.16 ... staff to be clear about the expectations in the behaviour policy and procedures which they should use. Where specific training needs have been identified for particular members of staff, through school self-evaluation and individual performance management reviews, it should be given.

3.1.17 'Staff training and development plays a key role in building the capacity of the school and in developing good practice. Use National Strategies toolkit and:

- the Improving Behaviour for Learning DVD for secondary schools (ref: DfES/0875/2004);
- the accredited National Programme for Specialist Leaders in Behaviour and Attendance (NPSL-BA);
- the National Professional Qualification for Head teachers (NPQH);
- induction and continuing training programmes through the Training and Development Agency (TDA) for Higher Level Teaching Assistants (HLTAs) and other support staff;
- mentoring and coaching for new and existing staff
- the experience of behaviour support staff e.g. LSU managers, SENCOs, Nurture Group managers, and other expert staff.
3.1.19 ...ensure that student teachers are fully supported in understanding the school policy and practice and in developing their behaviour management skills.

3.1.20 Head teachers should encourage school governors to develop appropriate skills in the area of behaviour.

3.2 Communicating the behaviour policy

3.2.1 - 2. Head teachers must bring their school’s behaviour policy to the attention of pupils, parents and staff at least once a year

3.2.3 The head teacher’s duty to publicise the policy is particularly important as regards detentions and confiscation

3.2.4 [publicising the policy] ’might involve, at the start of the school year, engaging the whole school community in considering the policy on behaviour, including sanctions...It is important that pupils or staff [including supply staff] joining during the school year have induction into expectations and processes. Published documents (prospectus, website, planners) of the school can include these details.

3.2.10 Staff should be clear about: who is empowered to impose which sanctions

Ensure that the authority to use disciplinary sanctions off the school site is clearly stated for pupils, staff, volunteers and parents. The staff handbook (usually now in electronic form). should include the full written policy (3.2.11). Key messages [could be] displayed in classroom/staffroom/reception (3.2.13). Communicate the policy within the local school behaviour partnership (3.2.14). Ensure parents and pupils are aware of the school’s complaints procedure (3.2.15 -16).

3.2.17 False allegations: 'Where a pupil is found to have made a false or malicious allegation of abuse against a member of school staff (or indeed another pupil) this is a serious matter on which the school should take appropriate disciplinary action (see chapter 5 of the Department’s guidance on Safeguarding Children and Safer Recruitment in Education for more information of dealing with allegations of abuse).'

3.3 The power to discipline: what it means

3.3.3 The 2006 E and I Act Act ‘... tackles, in particular, the “you can’t tell me to do that” culture among certain pupils and their parents. It gives school staff a clear
statutory authority for punishing pupils ...(3.3.4).

3.3.6 Head teachers cannot give the power to discipline to pupils. [but prefects are useful and can give instructions]

3.3.8 ...disciplinary penalties ... must be reasonable, not breach any law e.g. on SEN, disability, race and human rights); take account of the pupil’s age, any special educational needs or disability, religious requirements.

3.3.9 Exclusion of pupils, whether on a fixed period or permanent basis, is not covered by the general power to discipline.

3.3.10 Corporal punishment – as defined in section 548 of the Education Act 1996 – is unlawful.

3.4 Regulating pupils’ conduct outside school premises

Key points

- Schools have a statutory power to regulate the behaviour of pupils when off school premises and not supervised by school staff (Section 89(5) 3.4.1).
- Regulation must be reasonable. Schools should be clear about the factors they take into account in deciding whether a rule or sanction is reasonable.

What this means for schools in practical terms

3.4.4 ...policy should set expectations for positive behaviour off the school site (e.g. work experience placements, educational visits and sporting events; behaviour on the way to and from school; behaviour when wearing school uniform in a public place.

3.4.9 -3.4.17 Schools should work out codes of conduct, how to communicate, reward and punish good behaviour with transport providers, Neighbourhood Watch, retail staff, wardens, police, work experience and college placement providers. Staff handbook to provide clarity on the above.

3.4.18 Bullying/defamation by mobile phones, internet sites and chat rooms: to be covered in behaviour policy.
3.4.19 **Abuse or intimidation of staff outside school** Head teachers should adopt firm measures against abuse or intimidation of staff [off school-site], the school will apply appropriate disciplinary sanctions when the pupil is next in school.

3.4.20 Schools [and Partnerships] should liaise with Neighbourhood Police Teams.

### 3.5 Promoting and rewarding good behaviour

3.5.1 **...rewards are more effective than punishment in motivating pupils...** The school behaviour policy should specify what sanctions are available but also how positive behaviour will be reinforced through praise and rewards.

3.5.2 The Elton Report noted that a rewards/sanctions ratio of at least 5:1 is an indication of a school with effective rewards and sanctions system.

3.5.3 Praise begins with frequent use of encouraging language and gestures, both in lessons and around the school ... A more formal system of credits, merits and prizes can also be used to recognise and congratulate pupils when they set a good example or show improvement in their behaviour.

Rewards might include, for example:

- “congratulations” and “good news” postcards home;
- personalised letters to parents;
- certificates which recognise positive contributions to the school community;
- celebration assemblies, involving parents;
- special privileges;
- prizes or, in the case of younger children, gold stars (prizes could be purchased from a school reward shop).

3.5.4. **...Striking the right balance between rewarding pupils with consistently good behaviour and those achieving substantial improvement in their behaviour is important....** Staff should also monitor any emerging patterns – revealed through, for example, an annual behaviour audit or a routine recording system – in relation to age, ethnicity, gender, special educational needs, disability etc. and take appropriate action to avoid bias.

### 3.6 Punishing poor behaviour – use of disciplinary sanctions

3.6.4 **...schools should have an appropriately wide range of sanctions. It will**
help if there is also a scale of disciplinary sanctions allowing responses which are reasonable and proportionate.

3.6.6 One way of developing an appropriate scale of sanctions is to use a whole-school staff training session or formal discussion on the different forms of misbehaviour. This can help build agreement about what are low-level misbehaviours.

3.6.7 Clear referral systems needed on when to refer to a more senior member of staff; how to call for assistance in a crisis in class (e.g. using pupils or IT to call for assistance). Schools should also work out protocols with local police and youth offending services, for ...very serious incidents.'

3.6.8 ...a referral to senior staff might also involve: consultation with the parent, engagement with multi-agency staff, use of continual reporting systems (books, cards) for the pupil, and/or creation of a pastoral support programme (PSP).

3.6.9 A PSP is a school-based intervention to help individual pupils to manage their behaviour. It is particularly useful for those whose behaviour is deteriorating rapidly and who are in danger of permanent exclusion. The PSP should identify precise and realistic targets for the pupil to work towards; it should be short, practical and agreed with parents. The local authority will be informed and other agencies involved. In some circumstances it may also be appropriate for schools to offer a parenting contract alongside the PSP.

3.6.11 ...monitor pupils’ behaviours and the use of sanctions e.g. use Staff or Pupil Planners, wall charts or IT based data.

3.6.12 Data gathered consistently and analysed can reinforce good news stories about school improvement; contribute to the school Self Evaluation Form; and inform discussions...

3.6.14 Sanctions are more likely to promote positive behaviour if pupils see them as fair. The guidelines should advise staff to:

- make clear they are dealing with the behaviour, rather than stigmatising the person;
• avoid early escalation to severe sanctions, reserving them for the most serious or persistent misbehaviour;
• avoid sanctions becoming cumulative and automatic
• avoid whole group sanctions that punish the innocent as well as the guilty;
• use sanctions that are a logical consequence of the pupil’s behaviour
• use sanctions to help the pupil and others to learn from mistakes and recognise how they can improve their behaviour (i.e. a learning outcome);
• when appropriate, use sanctions to put right harm caused;
• never issue a sanction that is humiliating or degrading;
• use sanctions in a calm and controlled manner
• ensure that sanctions are seen as inevitable and consistent (pupils should know that a sanction, when mentioned, will be used);
• link the concept of sanctions to choice, so that pupils connect their own behaviour and its impact on themselves and others, and so increasingly take responsibility for their own behaviour.

3.6.15 Sanctions should not be used where low-level interventions, such as giving a non-verbal signal or reminding a pupil of a rule, are all that is needed.

3.6.16 ... restorative approaches recommended (pupils are held to account for their actions and encouraged to put right the harm caused).

3.6.17 ... ask if a behaviour difficulty is in fact an unidentified learning difficulties/SEN.

3.6.18 Examples of sanctions used by schools Individual schools should determine what sanctions to use but could include:
• one-to-one admonishment;
• removal from the group (in class);
• withdrawal from a particular lesson or peer group;
• withdrawal of access to the school IT system (or to specific websites)
• withholding participation in a school trip or sports event;
• withdrawal of break or lunchtime privileges;
• carrying out a useful task in the school;
• a variety of forms of detention;
• a fixed period exclusion;
• permanent exclusion.
3.7 Detention (Section 92 of E&I Act 2006)

Key points
- School staff have a statutory power to put pupils aged under 18 in detention after school sessions and on some weekend and non-teaching days.
- Detentions are lawful if:
  - pupils and parents have been informed that the school uses detentions as a sanction; and
  - the school gives parents 24 hours’ notice of detentions outside school sessions.

This is a long complicated section explaining historical context, rules headteachers must abide by, listing times when detentions cannot be given (e.g. in school holidays other than INSET and non-contact days), suggesting who should have the power to give detentions, giving 24 hour notice in writing (a legal requirement) to parents (3.7.10). 3.7.18 says support staff rather than teachers would supervise detentions.

3.7.19 advises two staff to be present and the sessions possibly monitored by CCTV (to lessen allegations of staff misconduct); taking into account transport considerations (3.7.23) - would giving an out of school hours detention be reasonable if the transport difficulties are large? if the family was due to go on holiday?(3.7.25).

3.7.31 -32 covers pupils walking out of detentions (and imposition of ‘higher level sanction by headteachers’).

3.8 Confiscation (including retention and disposal) of inappropriate items

Key points
- Schools can include confiscation of pupils’ property as a disciplinary sanction in their behaviour policy.
- To be lawful, confiscation must be a reasonable sanction in the circumstances of the particular case (3.8.3 -).
- Decisions about retention and disposal of confiscated property must also be reasonable in the circumstances of the particular case.
- The Education and Inspections Act 2006 includes a specific statutory defence for school staff who have reasonably confiscated pupils’ property.

3.8.4 [Searching for weapons]. A separate legal provision in the Violent Crime Reduction Act 2006, inserted in the Education Act 1996, makes it lawful for certain school staff to search suspected pupils for knives or other weapons without consent.
It also deals with the seizure of items found during the course of a search. Associated guidance lets schools screen pupils without suspicion using electronic means such as wands or arches.

3.8.5 The legal power for school staff to search pupils only covers weapons. A pupil might reasonably be asked to turn out their pockets or to hand over an item such as a personal music player that is causing disruption, and the school might use its legal power to discipline if the pupil unreasonably refuses to cooperate. Police should be called to search for (say) illegal drugs or stolen property.

3.8.6 ...searching through a phone or accessing text messages without the pupil's permission is not legal. It may be reasonable to ask a pupil to reveal a message if cyberbullying suspected but if the pupil refuses then staff should not enforce the instruction. Staff can, however, legitimately issue a disciplinary penalty for failure to follow a reasonable instruction.

3.8.7 Suggested criteria for confiscation could include:

- an item poses a threat to others: for example a laser pen is being used to distract and possibly harm other pupils or staff;
- an item poses a threat to good order for learning: for example a pupil uses a personal music player in class;
- an item is against school uniform rules: for example a pupil refuses to take off a baseball cap on entering a classroom;
- an item poses a health or safety threat: for example a pupil wearing large ornate rings in PE may present a safety threat to other pupils;
- an item which is counter to the ethos of the school: for example material which might cause tension between one community and another;
- an item which is illegal for a child to have: for example racist or pornographic material.

3.8.8 Staff should have appropriate regard to whether the item in question has religious or cultural significance to the pupil and should avoid physical contact or interference with pupils’ clothing of a kind that might give rise to child abuse allegations. Confiscations should be carried out by same-sex staff member in presence of another staff witness.
3.8.9 - 10 ... keep careful records of confiscated items and the grounds for the action and stored safely until they can be returned.

3.9 Taking account of individual pupil needs

3.9.1 This section provides guidance to help schools take account of a range of individual pupil needs, mainly pupils with SEN or disabilities but also certain other 'at risk' groups: minority ethnic and faith groups, travellers, asylum seekers and refugees; pupils who need support to learn English as an additional language (EAL); children looked after by the local authority; sick children; young carers; children from families under stress; pregnant schoolgirls and teenage mothers; and any other pupils at risk of disaffection and exclusion.

3.9.6 Staff should, for example:

- be aware that a pupil who is behaving inappropriately may be experiencing an ongoing, repeated barrage of racially based provocation;
- be aware of the risk of certain pupils being ‘over-disciplined’ through misinterpretation of their behavioural norms, such as a ‘loud’ social style;
- be aware, on the other hand, that an inappropriate reluctance to discipline certain groups of pupils (for fear, for example, of being thought of as racist) is likely to result in their misbehaviour escalating so that it has to be dealt with through exclusion;
- understand the cultural importance of showing respect.

3.9.7 'Rules relating to school uniform and appearance should take appropriate account of the cultural and/or religious needs of particular groups of pupils. For example: old rings and earrings are often viewed as an intrinsic part of Gypsy / Roma identity; Sikh pupils may be required by their religion to carry a kirpan (ceremonial knife) or wear a kara (metal bracelet) after completing the Amrit Pahul ceremony; female Muslim pupils may observe the hijab and Jewish pupils the kippah / yarmulke head covering.'

3.9.8 ...schools should reach a sensible compromise between the practices of particular minority groups and the need to ensure the health and safety of all pupils, effective teaching and learning, the promotion of a strong, cohesive school identity and harmony between the different groups represented in the school. See the DfES Guidance on School Uniform Policies.
3.9.12 Disabled pupils ...encompass an estimated 7% of the child population and includes hidden disabilities such as dyslexia, autism and speech and language impairments; sensory and physical impairments; and medical conditions such as diabetes, epilepsy or disfigurement. Some pupils with more complex behavioural, emotional or social difficulties (BESD) may also fall under the definition of disabled. The definition of disability includes conduct disorders such as oppositional defiance disorder (ODD); hyperkinetic disorders such as attention deficit disorder or attention deficit hyperactivity disorder (ADD/ADHD); and syndromes such as Tourette’s and other mental health disorders. Such disorders do not have to have been officially diagnosed in order for a pupil to be classified as disabled: the impairment simply needs to exist.

3.9.13 There is a significant overlap between those who have a disability and those who have SEN.

Take into account the ...3.9.14 Under the Education Act 1996, as amended by the SEN and Disability Act 2001, 3.9.15 The Disability Discrimination Act 1995 (as amended)

3.9.17 Refer to the Disability Rights Commission (DRC) guidance.

3.9.22 -25 Understand SENs to avoid unfair 'discipline' and to make 'reasonable adjustments' - see DfES publication *Inclusive Schooling: Children with SEN.*

3.9.28 ...'it is good practice for schools to check that what are apparently behaviour difficulties are not in fact a manifestation of unidentified learning difficulties.'

3.9.29 'There are a number of reasons why pupils with SEN or disabilities and other vulnerable pupils may behave inappropriately. The first reason may be that they do not have the cognitive, physical or social and emotional competences necessary to understand and follow a school rule.'

3.9.35 Some children [e.g. a girl with Downs] can understand and follow basic rules if taught them: 'Exempting her from sanctions does not help her development.' This is followed by related paragraphs on vulnerable 'pupils who can behave but choose not
to' and children under stress with mental health difficulties/undergoing trauma for whom schools should make allowance if they misbehave.

3.9.50 [Looked after children] 'Pupils who are looked after by the local authority have often experienced significant loss or trauma, and schools need to be aware of their particular needs. Many show remarkable strength in spite of experiencing trauma and separation. There should never be an automatic assumption that they will display poor behaviour. However, some looked after pupils will need help with their emotional well-being and may express their pain and anger through difficult behaviour at school. Behaviour policies should take account of how the school will respond to challenging behaviour in such circumstances.' [see also 3.9.51]

3.9.52 When framing/reviewing policy as regards vulnerable pupils:

- Involve inclusion coordinators or SENCOs
- Ensure all staff understand that there are circumstances in which some pupils may be treated differently from others, and why; building this into the consultation on the policy and into its wording.
- Provide appropriate opportunities for staff to have training in avoiding and de-escalating conflict.
- Identify at-risk pupils in advance and using established pastoral and SEN processes to identify barriers to good behaviour.

B1.17.6 Section 4: The Rights and Responsibilities of Schools, Pupils and Parents in Ensuring and Orderly Climate for Learning

This section offers a view on the kinds of expectations which the school, pupils and parents might reasonably have of one another – expectations of what each will do to help ensure an orderly and safe climate for learning. The set of expectations is set down in a summary chart with the “rights” and “responsibilities” of schools, pupils and parents in two columns.

B1.17: DfES Research Reports. This extensive series includes the following reports of particular - and continuing - relevance:

- Daniels et al. (1998) *Emotional and special Difficulties in Mainstream Schools*, Research Report RR90. (see Appendix 10);

These studies by the University of Birmingham EBD Team give useful insights into successful and less-successful practice, helping to improve behaviour and attendance, including views from young people (particularly in RR405 - the study of 190+ Key Stage 4 Young People permanently excluded).

RR90 found that in schools that coped well with and minimised 'EBD', there were the following features:

• Values, ethos of leadership and 'critical mass' of staff were 'inclusive'; reluctant to exclude, reluctant to use the label 'EBD', seeing those with 'EBD' as part of the school community and all staff's responsibility;

• Some influential staff had understanding of 'EBD' either through training or experience or working with children with social, emotional and difficulties;

• There was co-ordination and good communication between staff responsible for curriculum delivery, SEN and pastoral systems - and an appreciation that behaviour and learning difficulties often go hand in hand;

• No 'specialist' approaches were evident but (under good sympathetic leadership) these establishments were:
  - Talking schools (staff and pupils discuss issues including behaviour regularly eg teachers in staffroom);
  - Learning and listening schools (staff 'listen' to children, to each other and to professionals from outside who give advice)
  - Caring schools (individual pupil needs understood and staff try to respond to them on ongoing basis);

• There was good teaching and support where 'academic' and 'pastoral' were both highly valued.

**B1.18: 2002 Guidance on residential care standards.** For care standards applicable to children with BESD placed in special schools with residential accommodation attached, DfES/DoH offered useful guidance in the National Minimum Standards for residential schools (see English Dept of Health, 2002). These stress the need for a safe environment, privacy (there are restrictions on auditory,
visual and electronic monitoring of children). Accommodation should 'provide a homely residential environment with decorations and furnishings to an acceptable standard. Damage is repaired promptly and equipment, grounds and play areas are well maintained and safe...When it is not possible for them to have their own room, they must have their own personal space which they can personalise, with sufficient room and furnishings to accommodate them comfortably. There must be no more than four young people in a room.' (p.16 -17). There must be a quiet space for homework and pursuit of their own individual interests, safe storage for personal belongings, and rooms for them to meet with their friends, family or 'significant people' in private and without interruption.' Telephones should be available to them, to be used in private. There must be one toilet for four residents and at least one bath or shower for every seven residents. These are a good set of standards to guide provision for weekly and termly boarding. Children's homes regulations/ minimum standards (DoH, 2002) are more demanding for schools registered as children's homes, providing extensive holiday care.

B1.19 Improving Behaviour and Attendance: Guidance on exclusion from schools and Pupil Referral Units (DfES 2007b)
This updates the 2006 guidance, bringing in the new requirement that schools are required to arrange full-time education for pupils excluded for a fixed period from the sixth day of exclusion and local authorities likewise from the sixth day of a permanent exclusion. The guidance is divided into seven parts. Part 1 covers 'Promoting positive behaviour and early intervention', stating the exclusion should be a last resort 'after a range of measures have been tried. Reference is made to documents described above and in Section C below. Alternatives to exclusion are suggested: restorative justice, mediation, internal exclusion and 'managed moves'.

Exclusion is said to be inappropriate for minor incidents such as failure to do homework, poor academic performance; lateness or truancy; pregnancy; breaches of school uniform code 'except where these are persistent and in open defiance of such rules'; punishing children for the behaviour of their parents (para.24).

Informal and unofficial exclusions are illegal (para 25 -28). Paragraph 26 warns against pupils being sent home for disciplinary reasons for part of a school day for a 'cooling off' period: 'There is no legal basis for this.'
The remaining parts cover the mechanics and legal considerations including removing pupils from a school site, the decision to exclude, the head's duties, the governing body's duties, independent appeal panels, police involvement and model letters to be used.

**B2: Scotland**


**B2.1.1: Introduction.** The Discipline Task Group (DTG), a response to perceived declining discipline in Scottish Schools, produced the report 'Better Behaviour - Better Learning' report in 2001 (SEED, 2001a and 2001b). There are strong overlaps with the content of the Elton Report (DES 1989), Ofsted (2005a) and Steer Report (DfES 2005a). This report led on to an SEED strategy for promoting better behaviour, which continues in 2007, with dissemination of good practice aided by the 'Better Behaviour' website of the SEED. Professor Pamela Munn was a member of the DTG and her (with colleagues') extensive research (e.g. Munn, Lloyd and Cullen, 2000) into building whole-school ethos, values, a collaborative culture and positive behaviour as an antidote to needing to exclude children was evident in the tone and recommendations of the report. The continuing need for a few children ‘who display particularly challenging behaviour’ (SEED, 2001b, p.7) to be placed in alternative provision was recognised.

The Scottish Executive pledged to 'move the emphasis from a negative exclusions target, towards targets for positive behaviour and participation' It would review the relevant strands of the 'Excellence Fund' to give schools greater flexibility to support positive behaviour programmes; It would instigate five pilot projects across Scotland to trial staged intervention using the model of Framework for Intervention.’ (Foreword, SEED, 2001b)

The DTG (SEED, 2001b, p5) wrote:

'Most children behave and achieve well but] there are growing concerns regarding the level of indiscipline in our schools. These concerns range from the cumulative effect of low-level indiscipline displayed by routine inappropriate behaviour in
classrooms, to the extremely disturbed behaviour exhibited by troubled young people who face major challenges in their lives. There is also concern over the increasing levels of indiscipline and anti-social behaviour witnessed outside the classroom in corridors, playgrounds, dining areas, on school buses and also in areas immediately adjacent to schools. A small number of children and young people have specific behavioural problems which are medical or psychological in origin. However, discipline problems may have their roots in the social and economic challenges faced by families and communities, and sometimes in the way in which the management of learning and teaching is organised. Frequently discipline problems have a variety of causes. Whatever the problems are, they are a barrier to learning and teaching and they must be addressed for the benefit of our young people and society as a whole.

They also note the social factors affecting indiscipline (p.5):

'We were aware that there are many factors which play a significant part in securing a more inclusive society – factors which may mitigate the best efforts of the various professionals working with children and young people. A background of unemployment, poverty, crime, violence, abuse, alcohol, drugs, mental health and family break up all feature largely in the statistics of young people who experience serious difficulties in school and beyond. Clearly, in facing the challenges of social inclusion, a significant commitment of resources will be required in the area of children’s services.’

B2.1.2: Guiding Principles. The DTG stated its Guiding Principles. As well as a commitment to equality of opportunity, no discrimination and social inclusion there were the following: (p3-4, SEED, 2001b).

'Effective learning and teaching
Effective learning and teaching is much easier to achieve where a positive ethos and good discipline prevail. Discipline policy cannot, and should not, be separated from policy on learning and teaching – the two are inextricably linked. Children and young people are more likely to engage positively with education when careful consideration is given to the factors which affect their learning and teaching.

Encouraging positive behaviour
Children and young people should learn in an environment which offers well-judged praise and recognition of achievement, and which looks for and focuses on their
strengths, takes them seriously and shows a genuine interest in them. Research shows clearly that schools which promote the appreciation and encouragement of the positive contributions of both staff and pupils can be more effective in building motivation, confidence and a sense of responsibility...

Participation and citizenship
People are more likely to understand the reasons for policies and procedures, and therefore genuinely subscribe to them, when they have been actively involved in determining them. Participation in decision-making of all staff, children, young people, parents/carers and others is the hallmark of many schools which have been successful in promoting positive discipline.

Partnership working
... Children’s experiences and behaviour in school cannot be dissociated from all other aspects of their lives, including within their families and communities. Accordingly, what happens to children in school is of interest to their parents/carers and involved professionals, and what happens to them in families and communities is of interest to teachers and schools. In order to develop shared values and understanding of the needs of children and young people, and to maximise the response to those needs, partnership working involving parents/carers, education, social work, health, voluntary agencies and other professions is essential.'

B2.1.3: SEBD. In relation to children with SEBD, the crucial importance of supporting staff and developing their skills was stressed (SEED, 2001b, p.8):
' Staff demonstrate on a daily basis their professionalism and commitment to working with children and young people who display social, emotional or behavioural difficulties. It is important that experienced teachers and new entrants to the profession feel confident, well-prepared and supported in carrying out this challenging work. This is equally important for non-teaching staff. In order to achieve this staff must be fully involved in making key decisions relating to the formulation and implementation of school policies. They also require access to continuing professional development opportunities which not only enhance their professional competence, but also provide opportunities for accreditation through recognised career development pathways.'

B2.1.4: Key Themes. The report concludes with a warning that there are no 'quick fix' solutions and sustained effort and commitment over a considerable period of time
by the wide range of parties involved, is needed. The key themes associated with making progress with regard to promoting positive behaviour were:

- effective vision and leadership
- the importance of high quality learning and teaching
- participation in decision-making by teachers, pupils and parents/carers
- consistency in the implementation and application of agreed policies
- the development of holistic support through multidisciplinary approaches
- the importance of teachers having and sharing high expectations with children and young people
- ensuring that staff who have responsibility for the care and welfare of children and young people are given the time and resources to do this effectively

(SEED, 2001b, 9)

The DTG noted that teachers were concerned about increasing demands made upon them as a result of policies linked to social inclusion and alternatives to exclusion, but heartened that these concerns were related to the lack of appropriate strategies and resources rather than to an opposition to 'the principle of giving each and every young person the best possible start in life.' (p.10)

B2.1.5: Recommended strategies. The DTG laid out a range of strategies, framed as 36 recommendations, that they believed would help LAs and schools promote better behaviour and better learning. The recommendations included:

- SEED guidance on degree of curriculum flexibility available with Executive guidelines to allow for local circumstances and individual pupil needs (Recommendation 1);
- LAs and schools to review their existing policies and guidelines relating to teaching and learning: 'It is recommended that these should be integrated into a single framework of effective inclusive practice' (Rs);
- Increase staffing (eg classroom assistants) to develop positive discipline (R3);
- Share routine good practice and apply it consistently (R4);
- SEED to support Staged Intervention (ie Scottish version of Birmingham's Staged Intervention/ Behaviour C-ordinator approach) (R5);
- Schools should agree and adopt policies for the management of pupil care, welfare and discipline, including the promotion of positive behaviour.
Particular attention should be paid to expectations, rules, rewards and sanctions. These policies should be applied consistently (R6);

- Local authorities should provide support and advice for all schools in the formulation of policies relating to pupil care, welfare and discipline. School policies and their implementation should be regularly reviewed and endorsed by the local authority and these arrangements should be evaluated by HM Inspectorate of Education through their inspections of education authorities (R7).
- A national mechanism for identifying, evaluating and disseminating good practice at education authority and school levels should be established and funded. As part of this mechanism, national research focused on school discipline, behaviour management and school inclusion should be developed (R8);
- Agreed dress codes (R9);
- More funding for auxiliary support and training of these people (R10);
- LA guidance on levels of intervention expected of staff with respect to their handling of disciplinary matters in classrooms and public areas within the school [R11].
- Schools should develop agreed systems for shared responsibility between staff at all levels for the conduct and behaviour of children and young people in corridors, playgrounds and public areas within the school [R12].
- Formal mechanisms in place to allow pupils to share their views with teachers and other pupils and to participate in decision making [R13];
- senior pupils at both primary and secondary levels to take responsibility for ‘buddying’ and/or mentoring junior pupils [R14].
- ‘Schools should review the mechanisms and approaches used to communicate with and involve parents/carers in the general life of the school and with their own child’s education in particular’ [R15].
- A national development programme on parenting skills should be developed [R16];
- Funding needed for home-school link workers in secondary schools and primary school clusters [R17];
- A media campaign focusing on parents’/carers’ rights and responsibilities in the school system should be established [R18];
- ‘Schools should give consideration to integrating the work of learning support, behaviour support and guidance into a single overall framework of pupil
support in order to achieve a more holistic approach to supporting the needs of all children and young people' [R19].

- Review 'the criteria and formula for the allocation of learning support staffing to all schools to allow for appropriate levels of support for children and young people with special educational needs, including those with SEBD' [R20].
- Review the nature and purpose of guidance and of the training of guidance staff [R21].
- Flexible support provision, including in-class support and facilities to educate children and young people outwith the normal classroom environment, should be established in secondary schools and designated primary schools ['resource bases' etc]. Best practice in operating such provision should be further researched and disseminated nationally [R22].
- 'In planning for new and refurbished school buildings, local authorities should seek to ensure that suitable and appropriate accommodation is made available for supporting the needs of children and young people who may need to be educated outwith the normal classroom environment. They should also consider how to adapt existing school buildings to allow this to happen [R23].
- Exclusion guidance to be reviewed (Circular 2/98) [R24];
- Designated member of staff to be responsible for the care, welfare and tracking of progress of looked after children [R25].
- 'There should be joint multidisciplinary decision-making relating to the care and welfare of children and young people experiencing social, emotional or behavioural difficulties [R26].
- Enhance early intervention for pupils with SEBD at pre-school and primary age, including family support [R27];
- Review 'policies and procedures to ensure all educational transitions, including those between mainstream education and alternative provision, are proactively managed in the best interests of all children, young people and families' [R28].
- The success strategies identified in the New Community Schools ['one-stop, all service on one site] pilot should be rolled out to secondary schools and primary schools across Scotland [R29].
- 'As trusted professionals, all teachers should have access to relevant background information on pupils, including personal and family details, which may affect the learning and teaching process [R30].
Review extent to which 'student teachers are prepared to meet the challenges of supporting social inclusion through effective behaviour management, the promotion of positive discipline and classroom management skills. It should also include the development of opportunities for students following ITE courses to link with professionals in other fields and to develop an awareness of approaches to working with parents and carers' [R31].

In partnership with higher education institutions there should be 'a national continuing professional development [CPD] programme relating to behaviour management, social inclusion, alternatives to exclusion and effective learning and teaching for probationers, serving teachers and senior managers should be developed' [R32].

CPD 'should include opportunities for teaching staff to take part in multidisciplinary training with professionals in other fields and to develop an awareness of approaches to working with parents and carers' [R33].

The Scottish Executive should develop a set of policy targets linked to the performance measures within the National Priorities, focused on school ethos and discipline. These should support education authorities and schools in maintaining a greater number of children and young people with SEBD within mainstream schools without adversely affecting the progress or welfare of other pupils or staff. Schools should receive appropriate funding to achieve such targets. ' [R34].

The relevant strands of the Excellence Fund should be reviewed and focused on promoting effective learning and teaching, promoting positive discipline and alternatives to exclusion' [R35].

There should be a national strategy to implement these recommendations. Progress of strategy to be monitored by HMIE [R36].

B2.2 2003 SEED Circulars 5/03 'School Attendance and Absence' 8/03 'Exclusion from School'.

Circular 5/03 offers updated guidance on issues relating to attendance and absence at school and updates the guidance on authorised (e.g. study leave, 'exceptional domestic circumstances') and unauthorised absence (e.g. taking 'bargain holidays' in term-time). Attendance is defined as 'participation in a programme of educational activities arranged by the school. In addition to actual attendance within the school
premises, this encompasses a range of other activities within the category of attendance (out of school but marked present). A 2003 Addendum allows for pupils attending alternative/off-site provision 'arranged because of indiscipline' or as 'part of a flexible learning programme.' Circular 5/03 is being replaced in 2007 by 'Engaged and Involved' (see below). Circular 8/03 remains current and covers procedures governing exclusions from school as well as how to minimise damage by providing learning outwith school or at home.

B2.3 SEED (2004a) 'Ambitious Excellent Schools ' and 'Curriculum for Excellence' These documents stated that schools must help every child achieve their potential, using teachers' and professional staff experience and knowledge of individual children to personalise their learning. This would be aided by introducing more flexible curricula. The 'Curriculum for Excellence' (SEED 2004b) was to ensure a focus on helping all children become confident individuals, effective contributors, responsible citizens and successful learners.

B2.4 The Education (Additional Support for Learning) (Scotland) Act 2003
This Act replaced the term 'special educational needs' with the wider concept of 'additional support needs'. The key aim was to ensure that all pupils – regardless of their needs – could access the necessary support to achieve their full potential and enjoy a positive, inclusive education. It brought in statutory planning documents called Co-ordinated Support Plans [CSP], to replace 'Records of Need' [RoN] (roughly the Scottish equivalent of a Welsh or English 'Statement' of SENs). Many children with challenging behaviour had not received Records of Needs. It could be that more of such children now access appropriate support

Additional Support Needs clearly include children with challenging behaviour. The Act says that ASN 'can arise from any factor which causes a barrier to learning, whether that factor relates to social, emotional, cognitive, linguistic, disability, or family and other circumstances. For instance, additional support may be required for a child or young person who is being bullied; has behavioural difficulties; has learning difficulties; is a parent; has a sensory or mobility impairment; is at risk; or is bereaved'.

Education Authorities, working closely with health and social services were required (amongst other duties) to

- identify, address and keep under review provision for the needs of all children with ASN;
- publish policy and arrangements for ASN;
- seek and take account of information (including formal assessments) from other agencies such as health and social services;
- obtain information about the provision other agencies will have to make for 'leavers';
- inform parents of any plans to prepare or review CSPs;
- specifically co-ordinate the support to be provided as set out in CSPs;
- review CSPs at least annually.

Health and social work agencies were expected to assist the education authorities in drawing up and implementing CSPs, in a multi-disciplinary framework.

CSPs must contain:

- reasons for the pupil's ASN;
- details of the additional support required to achieve CSP targets;
- details of the person responsible for co-ordinating the CSP;
- contact person for parents.

The education authority has responsibility for the CSP and implementing it but the day-to-day co-ordinator for a CSP can be a person outside education.

**B2.5 SEED (2006a) Insight 34 'Behaviour in Schools'**

**B2.5.1: Introduction.** SEED commissioned the National Foundation for Educational Research [NFER] to conduct a wide-ranging, large sample follow-up survey to 'Better Behaviour Better Learning' (SEED,2001a) and how the implementation of the latter's recommendations (including restorative practices and Staged Intervention/ Framework for Intervention) was progressing. The report identified a need for more support for the Additional Support Staff, who often held the most negative views about the extent of indiscipline and showed a perhaps increasing lack of confidence to deliver what they thought was expected of them.
B2.5.2: Findings: The report's findings are perhaps an antidote to more sensationalist claims of Scottish teacher unions about seriously deteriorating behaviour, but indicate real concerns:

- Overwhelmingly the heads and a majority of teachers considered pupils to be generally well behaved in class. Secondary school teachers were more likely than their headteachers to say indiscipline was a serious problem. 6% of the heads but 27% of teachers and 22% of Additional Support Staff said that indiscipline was very serious or serious (5 or 4 on the 5 point scale). Between a quarter and a third of staff rated indiscipline at '3'.

- Indiscipline tended to occur in the playground or off the premises or inside on corridors and stairs. Around the school, misbehaviour tended to be running in corridors, rowdiness or mucking about; cheeky or impertinent remarks (commoner in secondary schools where pupils were moving from class to class).

- Pupils causing the misbehaviour were generally boys; those from dysfunctional homes; those with behavioural/developmental difficulties.

- The more confident the teacher and the more well-supported, the less likely the teacher was to complain of negative behaviour.

- Low level misbehaviour common: once again repeating the Elton Report (DES, 1989) findings, Ofsted (2005a, challenging behaviour report), Steer (DfES, 2005a) for England, the commonest problems were TOOTs ('talking out of turn'), HOCs (hindering other children), unnecessary noise making or out-of-seat without permission. Physical violence or aggression was far less likely to occur on a daily basis and was 'hardly ever directed at school staff.' Teachers and other staff continued to be 'ground down' rather than 'beaten up' with the drip, drip effect lowering morale in some situations.

- Violence towards staff was commoner in PRIMARY schools. There seemed to be a worrying trend of staff experiencing increasing difficulties in some primary schools with children with complex social and behavioural needs.

- The pupils disliked the low-level disruptions, which interrupted their learning and led teachers to devote an unfair amount of time to those who behaved badly.

- Physical violence was not seen as a particular problem but was seen as more of a problem by secondary staff. Incidents were logged and usually passed on to the LA, who recorded them.
B2.5.4: Approaches to managing behaviour

- LAs were rolling out and piloting approaches to managing behaviour favoured by ‘Better Behaviour Better Learning: Staged Intervention, Solution Oriented schools, Restorative Practice. Schools had whole-school behaviour policies, rules and reward systems; school uniform; home-link workers; integrated support teams.
- Pupil support bases (equivalent to English LSUs); pupil councils and buddy/mentoring schemes were less frequently used.
- Referral of misbehaviour to key members of staff was a much reported strategy.
- The pupil respondents wanted heavier punishment for badly behaved pupils; removing badly behaved pupils; making lessons more enjoyable.

B2.5.5: Key factors in a good whole-school approach

These were thought to be: consistency, involvement of parents and pupils; senior management team support, school staff consultation and flexibility. LA interviewees favoured Stage Intervention as well as providing a comprehensive menu of Continuing Professional Development. They wanted clear inclusion policies and inclusion training. Effective approaches at school and class level were: pupil support bases; alternative, effective and flexible curriculum; additional support/behaviour support staff; and Assertive Discipline. School staff reported working quite well with their LAs in implementing favoured approaches.


B2.6.1: Introduction.

(a.) The 2007 Scottish elections and change of administration has delayed the finalisation of this guidance. The introduction to the draft guidance gave a useful overview of Scottish policy in recent years. It draws together advice on good practice and establishes requirements regarding classifying and recording attendance and absence. In addition to the classification of attendance and absence, it seeks to explore and address wider issues around the promotion and management of good attendance and the prevention and reduction of absence.
(b.) This consultation document takes an empathetic and holistic view of attendance, recognising social disadvantage, the difficulties of parenting, the need to engage and motivate young people through positive relationships with the pupils and their families, and through providing attractive flexible curricula and challenge at or beyond school. Section titles include: 'Chronic truancy - unhappy at school?', 'Chronic truancy - unhappy for other reasons?', 'Caught up with other influences?', 'Substance misuse', 'Long-term exceptional domestic circumstances', 'Motivation'. The importance of gaining co-ordinated input from other agencies e.g. through Co-ordinated Service Plans (see B2.4 above) is also stressed. The guidance also lays out the legal powers to issue parenting orders, Acceptable Behaviour Contracts and Anti-Social Behaviour Orders.

(c.) The introduction says that in addition to the classification of attendance and absence, the guidance 'seeks to explore and address wider issues around the promotion and management of good attendance and the prevention and reduction of absence' (p.5). It points out that (p6) 'Children's safety and wellbeing can be compromised by their own behaviour. Young people may avoid school in order to focus on other activities such as anti-social behaviour, sometimes leading to more serious concerns of offending or substance misuse. Attendance at school should be clearly linked to schools' overall approaches to promoting positive behaviour in the context of Better Behaviour – Better Learning (SEED, 2001). This includes the use of flexible curriculum, additional support staff, homelink workers, and a range of initiatives is being promoted by the Scottish Executive to help schools and education authorities develop children's pro-social behaviour, resolve conflict and tackle challenging behaviour, such as Restorative Practices, Solution Oriented Schools, Being Cool in School and The Motivated School (www.betterbehaviourscotland.gov.uk).'

(d.) The introduction continues (p.6): 'For every child to achieve their potential, all schools must consider each pupil’s positive engagement with learning and their level of involvement in the school community. The Scottish policy context in 2006 allows greater flexibility for professionals to develop creative approaches to enthusing and engaging learners, and for developing effective responses to the support needs of their pupils. There has been significant commitment to resourcing additional support staff to help schools in their work with pupils and their families, and an additional focus on children and young people experiencing particular difficulties. Schools and
education authorities must now harness this support to ensure that attendance in every school, and for every child, is as good as it can be.'

**B2.6.2: Attendance definition**

(Para. 2.1) Attendance is defined as participation in a programme of educational activities arranged and agreed by the school, including:

- Attendance at school
- Learning outwith the school provided by a college, off-site unit or other learning provider while still on the roll of the school
- Educational visits, day and residential visits to outdoor centres
- Interviews and careers visits
- Debates, sports, musical or drama activities in conjunction with the school
- Study leave
- Activities in connection with psychological services, learning or behaviour support
- Receiving tuition via hospital or outreach teaching services (see 2.4)
- Work experience.

**B2.6.3 Motivating children to attend school**

Para 2.6 (p.8) contains the following: 'Many schools link rewards systems with good attendance, where feedback from pupils helps to establish what rewards are ‘desirable’. However, some absence from school is clearly legitimate (e.g. for genuine illness) and systems should distinguish between authorised absence and unauthorised absence. For pupils experiencing difficulties, some schools require good attendance as a condition of accessing flexible learning (e.g. XL, Duke of Edinburgh/John Muir Awards or Skillforce), to ensure that a pupil’s attendance improves all round rather than just for these sessions.

**B2.6.4: Allowing for the challenge of modern parenting/ building relationships with families**

Para 2.6 (p.8) also contains the following: 'Parents should be encouraged to consider their own role and responsibility in motivating pupils to attend school. Some parents may allow unnecessary absence, which is no more helpful to their child than truancy. In particular, some parents may allow absence from school if they are concerned that a bullying issue or other support need is not being dealt with appropriately by the
school. As outlined in *Happy, Safe and Achieving their Potential*, having a named contact within the school for parents to discuss pastoral care issues is important.

In discussing attendance with parents it is important to maintain a practical focus that recognises the challenges of parenting. Modern family life can be difficult for parents, particularly those juggling work with getting children ready for school in the morning. Schools have found that breakfast clubs improved attendance as these are a practical help to parents and pupils. Timing of transport to school in some areas can be a difficulty, particularly when short-term disruptions arise that confuse established routines. Some parents will allow their child to avoid being in trouble for lateness by missing school altogether. It should be clear to parents and pupils that sanctions for lateness will be respectful and considerate towards any family difficulties, and that when the school becomes aware of any difficulties it will do what it can to help in partnership with other agencies.'

The report endorses the recommendation (R17) of 'Better Behaviour - Better Learning' for all schools to have access to a home-school link worker 'to enable good practice in home visiting and supporting families (para 2.10, p13).

Para.4.2 (p.21) returns to the topic of parenting, stating:
'At times, parents condone absence because they genuinely believe that their child will benefit from an alternative activity (e.g. trip, work experience opportunity...)

... Sometimes, parents condone absence because they believe the school is ...to tackle bullying or to address conflict between the child and a particular teacher...In these circumstances, early contact with the parent though home-school link or family support workers, or a key member of staff responsible for pastoral care, to build relationships and restore trust may be important...'

It goes on: 'Sometimes, parents do not regard education as a high priority and are ambivalent about good attendance for their children. Some parents and older generations in the same family have had poor experiences themselves of education...The key to building relationships has been regular, informal contact, and encouragement to parents to see the school as a source of support and practical help, for example through partnership working with community learning and development services, to establish food co-ops, welfare benefits advice, parent health workshops within the school.'
B2.6.5 The importance of relationships at school
Para 2.7 endorse school approaches that allocate weekly tutor groups, with tutors staying with a group throughout their secondary school career. This provides 'an opportunity for a higher level of personal knowledge of pupils. Schools should maximise opportunities for staff to get to know pupils well.

B2.6.6 Children with 'complex lives' and need for inter-agency collaboration / the importance of attending school
Para 3.2 (p.16) states: 'Through Integrated Children’s Services Planning, all children’s services must consider what steps can be taken to reduce absence from school...'

Some young people with complex lives have expressed their anger and hurt through challenging behaviour in school or disengagement from learning. In these circumstances, it is tempting for staff in many services to regard school as a lower priority for these children. However, where a school perseveres with maintaining a relationship with a child, it can be an important source of consistent and long term support, positive adult and peer relationships, and a place where the child’s talents and potential are recognised and supported, leading to achievement and self-esteem...Schools may authorise absence where families are experiencing exceptional domestic circumstances which are distressing, or for family bereavement...'

B2.6.7 Exclusion from school
Para 3.3. (p.17) says this is a last resort, necessary sanction 'to maintain safety and order for pupils and staff'.

It later states (p.17 -18): 'It is important to support pupils who have been excluded to maintain their learning while absent and to catch up with their learning on returning to school, to avoid pupils struggling and feeling further disengaged from lessons, which may lead to more absence to avoid this. This is particularly important in the case of looked after children who may have experienced interrupted learning.'

There are a number of approaches which whole school communities can adopt which help deal with the aftermath of incidents, or exclusion. For example, schools using restorative approaches help to resolve conflict or damaged relationships, and can consider the impact on an individual pupil or others affected, following an exclusion.
Restorative approaches can involve pupils in resolving conflict with peers or teachers which may otherwise have caused some pupils to stay off school to avoid further trouble.

**B2.6.8 'Stages of support'**

Para. 2.12 (p15) states:

'When absence from school is cause for concern, working through stages of support will help schools to manage the situation:

1. High quality **pastoral care** systems for early response to absence and signs of difficulty
2. Effective approaches to **assessment and planning for additional support needs** to address barriers to learning
3. Collaboration with a range of agencies through **multi-agency planning** groups (e.g. Pupil Support Group; School Liaison Group, Joint Action Team) to ensure effective local child and family support
4. Involvement by the education authority in formal referral to, local attendance committees, other agencies or **placement** in alternative services
5. Recourse to **measures for compulsory compliance** by parents or children, through attendance orders or referral to children’s hearings.'

**B2.6.8 Taking action to address children's unhappiness**

Para 4.4 (p.22) on 'Chronic truancy' again takes an empathetic view: 'Young people truant from school for a number of reasons. For some, it is an expression of unhappiness with life in school, which may have a number of causes:

- Bullying
- Conflict with, or fear of, a teacher or teachers
- Poor social skills
- Poor basic skills (reading, writing, numeracy)
- Struggling with learning or specific lessons
- Unhappy with course choices after S3
- Feeling stigmatised by the school's attempts to provide personal support, learning support or behaviour support
- Feeling stigmatised by insensitive sharing of information about personal details
- Feeling stigmatised by insensitive handling of appointments or involvement with other service providers (e.g. social work) during school time
In addition to communicating that truancy is unacceptable, it is essential to identify any underlying causes of truancy and to take action to resolve these. Schools require a strong approach to pastoral care, and strategic use of additional support staff. Schools which convey a positive, caring ethos help pupils to feel that they can approach staff within the school to express their views and discuss their concerns, or that when approached by a member of staff offering help, they will respond with trust.'

Reference is made to whole school approaches that develop and improve relationships and an ethos of trust and communication. Readers are recommended - again - to look at approaches described on the Better Behaviour Scotland web-site.

Para.4.5 (p.23) sketches the links between children's mental health difficulties or family worries and truancy. It notes that a 'range of services may collaborate with schools to provide specialist help.'

**B2.6.9: Counteracting poor peer-group influences**

Para.4.6 sketches the negative influences that can emanate from peers including youths hanging around school gates, gangs, territorial issues. It commends approaches such as buddy or mentor systems and Circles of Friends, as well as stressing the importance of adequate playground supervision at breaks (noting some schools employ extra staff for this and also use them to offer after-school activities). Substance misuse is linked to truancy in Para 4.7.

**B2.6.10: Making the secondary curriculum more attractive.**

Para 4.9, headed 'Motivation', notes how school attendance declines during secondary years, with an over-concentration on an academic curriculum contributing to gradual disengagement in S2/3 and 4. The guidance calls on more schools to follow the advice on offering flexible curricula given in Ambitious Excellent Schools (SEED, 2004a) and Curriculum for Excellence (SEED, 2004b). Further education colleges should forge more links with secondary schools to 'provide a greater range of course choices and enhance vocational opportunities.' (p.26) Programmes of personal and social development e.g. those offered by the Prince's Trust or outdoor education programmes are commended.
B2.6.11 More integrated, multi-agency working.

As in all recent reports, surrounding behaviour and attendance, there are calls for national (Scottish) policy to be followed on creating improved integrated services for children, working in partnership with communities, and for close working with the police in returning truants to school (Chapter 5, 5.1 -5.4). Further attention is paid to this in Chapter 8 on multi-agency assessment, planning and review. This chapter gives a useful list of 'some features of good practice’ (p.33) [see Table 2]:

### Table 1: Some Features of Good Practice in Multi-agency Groups [p.34]

- Services represented in the group focus on finding solutions for children and collaborate to make best use of their skills and resources by working together;
- Criteria for referral to this group by the services involved are clear and are communicated to staff at all levels in each of the services;
- The group shares a common assessment framework and shared language, to make working together easier and help children and families make transitions between services;
- Information is shared effectively between the services to ensure that the broadest understanding of the child and family is the basis for finding the solution;
- Children and parents are aware that concerns about their experiences will be discussed by the group, which will work to help them, and they will be; involved in discussions and finding solutions as far as possible, if they wish;
- Responsibility for taking forward the solution with the child and family will be clearly taken on by one or more services. If the proposed solution involves referral to other services, or waiting for an appropriate service or resource to become available, an interim approach will be agreed;
- The commitment to finding a solution is followed through by monitoring and reviewing cases, to ensure the proposed solution has worked or that interim approaches are adequate;
- Feedback will be provided to the referring service on outcomes of the case;
- The group will regularly take stock of the issues arising from its cases, from users of each of the services and the wider community, in order to evaluate what is working well for children and to consider future demands on services.
B2.6.12 High standards of pastoral care

In Chapter 6, these are seen as an antidote to poor behaviour and truancy: (p.30)

Schools’ high standards of pastoral care will enable staff to:

- be aware of early signs of concerns which may cause absence, to allow preventive support to be arranged;
- develop positive relationships with pupils and parents to ensure difficulties are discussed and resolved;
- respond quickly to absence, to ensure children are safe and well
- follow up on absence, to enable the school and its partners to make an effective response;
- support reintegration into learning on returning from absence.

The Scottish Executive has developed ten standards of personal support in schools within SEED (2005) *Happy Safe and Achieving their Potential* [see Table 1]

<table>
<thead>
<tr>
<th>Table 2: Effective personal support in schools [p.30]</th>
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<tbody>
<tr>
<td>- Makes <strong>opportunities for developing the knowledge, skills and attitudes</strong> children and young people need to enable them to seek information and support throughout life</td>
</tr>
<tr>
<td>- <strong>Provides access to information</strong> to help children and young people make informed decisions and choices</td>
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<tr>
<td>- <strong>Makes opportunities for children’s citizenship and participation</strong>, through involvement in their school community, their neighbourhoods and in democratic society</td>
</tr>
<tr>
<td>- <strong>Provides regular review of progress</strong> in learning, and personal and social development</td>
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<tr>
<td>- <strong>Helps with transitions</strong> between stages in education and between different providers of education and personal development opportunities</td>
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<tr>
<td>- <strong>Helps to plan for the future</strong></td>
</tr>
<tr>
<td>- <strong>Provides access to staff</strong> by children and parents who want support</td>
</tr>
<tr>
<td>- <strong>Co-ordinates support between agencies and schools</strong>, wherever learning takes place</td>
</tr>
<tr>
<td>- <strong>Respects confidentiality</strong></td>
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<tr>
<td>- <strong>Ensures time and space to seek help</strong></td>
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</table>
B2.6.13 Measures for Compulsory Compliance

Chapter 9 outlines Scottish law governing compulsory Attendance Orders (requiring the parent to ensure the attendance of the child at a school named in the order and other clauses), rights of appeal; Parenting Orders (for one year, requiring parents to participate in programmes designed to improve their parenting by receiving support services which previously the parent has refused); and Anti-Social Behaviour Orders.

B2.6.14 Data recording and management

The final chapter advises on 'Using data effectively' and gives the coding framework, which lists the reasons for absence, gives explanations for each category and whether it is authorised or unauthorised.

B3: Northern Ireland

B3.1: Northern Ireland Audit Office (2004) Improving Pupil Attendance at School NIA 122.03 2004

This report does not look in detail at what schools can do, being, for sometime, the view from an Education Welfare Service perspective (a service with few officers and at times high turnover, responsible for school attendance). However, there is much cross-over between this report's content and that of the many other documents already studied.

Truancy is linked to delinquency (based on English research) and, despite some schools' best efforts is believed to be getting worse (although firm data is lacking to prove or disprove this).

The Northern Irish Department of Education, Boards and/or schools need to play a more active role by:

- more clearly distinguishing authorised from unauthorised absence;
- establishing robust IT data gathering systems to baseline and then to set targets for improvements;
- encouraging the use of IT to target PRT (post-registration truancy);
- better use of Education Welfare Service (EWS) resources;
- developing strategic preventative approaches aimed at engaging disaffected young people;
• engage with parents more, challenging those who condone their children's truancy.

It recommends 'first day contact' between school/EWS and the parents of the absentee; pro-active rewarding of attendance; breakfast clubs and homework clubs.

The report quotes Northern Irish Education and Training Inspectorate [ETI] publications:
• ETI (2002) looked at a project building up parental contacts but not succeeding in re-engaging persistent absentees;
• ETI (2003) reported on a 2 year 'post-primary' initiative whereby disaffected teenagers were offered vocational and work experience packages. These had the effect of increasing the attendance of Y11 pupils but at FE college or work experience placements rather than at their schools. The ETI recommended in this report that schools should 'reconsider the relevance of the curriculum, the nature and quality of pupil-teacher relationship and the appropriateness of teaching methods' (pp41-42 in NIAO, 2004).

It stresses the need for joined-up inter-agency working.

**B4: Republic of Ireland**

**B4.1 The Irish Republic: 'School Matters: The Report of the task Force on Student Behaviour in Second Level Schools' (DES, 2006, Dublin) [Chair Dr Maeve Martin]**

**B4.1.1 Introduction**

This comprehensive, government-sponsored review of behaviour at secondary level aimed to:
1. To examine the issue of disruptive student behaviour as it impacts upon teaching and learning;
2. To consider the effectiveness of strategies at present employed to address it;
3. To advise on existing best practice both nationally and internationally, in fostering positive student behaviour in schools and classrooms;
4. To make recommendations on how best to promote an improved climate for teaching and learning in classrooms and schools.
The report's chapter headings and sub-sections reveals familiar coverage of areas well trodden by researchers and other governments. The early chapters do much to set behaviour difficulties in schools in a socio-economic setting, recognising changing patterns of youth cultures (e.g. the ready use of swear words), family difficulties, growth of violence and mental health difficulties in society, pointing to an increased need for inter-disciplinary responses and a co-ordinated approach.

**B4.1.2 The early chapters**

In Chapter 1 the Task Force wrote (p10):

' We learned as we progressed, that every aspect of within-school life influences student behaviour. The aspects comprise:

- The values espoused by the school;
- The nature of the curriculum, the approaches adopted to teaching and learning;
- The structures and resources that are in place;
- The leadership style;
- The quality of the relationships;
- The architecture and state of the school building;
- The access to extracurricular activities;
- The mindset of the learners.

The interplay of these internal aspects, coupled with powerful external forces that include the role of parents, neighbourhood factors, societal influences and the lifestyle associated with youth culture make a review of student behaviour a complex task and a serious challenge. ' (p 10-11)

Chapter 2 covers the methodology. Chapter 3 focuses in detail on the social context.

Chapter 4 has the title: 'Institutional Developments'. This sketches the UN Charter on Children's Rights and its impact in enhancing the status of children, Irish legislative and policy frameworks. Preparing the ground for the Martin report's endorsement of a full continuum of provision (an eight stage Ladder of Provision, including off-site special units and residential care), it then offers an extract from the SEBDA Inclusion Policy (SEBDA, 2003):
'For Children and Young People with SEBD inclusion means

- Maximising their access to and engagement with the social and educational settings most appropriate to their present and future needs and aspirations
- Providing environments where they experience a personal sense of security
- Respect and being valued
- Supportive relationships
- Sharing their lives with positive adult role models
- Clear, humane and flexible boundary setting
- Successful achievement boosting their self-esteem
- Opportunities to obtain academic and/or vocational qualifications
- Chance to develop and to exercise personal responsibility
- Making available effective support services and facilities whose purpose is to help the young people overcome potential and actual barriers to a healthy social, emotional and educational development.'

Martin continues: 'The SEBDA stance is that for many young people inclusion is best promoted by their attendance at mainstream schools with their neighbourhood peers. But if mainstream schools lack the capacity to address the needs of some young people with SEBD, then inclusion can be better promoted in special schools, units, and other alternative forms of education and training. It is important to recognise this, and to reflect on what is the best provision for all students. This is a crucial consideration and will be addressed later in this report.' (DES, 2006, p45).

The Martin Report notes Irish professionals' general preference for the ordering of letters as 'SEBD' rather than other alternatives (eg Psychological Society of Ireland).

There is endorsement for changes in the curriculum that have made it more self-directed, oriented to adult and working life (stressing often practical vocational work for 40% of school population who will tend not to prosper at 'academic' traditional examinations), using IT. A greater stress on oral work rather than reading is also praised and linked to economic success for the Republic(p.49).

**B4.1.3: Chapter 5: 'The Issue of Disruptive Behaviour and how it Impacts on Teaching and Learning.'**

The Task Group notes most pupil behave well but that a few can have a big and negative impact. The causation can be social or within-child psychological. It can frequently be disruptive 'acting out' behaviour. To counteract this (p.52):
• 'Schools need more resources (skilled personnel, time, space) in order to manage misbehaving students, especially if the schools are to succeed in being inclusive and responsive.'

• 'Any serious consideration of the issue of disruption must include a systemic approach that has a focus on school ethos, relationship building across the school community, the quality of teaching and learning, school leadership, the classroom management skills of the teaching staff, the suitability of the curriculum, the level of parental support and involvement, and the efficacy of a school's attempts to be proactive in minimising disruption.'

• Schools that have good structures, well developed pastoral care systems, imaginatively implemented curricula, key staff skilled in diffusing potentially disruptive situations and in extending help to vulnerable students, cope better than schools that lack these.'

These include within classroom and within school improvements, with teachers looking at their own practice (e.g. do they tend to give pupil premature negative labels).

Para 5.9 recommends the City of Birmingham Framework for Intervention (FFI) with its checklists for measuring the behaviour environment and helping teachers and schools to audit their working practice and workplaces.

Para 5.10 lists the usual examples of so-called 'low level disruption' which can be commonplace in a minority of schools: talking out of turn, challenging and ignoring teacher instructions, throwing paper/pens, noises, taunting and pushing etc. It reports teacher union opinion that not many years ago these would have been seen as 'high level' disruption, given their impact on peers and teachers (p.62). It also lists rare 'serious breaches' of discipline (including threats to teachers, physical assault, vandalism, theft and bullying).

B4.1.4 School Ethos, Community and Research on Teaching Skills
Chapter 6 covers the usual international research grounds of schools needing leadership with vision, a clear mission, the right values, a listening and talking culture; good interpersonal relationships and high expectations, need for effective multi-disciplinary support (see e.g. Daniels et al., 1998 for DfEE).
Chapter 7 'The School Community' covers similar ground, looking at the need for schools to be emotionally literate (starting with and empathetic and collaborative leadership), recognising that action is determined by a fusion of cognitions, behavioural and emotional development.

It describes the characteristics of effective teachers, identified by the national study of English EBD Schools in the late 1990s, American, Scottish and Australian research (Sub-section 7.3):

'Cole et al (1998), who have carried out extensive work in this area, report on a large survey of the characteristics of teachers who work with difficult students. Their findings overlap with previous and subsequent research in this area. The following list gives a sense of what is typically characteristic of the response of effective teachers to challenging behaviour:

- Well planned, well organised, structured lessons;
- Fair, consistent and with a good sense of humour;
- Patient and empathic, adaptable and flexible;
- Calm and relaxed;
- Setting clear boundaries;
- Holding and transmitting high expectations for students;
- Using an eclectic mix of teaching methodologies with a strong emphasis on differentiation to suit the needs of individuals;
- Open and able to form positive relationships with students.

According to Greenhalgh (1994), a warm, healthy relationship between teachers and students facilitates effective class teaching. The research literature in the area coming from the US (Kauffman, 2001) endorses this finding, as does the work coming out of Scotland on dealing with students who are challenging (Munn et al, 2000, SEED 2001a). The message is clear. It is not sufficient for teachers to be competent subject experts. They must also take a real interest in the social and emotional needs of their students. When describing effective teachers of challenging students, Kauffman (2001) writes:

"Effective Teachers...
- Work hard to develop a classroom environment that is caring, pleasant, relaxed, and friendly, yet orderly and productive;
- Show a sincere interest in the life of each individual student;"
Model the behaviour that they desire in their students and convey that such behaviours are truly important;
Encourage active student participation in decision-making that is relevant to them;
Appreciate and accept students’ concerns and opinions;
Avoid producing feelings of shame but focus more on pride and less on guilt;
Provide frequent and positive feedback, encouragement, and praise;
Respect diversity;

A further international perspective on teaching in challenging circumstances comes from the work of Rogers, in Australia (2000). His writings echo what has already been set out above. His 2000 work emphasises how important it is for teachers not to fuel confrontation with students by getting into arguments or inflammatory situations with them. He stresses how careful teachers should be to use appropriate language with students and be polite in their dealings with them. He advocates that correction should be balanced with encouragement, and that behaviour should be linked to consequences and outcomes. He also advises that reprimands should be dealt with one to one, rather than in the public gaze of a classroom or corridor. He recommends the re-establishment of the relationship following an incident and the letting go of grudges.

In summary: the research evidence is, that in order to make progress with students who are challenging, it is important to adapt teaching methodologies and curriculum to suit the students preferred learning modes and interests, while simultaneously building healthy relationships with them.' [pp79-80]

The Martin Report stresses the importance of the pastoral role of teachers (not suggesting that much of this can be delegated to non-teachers: as suggested in recent years in England), good pastoral support systems, student and parental involvement.

**B4.1.5 Codes of Behaviour, Curriculum, CPD and Extra-curricular Provision**
Chapter 8 looks at 'School Initiatives', stating (p 88): 'The view of the Task Force is that ... three dimensions i.e. ethos, school community and structures, working in concert, that are the major determinants of the levels of order in schools.'
This chapter is divided into the following sub-sections:

**Code of Behaviour**

(para. 8.2) "The overall purpose of the code should be to ensure that schools are both physically and psychologically safe for everybody; that teaching and learning can proceed unimpeded, and that people and property are treated with respect. But codes should play a large part also in helping students acquire internalised norms of civility. The discipline policy in a school must have reach beyond the immediate demands of ensuring an orderly environment. It should contribute to the overall development of the young person as a responsible and contributing member of a democratic society. There is an increased likelihood of this happening where students contribute to the development of the code, are instrumental in its implementation, and are involved in any review of the code that may occur. Without such ownership of the code in all its facets, students are likely to perceive the code in a negative and punitive way, rather than as a resource to help them and enhance their learning environment. Students whom we met in Centres for Education reported that one of the chief factors that contributed to their alienation within the mainstream school was the long list of complicated rules that was put before them, on entry into the "big school". Many could scarcely read them, and found them bewildering and unduly rigid."

Parents should be involved in shaping and reviewing the Code of Behaviour.

The Code must pay attention to discrimination/equal opportunities legislation but ' has concerns that the current preoccupation with the legal dimensions may serve to distract schools from the developmental capacity of a code to help foster positive practices and habits among their young students.' (p89, 8.4)

The Code should include: (para 8.5):

- They were written in simple, accessible language
- They reflected the values and goals of the school
- They were couched in a way that promoted positive student behaviour rather than focusing on negative, punishable behaviour
- The rules were few in number and were positively stated
- Consequences for both positive and negative behaviours were outlined
- The consequences were commensurate with the infraction
- Sanctions for extreme forms of serious disruption were clearly stated
They were compiled collaboratively with input from the whole school community
They were implemented in a manner that was fair, consistent, compassionate, and that respected the dignity of all
They took account of the age spread of the student body and were constructed in a developmentally appropriate way
They signalled high expectations for good behaviour across the school and for locations in which students would be while on school related

(para. 8.6) Transfer programme from primary to post primary
Care and time had to be devoted to easing difficulties associated with students moving from primary to secondary phase schooling.

Curriculum provision - need for 'personalised learning'
8.7 p 92 curriculum and how it is presented is a major determinant of student engagement in school. Despite welcome recent modifications, students still feel

'a lot of material that they are asked to engage with in classrooms, is either irrelevant to their life’s aspirations or is too incomprehensible or obscure to be within their grasp. Also, quite a number of well motivated students on entering their second level schools, experience a sense of anti-climax, and many report that the curriculum that they experience, fails either to engage their interest or to stretch them intellectually. They find life in classrooms uninteresting for a lot of the time. Boredom and a sense of disillusionment with some aspects of the curriculum lead to students being inattentive and off-task. It can also be that there are pedagogic aspects contributing to student lack of enthusiasm for their experiences of the curriculum, especially in the early years of their second level schooling. ...[Irish] research shows that students have a marked preference for subjects that have a “doing” or action component e.g., Art, Woodwork, Technology, Metalwork, Technical Drawing, Home Economics, Music and Physical Education...some students would prefer to take ownership of their own learning, aided in many cases by the use of technology. This implies a trend towards more personalised teaching and learning within a less authoritarian school structure, with customised programmes to suit the varying interests and capabilities of learners. (see NCCA - www.ncca.ie/reports)
The Task Force looked at and recommended a programme which ‘resonated with the research literature’ (p.94): The features of this student-centred programme include

- A genuine matching of the curriculum to the student with an approach that is cross curricular
- A co-ordinated approach to its delivery that involves teachers meeting together to discuss and reflect on practice, with teaching and learning as their focus
- Short-term attainable goals and targets that lead to students experiencing success, many for the first time in their school
- An emphasis on improving literacy and numeracy
- Adoption of active teaching methodologies that are based on truly differentiated teaching that result in personalised learning for each student
- Pedagogy that is experiential, interactive, purposeful, relevant and systematic and structured
- A recognition of the importance of social and communication skills for students, and scope within the framework of the programme to develop these
- The opportunity to give the student a voice in profiling his/her progress and evaluating progress
- The ethos of care and respect which characterises the programme
- A parental involvement dimension that opens up an opportunity to affirm parents who otherwise might be intimidated by encounters related to their children’s schooling.’

The Report wants Citizenship and PSHE to be used to develop social, emotional and behavioural skills and for greater time allocation to these.

Continuing Professional Development (CPD)

8.12 (p96) ‘... the need for teachers not only to have subject specific knowledge, but also high levels of competence in classroom management skills, in active teaching methodologies and the allied skills necessary to deal with differentiated teaching. There were repeated calls for professional development in areas that could help to diffuse some of the anger and frustrations that some young people in our schools exhibit. Suggested areas include Anger Management, Conflict Resolution, Restorative Practices, Cognitive Behaviour Therapy etc. The Task Force considers
these calls are well grounded and advocates that these themes form the focus of future CPD initiatives.

**Extra-curricular activities**

The opportunity afforded to teachers to interact differently (and more engagingly) and to build helpful relationships through extra-curricular activities is noted (p98.)

**B4.1.6: The 'Continuum of Provision: On-Site and Off-Site'**

Chapter 9 talks of an eight level 'Ladder of Provision' (Level 1-classroom teacher; Level 2 - class tutor; Level 3 - Year Head; Level 4 - Care (ie pastoral) Team; Level 5 deputy Principal/Principal; Level 6 - Behaviour Support Classroom (= English LSU or Scottish 'Pupil Support Base'); Level 7 Centre for Education (i.e. off-site unit, PRU etc); Level 8 - Residential Care. All levels are needed in a national, co-ordinated system which the Task Group feels does not exist at the moment.

(para.9.4) Behaviour Support Classrooms should not be dumping grounds, should be short-term placements: The role of these Behaviour Support Classrooms is:

- To provide schools with a facility for students as an alternative to suspension/expulsion from school;
- To allow for specific "cooling down" periods on a short-term, part-time basis;
- To form part of a reintegration strategy following exclusion or suspension from school;
- To allow curricular work to continue as prescribed by the subject teacher;
- To receive help in the area of social skills training, communication and anger management, if there is a perceived need for this;
- To prepare the student for reintegration to his/her regular classroom with support and encouragement to do so from school staff.

Staff working in them will need both pedagogic and 'nurturing skills.'

9.6 gives an extended sketch of the Framework for Intervention (see www.f4i.org)

9.7 sketches the value of nurture groups.
9.8 turns to off-site provision, wanting flexibility and mobility between off and on-site provision.

9.9 lists the features of good off-site provision (citing American research which accords with British). Relevant literature (Aron & Zweig, 2003; ERIC Development Team, 2003 - cited in DES, 2006) in the area of off-site provision indicates that the characteristics which distinguish such centres are:

- The presence of caring, knowledgeable adults who understand and care deeply about young people, and who provide significant care and attention while establishing a climate of listening, trust and mutual respect
- A sense of community where the young person has a sense of belonging, attachment and of “family”
- A focus on problem-solving rather than problem identification
- An approach that is oriented on an assets rather than a deficit model whereby the young person feels valued, connected and purposeful
- Programmes provide both safety and structure. High expectations for success are communicated and the young person agrees an individual learning plan that is attainable and monitored at regular intervals, and supported by a variety of resources
- More freedom of choice given to the students, and a regime that is more informal and more adult than might be the case in mainstream settings
- A curriculum that is holistic, learner-centred and experiential. It is matched to the student’s needs, interests and learning styles, with success experiences built in
- Many programmes integrate academic and vocational education, with career development and work-based learning as features
- Students in alternative programmes may be able to access other services with the help of staff from the Centre e.g. medical, dental, counselling etc.

9.10 notes the long waiting lists for an inadequate number of Centres for Education, in a disjointed system, usually offered by charities and essentially non-educational bodies. It wants a proper audit of what is out there and what each Centre does.

9.15 stresses the needed for better inter-agency working e.g between schools and Garda. The English and Welsh Every Child Matters Green Paper is mentioned.
**B4.1.7 Recommendations**

Chapter 10 contains a wide range of recommendations under sub-headings including:

- whole-school approaches (school 'behaviour' handbooks for all staff; 'coaching' by expert colleagues)
- diversity (tackling behaviour which is in fact SEN related) empowerment of students (giving students a voice eg through councils)
- transfer from primary to second level schools (more carefully handled transitions);
- curriculum (creating a curriculum which is holistic, actively engages, responsive to needs, interests and learning styles, that mixes academic with vocational; flexible student centred programmes);
- teacher education (wider range of teaching practice for students, including in off-site centres; training to include role-play, case histories, video vignettes, audio clips [i.e. a practical approach to training that stresses micro-teaching skills]; training in schools in anger management, conflict resolution, cognitive behaviour therapy, restorative practices etc; access to a Behaviour Support Team able to help with training in classroom management skills; national framework for training/CPD);
- quality of leadership and professional competence of teaching staff (better within school support for teachers who 'struggle'; coaching for struggling principals (headteachers) through 'critical friends' - if this fails 'allow principal to leave profession with dignity; keep early retirement).
- time for year heads (allow pastoral staff to have time allocation 'consonant with the demands of their role, relative to school size);
- parental involvement (measures suggested to increase parent collaboration);
- legislations (revise cumbersome exclusions appeals legislation);
- update current circulars on Discipline (ie replace Circulars 32/85 & M33/91);
- rights and responsibilities (Charter of Rights and Responsibilities for the school community recommended to safeguard all);
- Expansion of National Educational Psychology Service (more EPs needed to help CPD and in particular, on-site units[Behaviour Support Classrooms]);
- Behaviour Support Team (a national Behaviour Support Team, based in regional centres, to be established that is easily accessible to schools experiencing difficulties, and works with existing advisors)
• out-of-school provision (extend existing youth schemes; extend system of alternative provision);
• interagency and intercollegial collaboration (more of this needed);
• development of a discipline survey instrument (create it, then use every two years to create a database portraying accurately at a given period the state of discipline in Irish schools);
• dissemination of good practice (record and post on national website and publications/conferences accounts of good practice and National Framework for Support Services etc.);
• Panel to oversee the implementation of the action plans for implementation of the report's recommendations.'

B4.2.8: Conclusion
The conclusion includes a personal appeal to May Hanafin TD, Minister for Education (p156): 'Our sense of concern about the escalating nature of antisocial behaviour patterns in our schools, and the malign consequences that flow from these, compels us to urge you, Minister, to acknowledge the merits of these proposals, and to act on them as a matter of priority.'

Section C: National Strategies and Curriculum Authority Initiatives

C1: England
C1.1: The Behaviour Improvement Programme
As part of the Government’s Street Crime Initiative, DfES funded 34 local education authorities to support measures to improve pupil behaviour and attendance in selected secondary schools and their feeder primary schools. Phase 1 of the Behaviour Improvement Programme was set up in July 2002 and involved over 700. The LEAs were selected on the basis of an indicator combining truancy and crime figures. The Behaviour Improvement Programme (BIP) was rolled out to more LEAs in Phases 2 to 4.

The objectives of the Behaviour Improvement Programme (BIP) were:
• to improve standards of behaviour overall;
• to reduce unauthorised absence;
to secure lower levels of exclusions than in comparable schools;
- to ensure that there is a key named worker for every child at risk of truancy, exclusion or criminal behaviour;
- to build on the achievement of full-time education for all permanently excluded pupils.

The DfES set out a menu of measures based on existing good practice for LEAs and schools to choose from as well as allowing them to develop their own ideas. The menu included:

- the development of whole-school approaches to promote good behaviour;
- support for individual pupils at risk of developing behaviour problems;
- innovative approaches to teaching and learning to meet the needs of pupils at risk of disaffection;
- measures to identify pupils who were not attending school regularly. EWOs and others to work with these pupils and their parents to ensure that they do attend;
- extending the use of school premises to provide a range of services, activities and additional learning opportunities for pupils, their families and the wider community;
- Behaviour and Education Support Teams (BESTs). These draw together the full range of specialist support for vulnerable young people and their families;
- police based on the school site working alongside school staff;
- the co-ordinating support of a key worker who can provide or broker the necessary help for pupils who develop, or are at risk of developing, significant behaviour problems.

C1.2 Extension of BIP through the National Behaviour and Attendance Programme, 2002

In December 2002, DfES launched a national programme for improving behaviour and attendance in schools [the B & A Programme], to build on and amplify existing initiatives. Part of the national programme was the final stage of the roll out of the Behaviour Improvement Programme (BIP) to Excellence Clusters, to be run in parallel with existing Excellence in Cities measures and the Key Stage 3 Strategy.

It had two main elements:
support for selected schools in Excellence in Cities (EiC) areas facing the greatest challenges [social disadvantage]. By September 2003 Behaviour Improvement Projects (BIPs)– the behaviour and attendance strand of the EiC strategy – will be supporting well over 200 secondary schools. BIPs are packages of measures tailored to local needs, but typically including multi-agency Behaviour and Education Support Teams and police in schools.

- a new **behaviour and attendance strand** of the Key Stage 3 Strategy providing review, training and consultancy resources for all secondary schools.

The implementation of the KS3 Strategy behaviour and attendance strand would build upon the work of the previous strands. Implementation will be similar to the established strands familiar to staff. The key components would be:

1.) [**Behaviour Audit**] A review of behaviour and attendance in school, which may pick out areas for auditing in more depth, designed to identify:

- the effectiveness of the school’s organisation, policies and practice in promoting positive behaviour and attendance
- good practice that can be shared
- targeted support required to meet staff needs

an action plan linked to the school improvement plan to secure any necessary changes in organisation, policy and practice. [The Key Stage 3 audit and assorted training materials can be accessed via www.dfes.gov.uk/behaviourimprovement]

2. **Behaviour and attendance consultants** in all LEAs:

- working with and building upon the work of subject consultants and LEA behaviour support teams
- assisting schools with behaviour and attendance audits
- supporting schools in identifying their key points for action and follow-up activities
- supporting school senior leadership teams with further training once needs have been identified through the behaviour and attendance review.

3. **Publication of further training materials** developed in line with:

- existing information from Ofsted, DfES and other agencies
- lessons learned from materials and strategies used in Behaviour Improvement Programme areas
- the outcomes of schools’ behaviour and attendance reviews.

Two free core training days were offered to a member of the senior leadership team of all schools. These covered areas outlined above, such as behaviour auditing and implementation of policy; teaching and learning to promote positive behaviour (Day 1); improving staff skills to promote positive behaviour and increase attendance (a menu of activities included Focusing on solutions; School structures to support positive behaviour: positive intervention with groups and individuals; conflict management).

The leaflet announced that further training materials would be forthcoming (see NPSLBA below). A CD disk containing KS3 Strategy materials has been issued for mainstream settings relevant to behaviour and attendance.

C1.3 DfES (2003): KS3 National Strategy: Advice on whole school behaviour and attendance policy [a similar document covered primary schools]

The introduction of this important document stresses the need for each school to have a living, revisited, owned behaviour and attendance policy document.

The guidance then lists a series of questions before addressing each one with a few paragraphs of advice. The questions and a selection of key content is given below:

1. What are the principles underlying the policy and how do they apply to the whole school community?

Para 7 says 'A school’s behaviour and attendance policy should be seen as an integral part of its curriculum, for all schools teach values as well as knowledge and skills. It must be based on clear values – such as respect, fairness and inclusion – that will also be reflected in the school’s overall aims and its social, moral and religious education programmes... The policy will make particular reference to more vulnerable pupils [e.g. pupils with SEN, mental health needs, migrants, children suffering from parental separation, divorce]
'The policy should refer explicitly to the positive duty to promote race equality ... and the general duty requirement to take action to tackle inequalities and discrimination that are identified. '

Para. 8 stresses that the principles should include promoting self-discipline and respect for others.

2. **How do these principles relate to the school’s overall aims and the rest of its curriculum?**

(Para 10). '... there will need to be an element of the curriculum through which the expectations in the policy are explicitly translated into learning and teaching. (This is in addition to expectations of learning behaviour, which will permeate the curriculum.) How this happens should be included in the policy. For example development of pupils' social, emotional and behaviour skills could be achieved through a structured programme in PSHE teaching or within the pastoral programme. Pupils with more challenging behaviour may benefit from a period of support in anger management, or positive leadership skills.'

3. **How does the policy promote effective learning and teaching about positive behaviour and regular attendance?**

(Para.13). ‘...promoting positive behaviour is the responsibility of the school community as a whole. If it is to be implemented comprehensively, it should also define specific roles.'

4. **What are the roles and responsibilities of governors, staff, pupils and parents/carers in promoting positive behaviour and regular attendance?**

(Para.14) A school’s policy must set explicit standards of behaviour and attendance. That should be the purpose of the rules that form the code of conduct for pupils. The purpose of the code should be to promote positive behaviour, so it should not be a list of prohibitions. The code should only include rules that have a rational justification and that the school will enforce. These rules should be expressed in positive terms (for example, ‘we take care of our school and everything in it’ rather than ‘pupils must not damage school property’).
They should cover expectations of attendance, punctuality and behaviour in the classroom and around the school.

(para 16): The code should promote regular attendance and be supported by effective measures to tackle non-attendance.

(para 17) 'As with the behaviour and attendance policy itself, it is effective practice to involve pupils and parents in drawing up a code of conduct, and to ensure that all parents/carers, including any who do not speak English, have the opportunity to contribute.'

5. How does the school set high standards of behaviour and attendance for pupils?

(Para 18 on 'Scope'). 'An effective code of conduct applies throughout the school day as well as before and after school. It provides the basic expectations for positive behaviour in corridors and bus queues and at lunchtimes and break times as well as in classrooms'.

6. How are rewards used to encourage positive behaviour and regular attendance?

(para19). 'The code of conduct should be supported by a coherent system of rewards and positive behaviour and regular attendance should not be taken for granted. They should be actively taught and reinforced. It is a well established maxim in teaching that rewards are much more effective than punishment in motivating pupils.'

(para 20). 'A wide range of rewards should be available and the policy should make explicit reference to how the school will establish a climate where praise and encouragement far outweigh the frequency of punishment and admonition. Praise begins with frequent use of encouraging language and gestures in lessons and around the school so that positive behaviour, punctuality and regular attendance are instantly recognised. This is no less important where this is the norm in the school.'

(para 21). 'A more formal reward system of credits, and congratulate all pupils when they set good examples or show improvement in their own behaviour or attendance. Letters to parents and carers and special privileges are amongst many particularly effective ways of demonstrating praise for good behaviour and attendance. Particular attention should be paid to those who have been associated with poor behaviour or
have been less likely to meet standards so that it is not always the same (‘good’) pupils receiving praise and rewards. The award of rewards should be monitored by ethnicity, gender, SEN etc. Any patterns revealed should lead to appropriate action.' (para.22). In establishing a culture of praise in the school, the policy should articulate ways in which all staff can be alert to recognising the positive in pupil behaviour. Suitable arrangements could include:

a. regular monitoring of the frequency with which praise is given and inclusion of a report on this in the annual school behaviour and attendance audit;

b. ensuring that all pupils have access to opportunities for praise and that praise is given for personal improvement;

c. a wide range of formal rewards e.g. ‘Congratulations’ and ‘Good News’ postcards home, letters to parents and carers which are personalised, publishing rewards around the school, certificates which recognise positive contribution to the school community, celebration assemblies involving parents/carers etc.;

d. frequent reminders in staff briefings, assemblies etc. about the importance of celebrating success so that when, for example, success in a sphere outside the school has been achieved, some pupils who might not usually receive praise for positive behaviour are singled out for recognition;

e. incentive schemes to recognise pupils’ attendance achievements. These could include offering attendance certificates or prizes, either for individual pupils or groups of pupils (classes or year groups). Such schemes need to strike the right balance between rewarding pupils with outstanding attendance records and those achieving substantial improvement in their attendance.'

7. How are sanctions used to encourage positive behaviour and regular attendance?

(para. 23):' Schools need a scale of sanctions for misbehaviour, and lateness and alerts/warnings for poor attendance. The policy should explain the reasons why these sanctions are necessary. Effective sanctions are designed to promote positive behaviour and attendance rather than punish miscreants. They are most useful when
seen by everyone as a deterrent. If sanctions have to be frequently applied they are clearly not being effective. Schools find that sanctions are best dealt with on the spot by the member of staff concerned.

(para. 24). 'As with rewards, the most effective sanctions are simple admonishments backed up by the authority of staff within the school. Consistency is essential and the policy should identify how all staff will be encouraged to use reprimands sparingly and fairly. The use of sanctions.'

(para. 25). 'The authority of the school should be supported with a range of sanctions for breaches of the code, ranging from letters to parents and carers, loss of privileges, a variety of forms of detention right up to exclusion for the most serious or persistent misbehaviour. '

(para. 26). 'Sanctions are more likely to promote positive behaviour and regular attendance if pupils see them as fair. The guidelines for implementing the school’s behaviour and attendance policy should therefore advise staff to:

a. make it clear that they are condemning the behaviour not the person;
b. avoid early escalation to severe sanctions, reserving them for the most serious or persistent misbehaviour;
c. avoid whole group sanctions that punish the innocent as well as the guilty;
d. take account of individual circumstances. For example, punishing a girl who is late to school because she looks after younger siblings will not be seen as fair by other pupils. It would be preferable to use the school referral system to support her punctuality;

e. encourage pupils to reflect on the effects of misbehaviour or absence on others in the school community, as part of everyday teaching.'

8. What support is available for pupils whose misbehaviour or attendance reflects significant learning or personal problems?

(para. 27): '... some pupils will need extra support to help manage their behaviour and attendance. The policy should include how the school will support these pupils and work to pre-empt escalating behaviour problems, truancy and unauthorised absence. More specifically there should be reference to the procedures that the
school uses to identify early those pupils most at risk, to draw up a support plan and to establish a support programme'.

(para. 28): 'A range of strategies for early intervention could be identified within the policy including:

a. regular pastoral reviews to identify pupils most at risk, included as part of any regular academic progress reviews;
b. programmes of short courses on specific elements of Social, Emotional and Behavioural Skills (SEBS);
c. contact with parents on the first day of any unexplained absence and discussion between the pupil and staff responsible for their registration;
d. contact with parents in the early stages of a problem, rather than when a learner may be close to exclusion;
e. referrals for specialist advice from agencies linked to the school, either for the individual (e.g. Educational Psychology Service) or in more general terms (e.g. LEA Behaviour Support Team);
f. referrals to a Learning Support Unit for a short period of additional support outside the usual classroom environment;
g. parent/carer consultations and family sessions;
h. one to one counselling with a trained specialist or support from Learning Mentors or trained Teaching Assistants.

(para. 29): 'Many of the learners who are referred to external agencies will have SEN. The policy here will clearly relate to SEN policy.'

(para.30): 'Some schools have produced a directory of support services and, if accompanied by a full list of procedures for securing additional support, this could be a particularly useful section in a staff handbook as an appendix to the policy.'

9. What support and training is available to help staff manage challenging pupil behaviour and absence?

(para. 31): 'All staff should be encouraged to deal with minor and occasional misbehaviour and poor attendance at the time and wherever it occurs in the school...

...Regular professional development on behaviour and attendance is important. However, support must be available where staff feel unable to cope. A school's
behaviour and attendance policy should make its support systems for both staff and pupils clear. In particular:

a. staff who are having difficulty with a class or group should know where to seek support. This should include advice and support from senior colleagues, including Lead Behaviour Professionals where schools have them, and training in behaviour management. The policy should ensure that good quality training is available selected from the materials in the behaviour and attendance training materials;

b. staff who need advice on managing the behaviour and attendance of individual pupils should know to whom to turn. Responsibilities for providing this support should be clearly identified in the policy, including, in school attendance cases, when and how a referral to the LEA Education Welfare Service should be made. Pastoral or support staff should follow up individual pupils and analyse attendance data to identify trends for individual pupils, classes or year groups which can then enable the school to target their efforts. It is good practice for schools to analyse statistically reasons for non attendance. A sound grasp of the reasons given will enable schools and Education Welfare staff to deploy resources effectively in order to reduce absence.'

(para. 32): [procedures for supporting colleagues including clear procedures for getting support from external support services including CAMHS and BESTs]

In relation to racist harassment: 'the school should have in place clear procedures for recording such behaviour, for reporting to parents and carers, and supporting the victim and working with the perpetrator. Procedures should also be in place to record incidents of homophobic bullying or bullying of learners with disabilities or SEN.'

(para. 33): 'The policy should also identify the resources that the school is investing in promoting positive behaviour and attendance. This could include senior staff time as well as more specialised resources like Learning Support Units and training provision. Staff should be given guidance and support on race equality issues that relate to behaviour; this should support them in being sensitive to the needs of different groups of minority ethnic pupils.'
10. **What support is available for parents who wish to learn more about how to improve behaviour and support attendance?**

Para 34 covers immediate contact of parents if a child is absent.

(para. 35): [involve parents in...] 'some of the training for school staff in behaviour and attendance improvement.

(para.36) voluntary parenting courses: 'Where such classes are offered to all, schools report increased engagement by parents and improved behaviour and more regular attendance from pupils. A behaviour and attendance policy should include reference to how the school will support the development of these parenting skills.'

(para.37): 'Opportunities for engagement should be created for those parents who are either hard to reach or feel culturally excluded or would not normally take an active part in the training or other support strategies in the school.'

11. **How are staff, parents / carers and pupils involved and consulted when the policy is formulated or revised?**

(para. 38). '...consultation is essential. The law requires a governing body to consult the head and parents and carers before making or revising its statement of principles. But general support is more likely if all staff are actively involved in developing the code of conduct as well as agreeing underpinning principles.'

(para. 39). 'It would also be good practice to involve pupils in drawing up the policy [eg at parent evenings/parent teacher association meetings]. This could be done though school or class councils. Alternatives would include discussion in tutor groups or citizenship or personal, social and health education lessons. Parents and carers have a critical part to play by supporting the policy through reinforcement at home... particular attention needs to be paid to parents who may be harder to reach, for example by ensuring that they have access to information in the home or community language. It is particularly important to gain parents’ and carers’ support at the time of admission to the school when they may be agreeing to a Home/School Compact. It is also valuable to show how the views of parents and learners have informed the eventual policy.'
12. What resources does the school invest in improving behaviour and attendance? [All paragraphs are deemed to relate to this question]

13. How is the policy monitored and reviewed? How do you know that it is fair?

(para. 40): ‘A regular audit of behaviour and attendance is one way of measuring the effectiveness of a policy. The department [DfES] has developed a Whole School Behaviour and Attendance Audit Instrument which is designed to give schools an annual measure of how well the school’s organisation is managing positive behaviour and regular attendance. The audit informs the school improvement plan and leads to the identification of targeted training for staff to address any priorities in the policy application.’

(para.41): As part of monitoring, schools will want to know that their behaviour policies work fairly and should therefore monitor the distribution of rewards and sanctions by gender, ethnicity and SEN.

The advice continues with three annexes

- **Annex A** sets the legal framework: Section 61 of the School Standards and Framework Act 1998 requires a governing body to ensure that its school pursues policies designed to promote positive behaviour, having regard to government guidance.

- **Annex B** covers the legal framework for detention.

- **Annex C** is a summary of current DfES Guidance on attendance, including definitions of authorised and unauthorised attendance. An attendance policy should set out systems and procedures for:
  - the registration of pupils, including the length of time registers should be kept open;
  - categorising absence;
  - collating and analysing attendance data to identify trends and enable action to be taken;
  - determining in which exceptional circumstances leave of absence will be granted for holidays during term-time;
  - monitoring attendance and punctuality for all lessons;
  - dealing with late arrivals;
o dealing with unauthorised absence (i.e. when contact will be made with parents, how and when standard letter systems will be used, what measures will be taken to re-engage disaffected pupils, what rewards/incentives will be used to encourage attendance, what sanctions will be taken);

o deferring cases to the Local Education Authority's Education Welfare Service (i.e. when, how and by whom);

o reintegrating pupils who have been absent (e.g. providing pastoral support, the role of the Learning Support Unit, using learning/peer mentoring).

**C1.4: DfES (2004c) Leading on Behaviour: a handbook for leading teachers. National Strategy for Primary Schools**

**C1.4.1 Introduction.** Reproduced below are most of Handout 2.1 and 2.2, designed to accompany the training day offered to staff in primary schools, as part of the National Strategy for Primary Schools, Behaviour Strand. They outline well-established good practice that will lessen disruption. The Handbook also contains a useful statement of skills needed by 'leading behaviour teachers'

**C1.4.2 'Handout 2.1': Proactive behaviour management: the classroom environment checklist**

**Classroom layout and environment**

The classroom environment allows and encourages all children to engage actively with learning, to behave appropriately and to feel safe and secure.

The following elements of the environment may have an impact on your rating of this aspect:

- lighting, acoustics, ventilation, temperature
- ease of movement around the room
- resources accessible
- appropriate storage for children's belongings
- chalkboard/whiteboard easily seen by all
- suitable and appropriately arranged furniture for nature of tasks
- wall space used for displays which are interactive, demonstrate the value placed on children's work and celebrate cultural diversity
Curriculum delivery

Planning and preparation
Materials and resources are prepared and readily available.

The learning objectives, structure and content have been planned and differentiated according to what children already know, understand and can do.

Learning objectives relate to ‘learning to learn’ skills and to social, emotional and behavioural skills as well as to subject content.

Effective use of adult support is made in the lesson. Additional adults know what children are expected to learn and are clear about their own role in supporting this learning.

Lesson structure, pace and balance
There is purposeful activity when children arrive at the start of the day, or come in after breaks.
There is a clear beginning to the lesson.
Learning intentions are shared and children are involved in deciding how they can show these intentions have been fulfilled.

Children are involved in setting social, emotional and behavioural learning goals as well as ‘academic’ learning goals at the beginning of the lesson and are involved in reviewing them at the end of the lesson.

Children are clear about what is expected of them, and the time allocated for tasks.
There is a supporting visual representation of lesson structure, for example, key activities written up to help children orient themselves within the lesson.

Time is built in to reflect on learning points and for questioning to check children’s understanding – for example, through mini- and final plenaries.

Time is built in to set any homework required and to check that everyone has understood what is to be done.

There is time for considering whether learning intentions have been achieved at the end of the session.
The lesson is well-paced with a balance of activities appealing to children’s different learning styles and preferences (for example, whole group, small group, pairs, independent, teacher talk, seat work, practical work).

The teacher challenges children and expects the most of them.

**Lesson content and delivery**
A variety of instructional modes are used (visual, auditory and kinaesthetic).
Interactive strategies are used in whole-class teaching: for example, children having time to talk one-to-one with a partner before responding, or having cards/whiteboards to hold up, or coming to the front to take a role.

Children are enabled to demonstrate their knowledge and understanding using a variety of modes (oral, written, graphic).
Key instructions and learning points are given concisely and clearly and repeated as necessary.
Learning is vivid, real and relevant, drawing on first-hand experience.

The lesson is differentiated and matched to individual needs and levels of attainment.
All children are able to experience success. The lesson content supports the development of children’s independence and ability to take responsibility for their own learning.

**Classroom management**

*Proactive adult behaviours*
The teacher or another adult is already in the classroom when the children arrive.

The teacher/other adults greet the children and welcome them in.

The teacher is able to get and maintain the attention of the class.

The teacher or additional adults are aware of what is happening in all areas of the classroom when children are working independently or in groups.

The teacher ‘scans’ the classroom and picks up quickly on early signs that children are losing focus or getting into difficulty.
The teacher and other adults use confident and authoritative body language.

Expectations about independence and personal organisation are clear; children have been taught and use strategies which mean they can continue to work without direct adult help when they get stuck.

A distraction-free area has been set up for children who need it to work in.

The teacher and other adults give frequent positive and informative feedback about social and learning behaviour. They try always to ‘catch children being good’.

More positive than negative comments are made throughout the lesson.

The teacher and other adults use the reward systems that are available.

Adult–child relationships are built on respect, trust and fairness and this is communicated verbally and non-verbally.

*Expectations, rules and routines*

Expectations, rules and routines are displayed in the classroom and regularly referred to.

Rules and routines are actively taught and practised; when children observe them this is noticed and celebrated.

Routines are established through reflection and discussion within the class community, for example, routines for:

- entering the classroom;
- getting work marked;
- getting the attention of the class or the teacher;
- changing activities;
- going to the toilet;
- clearing up;
- leaving the room;
- late arrivals to the classroom;
- what to do when a piece of work or activity is finished.
Children have the opportunity to learn in a variety of groups that are based on learning, social and emotional needs.

Groupings make sure that children can draw on each other’s strengths and skills.

Classroom consequences (rewards and sanctions) are explicit and familiar to the children; they are used fairly and consistently, taking into account the individual needs of the children.

**Responses to poor behaviour**

*Adult behaviour*

Behaviour issues that have been ‘tactically ignored’ or not dealt with during the lesson are followed up at the end of the lesson or as soon as possible.

When responding to children’s behaviour, adults refer to what the child should be doing. They make explicit reference to the social, emotional and behavioural skills that the school seeks to develop, and/or to the agreed framework of rights, responsibilities, rules and routines in the classroom.

When having to ‘correct’ children, adults focus on what the children should be doing. They make explicit reference to the school’s aim to develop children’s social, emotional and behavioural skills.

Adults make explicit their concern for the child and their learning when speaking to children about their behaviour and use opportunities to build the relationship whenever possible.

Adults’ behaviour models the social, emotional and behavioural skills that the school seeks to develop in children.

*Responses to low-level inappropriate or off-task behaviours*

Teachers have at their disposal a range of strategies to deal with minor disruption or off-task behaviours.

Low-level disruption is dealt with using the ‘least intrusive’ strategy.

*Responses to higher-level challenging behaviour*
Adults respond to challenging behaviour in a non-confrontational way that aims to calm down the individuals involved. Adults are aware of their own emotional response to challenging behaviour and seek to manage their own response. If the approach used is unsuccessful, the adult implements a consequence in line with disciplinary policy.

Teachers use planned school systems to get help or to remove a child or other children from the room if necessary.

Teachers use physical restraint (when necessary) only in line with established school guidelines.

There are opportunities for adults involved in serious challenges to talk through their experiences and/or have time themselves to calm down after the event.

C1.4.3 ‘Handout 2.2’ Practical advice on how to intervene

Layering interventions

- **Non-verbal messages** ‘The Look’; signals; smiles and frowns; physical proximity.
- **Tactical ignoring** Choosing to ignore a non-disruptive inappropriate behaviour until a quiet time when it is more convenient to deal with it.
- **Description of reality** ‘Susie, you’re running’; ‘Jake, you’ve got all the crayons.’
- **Simple directions** ‘Susie, walk carefully round the table, thank you’; ‘Jake, share the crayons with Aisha, thank you.’
- **Rule restatements** ‘Martin, our class rule says we put our hand up to ask questions at carpet time, remember?’; ‘Sedef, our rule is that only four children can be in the computer area at the same time.’
- **Question and feedback** ‘What’s happening here, boys?’
- **Blocking and assertive statements, acknowledging the child’s point of view** ‘I want/need you to move away from him and sit here where you will be able to concentrate …’; ‘I want/need you to move over here … Thank you… ‘Nisha, put your pen down, thank you … I understand that you haven’t finished but I need you to put your pen down now and listen, then we can talk about when you can finish.’
• **Choices and consequences**  ‘Edie, put your brush in your drawer or on my desk, thank you.’  ‘Sammy, either you get on with your poster now or you will have to finish it at playtime.’

• **Exit procedures** On rare occasions, when none of the strategies the teacher has used have been effective, it may be necessary for the child to be removed from the classroom. All schools should have procedures for how this might happen and it is important that these are followed. If a child is removed from class the follow-up meeting where his/her re-entry is discussed is vitally important.

**C1.4.4 Skills needed in leading behaviour teachers**

[as presented in Handbook]

'Leading (behaviour) teachers:

1. Actively develop in children the social and emotional competences that underpin positive behaviour.

2. Make sure that children have contributed to a small set of agreed class (or school) rules or rights and responsibilities that are constantly reinforced and returned to.

3. Use frequent positive feedback related to both work and behaviour, that is specific rather than general.

4. Use appropriately assertive language, making clear what behaviours are needed to ensure that everyone can learn, but making sure that the language used to point out inappropriate or unhelpful behaviour separates the behaviour from the child and builds the child’s confidence in their own ability to make appropriate behavioural choices in future.

5. Understand and empathise with the often complex reasons for children's behaviour; have realistic expectations founded on an understanding of child development and the different stages children may be going through in their learning.

6. Build positive relationships with children, listening to their perspectives on their learning and treating them with warmth and respect.
7. Demonstrate excellence in curriculum teaching, particularly in literacy and/or mathematics, minimising behaviour difficulties through the use of lively, interactive teaching styles, appropriate differentiation, and teaching strategies which make sure that children see themselves as responsible for and partners in their own learning.

8. Show awareness of any patterns in behaviour, and in adults’ responses to behaviour, that reflect gender, race or disability issues; are able to analyse the reasons for these patterns and address them.

9. Are aware of children’s attendance patterns; motivate and encourage them to attend school regularly.

10. Work effectively in partnership with teaching and support assistants, where they are present, planning joint approaches to promote positive behaviour.

11. Promote equality of opportunity and address educational inclusion issues throughout all of their interactions.

12. Employ advanced skills in defusion, de-escalation, mediation and conflict resolution, and seek progressively to develop those skills in children themselves.

13. Employ a range of pre-emptive strategies to manage behaviour, noticing early any situations that might present problems and taking quiet steps to redirect, help children to be aware of the choices available to them and make a more appropriate choice.

14. Establish clear routines for such things as entering and leaving the classroom, gaining the teacher’s attention or help, appropriate noise levels for different types of activity, clearing up, transition between activities and so on; spend time on teaching and reinforcing these routines and reviewing with children the effectiveness of their use.

15. Actively teach positive behaviour through, for example, setting explicit behaviour objectives for the lesson, modelling, role play and opportunities for the class to reflect on behavioural learning as well as on ‘curriculum’ learning in, say, lesson plenaries.
16. Ensure that children are clear about the consequences if they choose not to conform to the agreed class or school rules.

17. Relate behaviour ‘problems’ as they arise back to the agreed class or school rules or rights and responsibilities, using them as an opportunity for children to reflect on what has gone wrong and what can be learned from it.

C1.5 DfES (2004d) : Guidance on extending Behaviour Improvement Programmes to Excellence Clusters

This particular guidance relates to using additional government funding in the period 2004 to 2006 to extend BIP programmes (which began in 2002) in Excellence Clusters (groups of schools in areas of educational and social disadvantage/ high street crime). The guidance reminds the reader: (para. 4) 'The BIP’s design predicates it as a programme that responds directly to local needs concerning school behaviour and attendance. It provides support to schools where unsatisfactory behaviour and attendance are barriers to improvement. This guidance introduces the policy framework for the programme’s operation at local level, and its requirements. It should guide the initial discussions that take place among cluster partnerships and their key partners across LEAs and Local Authorities. It is complemented by the BIP Toolkit which outlines possible measures and uses of the additional investment provided by BIP.'

The guidance (para 24) states: 'There is compelling evidence from previous years that BIP has had the most impact where delivery is reinforced by robust local monitoring and assessment arrangements... particularly strong programmes set up local management arrangements involving senior school staff and LEA/LA partners in analysing the impact of the programme and discussing ways forward in addressing implementation issues. High level [multi-agency] steering groups have proven useful in ensuring the strategic links to other aspects of the local preventative strategies.

C1.6: 2005 'The Behaviour Improvement Programme: Good Practice Guide'

The DfES-commissioned research report into Phases 1 and 2 of the national BIP (RR702 - Hallam et al 2005a) gave rise to this useful guide (Hallam et al, 2005b) which identified factors associated with successful local BIPs. It assesses the impact of LBPs, mentors, BESTs, nurture groups and how to embed BIP practice in school.

In many of the BIP schools visited there was evidence of positive changes in:
- the status of behaviour and pastoral issues;
- school ethos, policies and practices;
- the way that schools supported families;
- children’s behaviour, well being and learning;
- relationships with parents;
- staff stress; and
- time spent managing poor behaviour.

The most successful implementation of BIP in the LEAs with the highest levels of improvement in relation to attendance, attainment and exclusions indicated that BIP was most effective when LEAs:

- offered support at the level of the individual, the school and the community;
- adopted a multi-agency approach through the operation of BESTs;
- provided strong support within schools through the use of audits and the appointment of LBPs and learning mentors;
- ensured that there were strong links and co-operation between schools and the BEST;
- ensured that there was good communication between all involved parties;
  - had strong management structures for the planning and operationalising of initiatives;
- had clearly focused aims and commitment to carrying them out;
- built on existing provision.

The LEAs that improved the least well overall had:

- invested few resources in whole-school policies;
- invested more resources on alternatives to exclusion, and at risk pupils;
- neglected to stress the importance of communication, coherence and strong management.

The guide reports: 'The data suggested that a combination of BEST work alongside the appointment of LBPs, learning mentors, the implementation of the audit and other whole school initiatives was the most effective in raising attendance and attainment, improving behaviour and reducing exclusions.

Where schools lacked strong and effective leadership, interventions had little or no
impact. Where Lead Behaviour Professionals were part of the Senior Management Team BIP was better supported within the school. BIP was more successful where it built on and complemented other existing initiatives in the LEA, when training was undertaken collaboratively and there were agreed common areas of work and co-operation to avoid duplication.

Consultation and good communication was crucial to good relationships between LEAs and schools and within schools (particularly where staffing was transient and there were temporary teachers).

Behaviour audits within schools were very important in forcing schools to acknowledge and address their own problems. Audits were valued and viewed as working well but were time consuming. The audits provided information to stimulate self analysis, data to support the development of behaviour improvement plans, a baseline for monitoring progress and a means of making comparisons with other schools. They were useful in enabling schools to identify where they needed to focus their resources. They provided evidence on which to make changes to improve behaviour.

Senior Managers' commitment to the BIP was crucial for success. They had to allow sufficient capacity to cope with organising new initiatives: if senior staff were overloaded with other responsibilities or were resistant to the school changing its practices BIP was not implemented successfully.

Lead Behaviour Professionals (LBPs) played a key role in achieving success. The best LBPs raised the status of pastoral support and behaviour management in the schools. They were able to influence school policy and how schools developed support systems most effectively when they:

- had sufficient time;
- had clearly defined roles;
- were school-based; and
- were able to have an impact on the Senior Management Team (mostly as a result of being a member of the SMT).

Work overload was common and constituted a major obstacle to the successful implementation of BIP initiatives.
Multi-agency working in Behaviour Education Support Teams

'There was wide variability in the way that BESTs were structured and the nature of the personnel working within them. Crucial to their effective working was the way that they were able to embed their work in schools. They needed to have a base in schools, work closely with all school staff and tailor their activities to the needs of particular schools.

Successful BESTs developed interventions which operated at several levels including those of the individual child, the family, the school, and the community forging links between them. Good communication between staff at all levels was essential to effective functioning.

Building the relationships required for multi-agency working required time. BIP enabled much better communication between a wide range of services including police, schools, YOT and social services. There was an increase in the extent to which interagency working took place. This provided opportunities for a range of professionals to share ideas and think about approaches to problems in different ways. There were particular benefits in offering some services, e.g. family therapy, parenting classes, on school premises as this reduced travelling time and expense for families and made it more likely that they would attend the sessions.

Overall, there was considerable evidence of the effectiveness of BESTs in supporting children and their families and reducing pressure on school staff as they were able to act quickly when there were problems facilitating access to a range of non-education agencies.

There were difficulties in recruiting appropriate personnel for all of the multi-disciplinary teams. Differences in working practices, the nature of contracts for different members of the team and in advertising posts created difficulties in the early stages of BIP.'

Learning Mentors

Learning Mentors were sometimes members of BESTs and sometimes employed by schools. Their role offered flexibility enabling them to focus on the particular pastoral needs of children, their parents and the school within which they were working. The work of Learning Mentors was particularly valued in primary schools reducing staff
and head teacher stress by supporting at risk pupils, improving behaviour and freeing up staff time. The key element of the role was the availability of an individual in school in a non-teaching role who could take on the role of supporting children, and act as a link with parents.

**Key workers and supporting at risk pupils**

The numbers of pupils identified as being at risk varied enormously and there was little consistency in the way that ‘at risk’ pupils were identified. ‘At risk’ pupils were supported in a range of ways depending on their needs. It was important that procedures for signing off ‘at risk’ pupils were established. A range of staff were Key Workers including teachers, LBPs, Learning Mentors, members of school management teams, members of BESTs. The role was implemented more successfully when it was well defined.

**Attendance at school**

The guide stresses: 'Despite the significant improvement in attendance in BIP schools, relatively little funding was directly targeted towards reducing truancy suggesting that it was the implementation of the whole programme which addressed the underlying causes of non-attendance which led to the positive outcome.' Initiatives to directly improve attendance at school adopted during BIP included:

- truancy sweeps;
- the development of materials to promote good attendance, e.g. videos;
- ICT initiatives within schools to monitor attendance and follow up non-attendance;
- the placement of Education Welfare Officers (EWOs) in schools;
- the appointment of home-school liaison officers;
- rewarding pupils for good attendance; target setting; and naming and shaming staff who did not follow up non-attendance.

**Safer school partnerships and police in schools**

This was 'an overwhelmingly successful initiative'. The guide says that: 'The greatest impact was when police worked in schools on a regular basis contributing to the everyday life of the school, had a permanent base in the school offering drop in sessions, advice and support or worked as active members of the BEST team.'

**Alternative curricula**

Alternative curriculum were referred to as particularly successful by a number of LEAs. Specific reference was made to Notschool.net (an online education system),
Re-Entry (a project operating within the community to re-engage highly disaffected pupils) and Skill Force (a practically based curriculum operating from a school base but including a range of off site activities) which had operated to reduce permanent exclusion from school and re-engage students with education.

**Nurture groups**
Nurture groups for extremely needy pre-school and infant children were effective in supporting the development of personal and social skills and improving behaviour. Staff required appropriate training to undertaken this work. Where it was successful its impact was felt across the whole school.

**Support for parents**
Work with parents was demonstrated to be of real value in improving children’s behaviour and creating greater understanding in parents of how to manage their offspring’s behaviour at home and in persuading them to attend school. The availability of support for parents situated in schools ensured a better take up.

**Long term sustainability**
The guide concluded on this: 'The extent to which BIP was perceived to be sustainable in the long term depended on how well its principles were embedded in the way that schools and LEAs addressed issues of inclusion and pastoral care. For long term success schools needed to adopt a proactive, preventative, solution-focused approach to behaviour improvement rather than a punitive, reactive approach.'

**C1.7 The Role of the Lead Behaviour Professionals (LBP)**
The following information on who LBPs are and what they do is taken from the NPSLBA [National Programme for School Leadership and Attendance section of the DfES/ Teachernet Website]:

- The LBP is usually a member of the School Leadership Team. The role however may be shared between the senior staff. Many LBPs have other senior responsibilities, often within pastoral care or an Inclusion Manager with oversight of Special Needs and other services.

- There are growing numbers of LBPs outside Behaviour Improvement Programmes
• Evaluation reports highlight the impact of the LBP role as a key factor in schools which have improved behaviour and attendance.

• In most cases schools use the opportunity of appointing an LBP to re-organise Senior Leadership responsibilities and promote staff with talent in behaviour and attendance leadership.

• LBPs are not the 'discipline deputy head'. Their role is not to deal with pupils sent out of the classroom or truants. Instead they work with colleagues in the classroom to improve behaviour and attendance management skills and reduce exclusions from class.

• Other responsibilities for the Senior Leadership which may be carried out by the LBP are:
  a) Implementing the whole school behaviour and attendance policy
  b) Auditing behaviour and attendance, formulating and implementing an improvement plan
  c) Supporting all staff (including teachers, support staff, student teachers and admin staff) in the classroom and around the school through targeted training
  d) Leading a team of staff with responsibilities for behaviour and attendance improvement (e.g. Learning Support Unit staff, Learning Mentors, Teaching Assistants etc)
  e) Co-ordinating the work of other agencies (e.g Police in schools, BESTs, Strategy Consultants etc)
  f) Co-ordinating provision for pupils with additional behaviour and attendance needs
  g) Organising parental support, courses, advice etc
  h) Organising the whole school Social, Emotional and Behavioural Skills or Social and Emotional Aspects of Learning programme
  i) Organising peer led activity and pupil involvement in behaviour and attendance improvement
  k) Co-ordinating provision with other schools through collaborative partnerships.

• Lead Behaviour Professional training - this can be helped by NPSLBA materials
C1.8 DfES National Programme for School Leadership in Behaviour and Attendance training materials (2004 and ongoing)

(i) The training materials developed by the DfES NPSLBA are worth investigating and could be useful whether attached to the search for accreditation for 'behaviour leaders' (defined as anything from lunchtime supervisors to headteachers or local education officers) or as general professional development tools. This national resource of introductory self-help materials is now available to all (www.teachernet/npslba).

The menu of free-to-access training materials, linked to Level 3 and Level 4 City and Guilds qualifications in leadership in behaviour and attendance now includes:

- Extending understanding of theoretical frameworks relating to behaviour and attendance
- The child and the law
- The impact of peer support on behaviour and attendance
- Incorporating restorative approaches
- Creating an ethos for social inclusion
- Developing and implementing a vision for behaviour and attendance
- Underlying causes of challenging behaviour and poor attendance
- Strategies for promoting positive behaviour and attendance
- Applying learning theories to behaviour and attendance teaching programmes
- Behaviour and attendance self-review and action plans
- Monitoring improvement and analysing behaviour and attendance data
- Working with parents and carers
- Management of provisions
- Effective support
- Effective organisation
- Wider educational provision
- Teaching social, emotional and behavioural skills
- The school-based mentoring of teachers in training
- Implementing multi-agency work in BESD settings
- Implementing staff support in a BESD setting
- Leading professional development in social, emotional and behavioural skills
- Collaborative working across BESD and mainstream settings
- Using counselling skills with staff, pupils, parents and carers.
- Developing social, emotional and behavioural skills in residential settings

(ii) The NPSLBA interactive DVD for trainers in secondary settings is also a useful aid to highlighting common teacher failings but also the possibilities for improving practice.

C1.9 The Behaviour4Learning web-site
This on-going DfES initiative, specifically designed to help student or inexperienced teachers, provides information and materials on behaviour management and links to a range of useful 'behaviour sites'.

C2: Scotland

C2.1 Introduction: 'Better Behaviour Better Learning'
The 'Better Behaviour Better Learning' national strategy gave rise to the creation or adaptation of a number of approaches designed to promote better behaviour in schools. Many of the approaches are described on 'www.betterbehaviourscotland.gov.uk'. The site includes materials on (or links to) approaches such as Restorative Practice, Staged Intervention (the Scottish version of the City of Birmingham's Framework for Intervention/ Behaviour Co-ordinator scheme), Being Cool in School, Solution Oriented School Programme, The Motivated School (see below), Social and Emotional Aspects of Learning and the Behaviour Support Tool-kit. This Toolkit includes materials for teachers to encourage self-motivation, affirmations, to promote home/school partnerships, and tips to build positive behaviour skills in children. There are also materials (highly relevant to children with challenging behaviour) on attachment difficulties and ADHD. The site also includes feedback from schools trying out the approaches described.

C2.2 Regional Communication Team
Reflecting the appointment of Regional Workers by the English National Programme for School Leaders in Behaviour and Attendance, SEED created a 'Regional Communication Team' tasked with promoting the 'positive behaviour' initiatives associated with 'Better Behaviour Better Learning'. Eight members were seconded into Support for Learning Division of the Scottish Executive, Each team member has a local patch of three to four education authorities. Through the team, schools and education authorities can access training and ongoing support to develop their implementation of 'Better Behaviour – Better Learning'.

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C2.3 Anti-bullying Service.
The Scottish Executive established the Anti-Bullying Network in 1999 so that teachers, parents and young people could share ideas about how bullying should be tackled. The ABN was replaced by a revamped service, called 'Better Futures', in 2006. This service aimed to increase awareness of the problem of bullying throughout the whole community and to help all organisations working with young people to develop effective anti-bullying policies.

C2.4 SEED funded 'Inclusive Education in Primary Schools' pack
Barnardo's Inclusive Education in Primary Schools pack contains practical tools/techniques to assist teachers, parents and volunteers supporting children with SEBD. It also contains research evidence and a policy overview. It aims to build on children's abilities to help each other and advocates holistic exercises in peer groups, classes and across whole schools. The materials cover anger management, understanding feelings and managing playground behaviour.

C3: Northern Ireland

C3.1 No national strategy directly focused on behaviour and attendance
No recent national strategy was identified. Behaviour and attendance policy and practice is however happening against the background of the 'Ten Year Strategy for Children and Young People' (OFMm 2006). This aims to ensure all children in Northern Ireland fulfil their potential through receiving the best possible start in life.

C4: Republic of Ireland

C4.1 The National Behaviour Support Service (NBSS). Implementing a recommendation of the Martin Report (DES, 2006), the Minister for Education recently set up the NBSS. This forms part of a national framework of support for schools in the area of student behaviour. The work of the NBSS is carried out by a multi-disciplinary professional team headed by a National Co-ordinator, supported by 4 Assistant Co-ordinators and a team consisting of Regional Development Officers and a number of specially appointed professionals (includes psychologists, Research and Development Officer and Associates). The NBSS is funded by the Department of Education and Science under the National Development Plan for 2007-2013
The team works with the management and staff of schools and members of the school community to identify problems in relation to student behaviour. They help develop strategies to resolve these issues and facilitate the implementation of these strategies in practice. The NBSS work encompasses three approaches: whole-school approach/improvement; customised approaches for individual children/staff; developing and operating Behaviour Support Classrooms in mainstream schools. (contact by email: nbss@ecnavan.ie).

**C4.2 The Irish behaviour web-site.** Scoilnet, the internet portal for Irish Education has a useful section on behaviour, linking to www.kidsbehaviour.co.uk. 'KidsBehaviour' contains a wide range of free information for parents and educators on home behaviour problems, depression in childhood, adjustment in childhood, Tourette's, oppositional defiance disorder, cognitive behaviour therapy, rewards, sanctions.

**Section D: Overview Reports by Inspectorates**

**D1: England - Ofsted and HMCI**

**D1.1: Ofsted 'Principles into Practice: Effective Education for Pupils with EBD' report (1999)** This distillation (Ofsted, 1999a) of extensive work by Ofsted in the late 1990s remains highly relevant, although some practice to which it refers is out of date (eg part-time education in PRUs). It contains a succinct summary of what good practice is (e.g. paras 23-30). It stresses the consistent HMI message (backed up by research - see Cole and Visser, 2003) that sound leadership, clear but flexible structures and empathetic, expert teaching and high but realistic expectations are central to managing and lessening BESD in educational settings. Teaching should target literacy skills, boost pupil confidence and respond to preferred styles of learning (often the practical and experiential).

**D1.2: Ofsted (2001a) Improving Behaviour and Attendance in Secondary Schools.** This report repeated familiar Ofsted themes, stressing it is very important for schools to consider the following factors that promote positive behaviour and attendance:

- Action to improve attendance and behaviour is most effective when it is linked to well-designed efforts to improve attitudes to learning.
• Schools that are making steady progress are marked by clear leadership and planning, reliable systems and good use of data and evidence from monitoring.

• Staff, governors, parents and outside agencies are actively involved in creating a better climate and show a determination to meet the needs of all pupils.

D1.3 Ofsted (2005a) 'Managing Challenging Behaviour'

This report is based on extensive research. Consistent with all recent HMI/Ofsted documents it re-iterated the following well-founded beliefs in relation to behaviour:

• the importance of appropriate ethos, staff values

• 'the most effective teaching for learners with the most difficult behaviour is little different to the most successful teaching for others' (para 65)

• 'Deteriorating behaviour goes hand in hand with a decline in the quality of teaching.' (para.66)

These views are consistent with much research evidence.

This report recommends that schools, colleges and PRUs should

• focus on
  o improving the quality of teaching;
  o the provision of an appropriate engaging curriculum ;

• do more to improve literacy and other communication skills;

• improve systems for tracking academic and social development;

• make better use of this information to help pupils improve and manage their behaviour;

• provide more systematic training in a.) behaviour management and b.) child and adolescent development for
  o senior managers
  o teachers
  o TAs;

• review the way they link with parents;

• underline the need for consistency among staff in the way expectations of behaviour are set and maintained.

LEAs should:

• monitor and evaluate schools' responses to pupils with more challenging behaviour in order to target support more effectively.
• build on ITT in order to provide long-term programmes of professional development in child and adolescent development and behaviour management
• encourage effective partnerships with other services
• create more opportunities for joint training

The report stresses the need for good leadership, clear boundary setting, subject expertise, close team work between teachers and TAs, interagency support. It contains much well-founded advice for teachers in all settings for children challenging behaviour.

Summarising much of the Ofsted view is the following comment about secondary school classrooms:

‘Pupils' attitudes, behaviour, and achievement are best where staff know pupils well and plan lessons which are well matched to their abilities and interests and take account of their different learning styles. In these lessons the transition between activities is managed well. High expectations are constantly reinforced and staff give meaningful praise. Marking is positive and takes learning forward, Pupils assess their work and discuss their progress with staff.'

Relationships, respect of adults for pupils, humour, pace, responsiveness to pupil learning styles are all seen as important.

D1.4: Ofsted on physical design relating to behaviour and attendance.

Ofsted's various comments on the physical design of schools are highly pertinent. Ofsted (1999b) noted the effect of the physical environment on the social and behavioural development of pupils: bare walls, hard floors and steel and plastic furniture in for example, dining halls, were said to defeat staff efforts to provide positive social experiences, often contributing to a crescendo of noise and shouting adults, struggling to stay in control. Ofsted (1995a) stressed that schools must have appropriate teaching areas to allow the delivery of the requisite broad and balanced curriculum. Ofsted (1999b) found too many schools lacking libraries or specialist teaching areas for science or having to rely on outside sports halls etc. Ofsted (1999a and 2005a) noted the value of quiet spaces, such as supervised library areas, where pupils could be guaranteed time to themselves; or rooms acting as ‘social havens’ for deeply troubled children to go at breaktimes (Ofsted, 2001b, para. 76).
Ofsted (2001b) was aware of difficulties (e.g. schools consisting of various scattered buildings) caused by the built environment. Too often there was a lack of adequate storage space (Ofsted, 1999b) that provided opportunities for damage of property, materials and resources, which could not be put away securely. Ofsted (1999b) found that provision for pupils with challenging behaviour had a narrower range of resources for English and mathematics; fewer than half of the inspected special schools (particularly EBD schools) had adequate libraries. Resources for science were said to be improving in EBD schools. Ofsted (2005) still found it necessary to report shortcomings in some specialist provision, alluding to some of the points already made in this paragraph.

**D1.5: 2005 Revised Framework for Inspection**

Leaders in schools almost certainly pay closest attention to the guidance governing official inspections of their schools. In this context, the Ofsted Frameworks for Inspection of schools (for maintained and special) are always highly relevant (at present the current Ofsted, 2005b). The revised framework brought about significant change to the inspection process, giving schools less notice of visits, making them shorter and hopefully sharper, with inspectors paying particular attention to schools' completion of Self Evaluation Forms (posted and updated on the internet) and the areas that schools themselves identify as areas needing development. SEFs are now at the heart of the inspection process, guidance on the completion of SEFs is also very relevant. The new inspection framework also brought in consideration of how well schools addressed the five ECM outcomes and reduced the emphasis placed in the 1990s/ early 2000s on the delivery of individual National Curriculum subjects. These changes would seem to be having a significant effect on how provision for children with challenging behaviour is viewed, lessening the likelihood that they will be reported negatively (for failing to deliver individual subjects to a high standard) and enhancing the chances that a school's good work in addressing the 5 ECM outcomes will be appropriately recognised.

Maintained schools are inspected under Section 5 of the Education Act 2005 which gave rise to 'Every Child Matters: framework for inspection of schools in England from September 2005'. Local authority children's services are inspected under Sections 20 -24 of the Children Act, 2004 which gave rise to 'ECM: framework for the inspection of children's services.'
D1.6 Ofsted (2005c) review of 'Excellence in Cities: Managing associated initiatives to raise standards'

D.1.6.1 Overview: The English government made additional funding available to schools serving disadvantaged areas through the 'Excellence in Cities' programme. This funding was to help implement approaches associated with the National Strategies Behaviour Strand. In 2005, Ofsted reviewed initiatives associated with EiC and found EiC, together with associated programmes, had contributed significantly to raising standards - a steady improvement in exam results (GCSE A-Cs) - and improving social inclusion.

The following are some key points relating to Behaviour and Attendance:

- success is brought about by highly effective leadership and management who had 'a clear and shared focus on raising attainment, a relentless drive to improve teaching and learning and a constant push to improve pupils' attendance, attitudes and behaviour. These headteachers used the additional funding well.

- 'In a few schools, circumstances have conspired to delay or hinder improvements. These include high staff turnover, significant changes in the leadership team, or where the headteacher has inherited weaknesses in provision from a previous regime. In addition, split sites sometimes two to three miles apart put additional demands on the leadership and management.'

- Learning mentors can be effective (see next paragraph)

- Learning support units (LSUs) are usually effective and their provision mostly good but there are instances where the teaching and learning are unsatisfactory. When senior managers have a clear view of the purpose of LSUs and know how to use them most effectively for the benefit of pupils, there is greater beneficial impact. In the best schools, parents and external agencies are fully involved in the work of the unit. Learning mentors and other support staff work closely with educational psychologists and education social workers. They liaise well with teachers and pastoral staff and ensure that the needs of the pupils are met. Exit strategies with further monitoring when pupils are reintegrated into mainstream lessons are understood by all. Pupils report how they valued the help and support they were given. However, in a small minority of schools the provision is inadequate. This is
due mainly to a narrow curriculum that relies too heavily on literacy and numeracy; insufficient liaison between subject teachers and unit staff; and a haphazard approach to ensuring that all pupils make progress.

- The Behaviour Improvement Programme (BIP) has generally had a good impact in schools. 'The more dynamic headteachers have used additional funding, together with other sources, as an important vehicle to help carry out their vision for wider school improvements.'

D1.6.2: Learning mentors:
(a.) Role and deployment. Learning mentors' work is focused on raising pupils' attainment and removing barriers to their learning. School use varied approaches ranging from the appointment of an individual who focuses on underachieving pupils in Key Stage 4 to the appointment of a team of about four or five mentors managed by a lead learning mentor. Mentors have been appointed from a wide range of backgrounds and previous experience; some are highly qualified and offer a lot to the schools based on their knowledge, skills and experience. Sometimes learning mentors work effectively in the feeder primary schools and help to ease pupils' transition from Year 6 to Year 7.

Learning mentors can offer effective support to disaffected or underachieving pupils. Typically they work with pupils in small withdrawal groups or on a one-to-one basis. Where a school has a learning support unit, there is usually close cooperation with its staff. Learning mentors’ involvement with pupils is usually time limited.

Ofsted reported that overall, mentors’ work has led to more positive attitudes, better behaviour and academic progress from the pupils they support. Many mentors feel they have been trained effectively, and feel well supported by both the school and by the LA. The pupils interviewed in schools almost always praised the work of learning mentors.

Effective practice is typified by:
- clear line management and job descriptions;
- learning mentors are usually integrated carefully into the school's support services and their deployment has a clear rationale;
- the referral system is rigorous and involves other professionals who might have an interest in the welfare of the child;
• assessment data and target levels are used well to monitor progress supported by an action plan for each child. Exit strategies are clearly identified and there is follow-up after a few weeks to check on the pupils’ progress
• regular monitoring of the mentor's work and impact on pupils;
• learning mentors share good practice through attendance at cluster meetings and LA meetings
• good links have been developed with parents and outside agencies, including social services and education welfare services
• learning mentors are involved in a wide range of activities in schools including: study support clubs, recruiting and training pupils to be peer mentors;
• mentors take initiatives in providing for the pupils they are mentoring, such as leading development of the Key Stage 4 vocational curriculum.

D1.6.3: Learning support units
Ofsted reported that their visits to Learning Support Units showed that overall LSUs are having an important effect on ensuring that pupils remain in school and are making the progress expected of them. The provision in the LSU is usually good but, occasionally. The special needs department is usually involved in helping to meet the needs of the pupils referred. Pupils are normally referred to the unit for a range of needs including behaviour, the development of social skills, reintegration after exclusion or a last stop before exclusion from school. Sometimes pupils refer themselves either to the unit or to a learning mentor. Their involvement in the unit is time-limited. In most schools, there are clear criteria for referral. Provision varies in schools from having separate units for Key Stage 3 or Key Stage 4 pupils, or a combination of both.

Ofsted says that practice is most effective when:
• 'the strategy for the unit is well conceived and the provision is successfully integrated with the rest of the school;
• senior managers provide good leadership and support which sometimes involves teaching in the unit for parts of the week;
• the work of the unit is well managed on a day-to-day basis and there is good long-term leadership;
• criteria for referral are known and pupils have an action plan which is jointly negotiated by the staff, the pupil and parent/carer; exit procedures are clearly understood by all;
• parents are fully involved and supportive of the unit’s work; they are involved in initial discussions at referral and kept regularly informed of their child’s progress;
• the unit provides a broad and balanced curriculum to ensure that the pupils continue to make academic progress and can reintegrate into mainstream where appropriate;
• there is good communication between the unit and staff, including pastoral staff, about the progress of individual pupils and record keeping is of a good standard;
• the needs of each pupil are discussed regularly by staff;
• there is regular monitoring of the use of the unit, including an analysis of the pupils’ ethnicity and gender;
• the work of the unit is reviewed and evaluated regularly, sometimes by outside consultants, including LA coordinators for the BIP;
• pupils value the support they have received.’

Ofsted said that where the provision is weak or inadequate:
• the teaching and learning are not related to the mainstream curriculum and rely too heavily on the core areas of literacy and numeracy
• there is not enough interaction between the staff of the unit and other teachers to ensure that pupils are making appropriate progress
• too much emphasis is placed on meeting the pupils’ emotional, social and behavioural needs, and not enough on their academic needs.

D1.7: Annual Report of Her Majesty's Chief Inspector of Schools 2005/06
(a.) Introduction. This HMCI annual report (Ofsted, 2007) had a new look compared to previous years’ reports. It was reshaped to reflect the combining of children's services in the DfES and the 'Every Child Matters' agenda. Part 1 was called 'The Quality of Education and Care'. Part 2 had sections headed 'Being healthy', 'Staying safe' 'Enjoying and achieving', 'Making a positive contribution' and 'Achieving economic well-being'. The report drew on 40,000 inspection visits. Through the text there are various items relating to behaviour and attendance/ challenging behaviour.

Reflecting on the need for change in the annual overview report, HMCI Christine Gilbert wrote [p5]: 'Every child matters: this phrase is central to Ofsted's mission. It provides the framework for this Annual Report...I am encouraged by the early
findings of our joint area reviews [JARs] of children's services; in terms of overall effectiveness, the services for children and young people were good in just over half of the 36 local areas reviewed. Services for children and young people are seen as a high priority in all of the areas inspected and, encouragingly, virtually all have the capacity to improve.'

In April 2007, an altered Ofsted was created. The Office for Standards in Education, Children's Services and Skills included the work of Ofsted, the inspection services of the Adult Learning Inspectorate, the children's work of the Commission for Social Care Inspection, and the inspection of the Children and Family Court Advisory and Support Service.'

(b.) **Items relevant to behaviour and attendance**

**Behaviour in schools** (para 45, p21) In primary and special schools this tended to be good but more commonly in the secondary sector, it could be poor: 'Overall, pupils' behaviour is satisfactory or better in almost all schools inspected and outstanding in over a quarter. In primary and special schools it is rarely inadequate. In secondary schools the picture is less positive...In almost a third of secondary schools, behaviour is no better than satisfactory overall, and in these schools there are also instances of disruptive or distracting behaviour from some pupils'.

**Praise for PRUs:** In the PRUs inspected, pupils' behaviour is good or outstanding in just under three quarters of cases, and in the overwhelming majority it is satisfactory or better (p21).

**Caring special schools, enjoyed by the pupils** (para 47,p.21): 'The care, guidance and support provided for pupils are particularly strong in special schools and are mirrored by the high quality of the pupils' personal development, which is outstanding in over half of the special schools inspected. An overwhelming majority of pupils in special schools enjoy their education.'

**Teaching and learning [T&L]** [para 48, p21] good or outstanding in 6/10 and satisfactory in 'the very large majority' of schools.

**Teaching & Learning and 'EBSD'**[Ofsted use this ordering of letters rather than 'BESD'...]. In 4/5 special schools Teaching and Learning are 'good or better'. 'Schools
for pupils with emotional, behavioural and social difficulties are less successful than other special schools in matching the curriculum to individual needs, although the provision in most is at least satisfactory overall. In some special schools, the lack of specialist teachers has an adverse effect on the quality and breadth of the curriculum.' [para 56, p22]

**Curriculum in PRUs** [para 57, p22] In one in 10 PRUs the curriculum is inadequate, often because it is too narrow. 'Outstanding education provision in PRUs is characterised by high levels of consistency in the teachers’ use of daily assessments, so that each pupil's progress is kept under constant review and is linked to clear long-term goals. In these successful settings, there is a particular emphasis on the development of skills to ensure pupils' future economic well-being.'

**Leadership in special schools and PRUs linked to good SEFs:** leadership is good or outstanding in a very large proportion of special schools. Here 'self-evaluation is invariably a strength; it is rigorous, accurate and comprehensive and it provides a firm foundation for improvement.' [para 61, p23]. Leadership is inadequate in 1/10 PRUs -linked to poor SEFs. [para.62, p23].

' **Non-association independent special schools**' [para 77, p26] A big growth in numbers of pupils in independent special schools over last 5 years is noted. 'The increase in the number of care homes applying to provide education for the children in their care is a welcome development in the provision of stability and continuity for vulnerable groups of children.'

**Secure accommodation** [para99, p30] Standards are too variable and the curriculum offered is often too narrow.

**Being Healthy** (pp37 - 41) Many schools embrace the standards within the Healthy Schools Programme [para 135, p37]. There follow sections on healthy eating promotion; drug education in schools; sexual health.

'**Staying Safe**' (pp. 43 - 48) **[Behaviour and SEAL]**

This covers safety in early years settings, schools and colleges and has a special section on behaviour and anti-bullying strategies:
Low-level disruption (para 181, p45): 'The main behavioural problems identified by inspectors in 44 of 46 schools surveyed were low-level misconduct and inattention in lessons which, during the course of the school day, wore down the patience of teachers and peers so that learning was regularly interrupted.'

Praise for behaviour assistants, mentors, LSUs etc [para 182]: Increasingly, schools were using a range of non-teaching support personnel to help pupils improve their behaviour e.g. 'Excellence in Cities' learning mentors 'were particularly successful in offering advice and guidance to pupils and in working with parents'. Identifying early children at risk and using learning support units [LSUs] were helping to cut fixed-term and permanent exclusions in some schools.

There continues a need for well planned and managed behaviour policies [para 183], not present in some schools.

Note also -
- The value of SEAL [para 184, p.46] in increasing teachers' range of responses to behaviour difficulties;
- the early success, apparently of schools using local authority Behaviour and Attendance consultants [Para. 185];
- the use of unofficial exclusions ' is condemned: it is illegal' eg asking parents to take children out of school or face formal exclusion [para 187];
- section on tackling race-related incidents [para 191-192];
- checking new staff's backgrounds [para 193 -196] particularly in relation to employing teachers from abroad.

Under-identified SENs, Exclusions and PRU placement [para 188, p46]. [This is an interesting paragraph on important issues...] " Where pupils were permanently excluded they were usually placed in a PRU. More often than in the past, pupils with learning difficulties and/or disabilities who behaved badly but did not have statements of special educational need were excluded and placed in PRUs. A common weakness in the placement process was that PRU staff did not receive information about the pupils' attainment before entry and this could have an adverse effect on pupils with learning difficulties and/or disabilities.'
Bullying denial [para 189,190, p46 -47] Good work in many settings but 'some schools continued to deny that bullying existed or treated it as a part of 'growing up' and something that pupils should get used to.' LAAs found some schools with most complaints about bullying did not take up places for their staff on LA anti-bullying courses.

'Enjoying and Achieving' for 'EBSD' and pupils in PRUs [p64 ] The report noted:

- the lack of quality of some LSA/TA support provided under the SEN Code of Practice in mainstream schools;
- 'The lengthy process of obtaining a statement of SEN disadvantaged pupils with emotional, behavioural and social difficulties. This is the group least likely to receive effective support and most likely to receive their support too late.' [para 286, p64]
- 'Local authorities have not yet analysed the effectiveness of different types of provision or determined which provision has provided the best outcomes for pupils with different types of need.' [para. 288, p.64]
- PRUs were the least successful in ensuring the good progress of pupils who attended but good at addressing personal and social needs [para 299]

PRUs used wrongly: the new Ofsted survey [para.290; p.64]

'Increasingly PRUs are receiving pupils with statements of SEN, who in the past might have been placed in schools for pupils with educational and behavioural difficulties. PRUs are often ill-equipped to cope with these pupils who have complex behaviour difficulties as well as a statement of SEN. Indeed they were not designed to admit such pupils; and so during 2006/07 Ofsted will carry out a survey to find the reasons for this trend.'

There is also

- consideration of the Primary National Strategy ;
- a finding that inclusion can work very well in mainstream schools and attached resourced units where the teaching and additional support are good etc (p63);
- reference to continuing difficulties in inclusive practice in secondary schools (p.66m para 297);
• positive mention in para.304, p.67 of the Behaviour Improvement Programme;
• a call for increased collaboration between local agencies to provide young people with education, training and support through children's services (para. 341, p74).

D2: Scotland - HMIE
D2.1 HMIE (2005) Report to SEED on Delivery of the National Priorities
One of the five national priorities for Scotland is the Framework for Learning which is designed to support and develop the skills of teachers, the self discipline of pupils and to enhance school environments so that they are conducive to teaching and learning. This report says on Framework for Learning:

‘Issues relating to inclusion, behaviour and attainment remain a real challenge for schools and education authorities, including multi-agency working. While the climate and relationships in schools is a strength overall, and has shown signs of improvement over the last few years, problems remain in around one in twelve secondary schools. In addition, in more than half of secondary schools and in more than a quarter of primary schools in which climate and relationships are good overall, there are specific departments or classes in which there are incidences of low level disruption which interrupt learning. One third of secondary teachers who have responded to HMI inspection questionnaires do not believe that discipline is managed effectively in their schools. Only a majority of secondary school pupils believe that the behaviour of pupils in their school is good. Where HMI find that leadership in secondary schools is very good, and when the school is implementing a good range of strategies to improve behaviour and learning, then pupils' behaviour is very good. These cases include schools in areas of high social disadvantage and in residential special schools and secure accommodation provision. Overall, there is therefore more to be done in some primary and secondary schools to improve leadership for better learning and better behaviour. National figures for pupils’ attendance at primary and secondary school show no significant increase over the period of implementation of the national priorities.' (p.12)

The report says that in order to achieve more:
• Partnership working by a range of agencies should be developed further to improve support for children with social, emotional and behavioural difficulties.
• At all levels, improve further arrangements for the continuing professional development of teachers, including uptake of the chartered teacher programme, training in leadership development and the use of ICT. (HMIE, 2005, p.12)

The report refers to another HMIE publication ‘How good is our school? a set of quality indicators’ published by HM Inspectorate of Education, which are to be used for self evaluation.

**D2.2: HMIE Annual Report and Accounts (2007a).** This annual report reviews the range and quality of HMIE’s work over 2006-07 but does not look at issues relating to behaviour and attendance. It does refer to other publications including a range of self-evaluation guides, including a guide to improving practice in residential schools and school care accommodation services.

**D2.3 HMIE (2007b) How Good is Our School How Good are We Now?**
This is the latest set of quality indicators designed to provide the core tool for self-evaluation for all schools. It wants schools to have ‘a collegiate culture in which staff engage in professional discussion and reflection based on a shared understanding of quality and a shared vision of their aims for young people.’ (p3). This should be relevant to adopting better whole-school practice in relation to behaviour and attendance, although there is very little directly to do with behaviour in this publication.

The indicators cover leadership, teaching, supporting and developing colleagues’ skills, relations with outside agencies. Indicator 5.8 is called ‘care, welfare and child protection’. Under this, schools should judge themselves on how well they make arrangements for ensuring care, welfare and child protection; approaches to and provision for meeting the emotional, physical and social needs of children and young people; curricular and vocational guidance.’

**D2.4: Care Commission (2007) and HMIE ‘Residential Care and Education: Improving Practice’**. This is a staff development guide to support the evaluation of quality in care and education settings (which will include provision for children with challenging behaviour). It says that work in 2002-04 by the Care Commission and HMIE highlighted
• reported positively about the very good relationships between the staff and children and young people.
• improvements in living and classroom accommodation.

However, the generally weak quality of leadership directly linked to inadequate approaches to self evaluation, was noted. This publication provides guidance and practical strategies to improve approaches to self-evaluation.

**D3: Northern Ireland**

**D3.1 The Chief Inspector's Report 2004 - 2006**

The most relevant items in this report (ETI, 2007) are:

(a.) **Mental health worries.** It cites the Bamford Review of Mental Health and Learning Disability, 2006, which apparently shows growing numbers of Northern Ireland young people with mental health problems (as in other parts of the UK, is the increase real or a broader interpretation of the term 'mental health'?) which could impact on behaviour and attendance in schools.

(b.) **Vocational training.** The Strategy's call for more recognition of vocational training 'as a valuable alternative to the traditional academic pathway' and as a means of better engaging 14 -19 year olds.

(c.) The need for better inter-agency working and co-ordination of services to address the needs of disadvantaged children.

(d.) **Better arrangements for transitions** from primary to post-primary (secondary schools).

(e.) Worries about the continuing gap between high performing and low performing schools as seen in classroom achievements.

(f.) **Growing disruption in post-primary education.** The Chief Inspector (CI) says that there is a caring ethos in almost all schools, in most instances underpinned by a good pastoral care programme. She finds that while the pupils are generally well behaved and co-operative, there is a growing number of disruptive and disaffected pupils who present a challenge for many schools. There is a need for more effective co-operation among schools, support services and Alternative Education Provision
(AEP) to disseminate the existing good practice in working effectively with these pupils.

(g.) The 'outworking' (implementation) of the new Code of Practice for Identification and Assessment of SEN. This has helped to raise the profile of SEN in schools but notes the rising number of statements and children on SEN registers. There is a lack of co-ordination between education and social services.

(h.) Behaviour Support Teams/Services. The CI notes the evidence of an increase in reported incidence of challenging behaviour and indiscipline in schools, particularly in primary schools. Existing BSTs cannot meet the demands made of them. The quality of BST work is viewed as excellent and they give valuable support to teachers and help the development of whole-school policy and practice that promotes positive behaviour. There is variability in accessing arrangements across the five Education and Library Boards. There is a need to develop effective partnership working between education, health and social services, particularly for children with mental health problems (paras. 357 -360).

(i) Alternative Education Provision - general. The CI is concerned that increasing numbers of pupils are 'opting out' of mainstream education leading to a growth of AEP (930 pupils in 39 AEP Centres). While the sector provides a valuable safety net, more needs to be done within schools to prevent young people becoming excluded. Standards of provision in AEP are rising and generally meet well the needs of the majority of young people who attend. Tribute is paid to the commitment and skills of staff in the AEP centres. Teaching is sound but can be very good. The main strengths of AEP centres are:

- the positive attitudes of the staff towards the pupils and the focus on their individual needs;
- the imaginative teaching approaches, including small group discussion and team-teaching in partnership with youth and community workers;
- the flexible curriculum and organisation;
- the efforts made to overcome barriers to learning arising from family or other circumstances; and
- the involvement of the pupils in determining the curriculum content and in developing rules and procedures to direct the AEP centres' work (para.369).
Areas needing improvement are:

- agreeing a clearer definition of AEP;
- ensuring that mainstream schools have the resources necessary to support pupils at risk before they are excluded;
- ensuring that moving pupils to AEP is a last resort and part of an agreed process of support;
- making better formal links between AEP centres and post-primary schools to help pupils return to school where possible;
- developing a monitoring system to track pupils’ progress and improvement during, and beyond, AEP placement;
- securing the involvement of additional support services from DHSSPS and the further education sector;
- providing better training and job security for AEP staff;
- improving the accommodation and resources; and
- funding the provision more adequately.

Referral systems for admission are getting more rigorous and systematic, and stronger links have been established between community based and statutory providers. The CI says that many young people gain accredited qualifications and the provision makes a positive contribution to the education of pupils who find difficulty in coping with school. She concludes this section with: ‘A clearer policy is needed to ensure a coherent approach to young people at risk and to direct funding and action more towards keeping them engaged and motivated to attend school.’ (ETI, 2007a/b).

(h.) 'Out of the Box' AEP Research Report (Kilpatrick, R. et al., 2006, Queen's University, cited in ETI, 2007). This research found that six months after leaving AEP over 75% of young people who had attended AEP were engaged in employment, training or further education. The Centres needed more support and there should be a stronger preventative role for EWS. Mainstream schools could reject and eject pupils too (para.367). The research attributed pupils’ good progress to the work of highly motivated and skilled AEP staff.

D4: Republic of Ireland

D4.1 Relevant material not found.

In the time available for briefly searching the appropriate Irish Government web-site, no recent material from the Republic of Ireland educational inspectorate was found.
that was particularly relevant. The major relevant messages from Ireland were identified in the Martin Report (DES, 2006 -see above).

Section E: Synthesis and Discussion of Key Points

E1. Introduction

There has been much overlap in the content of the major documents outlined in Sections B to D. This is to be expected, given the consistent international research and British Isles inspectorate findings over the last two decades at least. Revisiting the synopses given of the major reports will give a full picture of recommended practice in relation to behaviour and attendance. Particularly recommended are:

- Better Behaviour - Better Learning, 2001 - see Section B2.1 above;
- English National Strategy guidance and advice on class management, 2003/04 - see C1.3 and C1.4
- The Steer Report, 2005 - see B1.13;
- The Martin Report, 2006 - see B4.1;
- Scottish guidance: 'Engaged and Involved' - see B2.6;

E2. 'Low level disruption', worsening behaviour and inclusion. A basic point, commonly made in the documents examined, is that so-called 'low-level disruption' in educational settings (e.g. talking out of turn, out of seat in class, hindering other children, boisterous behaviour in corridors) is far more common than extreme and dangerous behaviour (including physical violence to other pupils and staff). It still holds true, as the Elton Report (DES, 1989) found: teachers and other staff are generally 'ground down' gradually rather than 'beaten up'.

However, it seems the opinion of many that there has been an increase in more serious disruptive behaviour in schools (in primaries as well as secondary schools in Scotland and Northern Ireland and England apparently). This is sometimes linked to deteriorating social factors (gangs, guns and drugs mixed in with decline in family life/lack of appropriate male role models etc). The use of the words 'violence' and 'bullying' is very common and can perhaps be misleading, with the definition of violence now sometimes extended by researchers to include items such as name-calling. Similarly the use of the word 'teasing' would seem to have been subsumed in a wider use of the term 'bullying' by campaigners, possibly leading to an exaggeration in claims of deteriorating behaviour in the media.
Both chronic low-level disruption and more extreme behaviours have led to increasing school exclusions and/or 'managed moves', with calls for more alternative provision in and out of mainstream schools in England, Scotland, northern and southern Ireland. When governments have tried to reduce exclusions they have usually had to retreat in face of teacher association and press backlash (e.g. in late 1990s). 'Inclusion' (if portrayed as keeping children in mainstream schools) and 'challenging behaviour' remain and are likely to remain seriously at odds, despite the best and sometimes successful efforts of many schools to create more inclusive environments. This point is further developed in E3.

E3: A need for a continuum of provision, operating in an interdisciplinary environment.

This review has shown the governments of all parts of the British Isles (in keeping with USA, Scandinavia, France, Australia etc - see e.g. Cole and Visser, 2003; Cole and Daniels, 2003) concluding that there remains a need for a full range of provision (not necessarily provided directly by local authorities themselves). The necessary continuum of provision is represented in Figure 1, showing five tiers of provision.

*Figure 1: The Tiers of Provision for Children with Challenging Behaviour*
Perhaps c.5% of children nationally display challenging behaviour (see Appendix 1). The vast majority of these children remain at the broad end of the triangle at Tiers 1 and 2. Evidence in Sections B to D show that British (and international) advice is to try to improve/make more attractive Tier 1 provision through better values, ethos, more attractive and flexible curricula, more skilled staff and effective collaborative whole-school policies and practice, so that children with challenging behaviour do not need resource-intensive, expensive and arguably 'segregating' higher tier placements. This advice has led to sustained efforts in most schools to do this. Despite these attempts, local authorities in Britain and indeed internationally find it impossible to operate without Tiers 3 to 5.

International and British evidence shows that for perhaps 0.3% to 0.6% of the school population, Tiers 3, 4 and 5 are necessary and can be a very positive and helpful experience (Cole and Daniels, 2003; Ofsted, 1999 & 2005). However, such provision can be difficult to run effectively, as witnessed by many negative Ofsted reports on much Tier 4 and 5 provision in the 1990s.

As noted, when government or LAs have pushed too hard to press mainstream schools to operate zero exclusion policies ie to keep all children at Tiers 1 or 2, they have usually had to retreat in face of media and union pressures, worried about disruption to the education of 'normal' children and unreasonable stresses on teachers. Cole et al.(1999) found some apparently very inclusive LEAs in fact quietly using the Tier 4 and 5 facilities run by other authorities.

In England, over the last fifteen years, there has been a marked expansion of Tier 3 and 4 provision (numbers in PRUs have quadrupled; many day BESD schools remain over-subscribed and new ones have opened to offset closures; some LEAs have built or are building brand new 'BESD' schools). There is nothing new about Tier 3 provision (it has at least a century old history -Cole, 1989). In England the 'on-site' units of the 1980s have found new life as the Learning Support Units of the present. In Scotland they are called Pupil Support Bases and in Ireland Behaviour Support Classrooms. They can be effective vehicles for retaining children with challenging behaviour in mainstream schooling. Good practice at Tier 3 has been described in:

- Steer Report Chapter 8 - see B1.13;
- Ofsted review of Excellence in Cities - see D1.6.3;
Good practice associated with Tier 4 'off site' provision is listed in the Martin Report (2005, 9.9 - see section B4.1.6) and covered in PRU guidance (DfES, 2004b).

There has been a retreat from using residential approaches but a few children with complex and intractable social and emotional needs continue to benefit from good quality residential care and education (Tier 5). This fact was acknowledged in some documents reported in Sections B to D. Recent research indicates that Tier 5 can be a cost effective option when social care as well as educational costs are considered (e.g. Berridge et al., 2002) - relevant in the era of generic children's departments.

The standard advice is for a child to move systematically up through the Tiers (from 1 perhaps to 5) only as far as necessary - and to move back down through the Tiers as soon as possible. The reality is usually different, with vacancies and resource constraints not allowing such logical movement. The placement process is often found to be a haphazard affair, responsive to crises, despite many professionals' best efforts (see e.g. Cole and Visser, 2003; Cole et al., 1999). Some research shows the resistance of mainstream schools to accepting back children placed in a high tier (e.g. through exclusions or after a period of success in say, a PRU or special school for children with challenging behaviour). There is an increasing acceptance (e.g. DfES, 2004a) that any - in an imperfect world - of the five tiers can provide the best practical chance for a child to achieve increased social inclusion (more important than mere inclusion of place - the Warnock Report's 'locational integration').

Ofsted report evidence, university research evidence (eg Daniels et al., 2003) and work cited in this review (eg. section on AEP Centres in Northern Ireland) have often shown that only when some pupils get into Tier 4 or 5 provision, do the children encounter staff who

- the children see as consistently concerned about and caring for them;
- are able to provide the children with a worthwhile and engaging educational experience.

In short, they only feel 'included' when they have been formally or informally 'excluded' from so-called mainstream provision. This points to the wisdom of recent English government pronouncements (e.g. in DfES, 2004a -B1.11) which say that what matters most - despite stigma issues - the physical siting of where a child with
challenging behaviour is educated (it could be in any tier), rather the quality, characteristics, skills and commitment of the staff at the site and the ethos generated. The desire for inclusion must not be confused with a misguided attempt at 'mainstreaming' all children. International experience suggests human rights (and indeed life chances) of a minority of children with challenging behaviour are not necessarily best addressed through mainstreaming (given intractable difficulties of addressing individual needs flexibly and engagingly in a large-school context).

There are continuing attempts (eg DfES, 2004a) to get Tiers 4 and 5 working in partnership with mainstream schools e.g through School Improvement Partnerships or 'clusters/ 'pyramids'. Advocating such a policy is sometimes couched in terms of using the expertise of PRU and special school staff to benefit struggling colleagues in mainstream settings. Hence, there has been development of outreach services, based sometimes in PRUs or BESD schools, assisting mainstream schooling.

Attention was drawn repeatedly in Sections B to D to the hopes and policy for social, mental health and all children and youth services to work in a joined-up manner, for the benefit of children with challenging behaviour and their families. In England and Wales, the 'Every Child Matters' agenda - see Appendix 1 - is trying again (this time through unified Children's Services and a raft of structural reforms) to make this happen where previous attempts have had only limited success. There are similar attempts in Scotland (e.g. through Co-ordinated Support Plans - see B2.4, p.40 and B2.6.11) and calls for better inter-disciplinary working in Northern Ireland and the Irish Republic. Reference to the valuable work of some BESTs (see C1.5) is some evidence of the feasibility of turning hopes into a helpful reality.

**E4: Key factors in promoting positive behaviour/improving attendance at schools**

**E4.1: Introduction.** Some key factors from Sections B to D are outlined under five headings:

- the pupils and their parents/carers;
- the professionals (teachers, TAs and support service workers);
- policies
- programmes (whole-school and individual/ 'personal');
- physical environment.
The evidence in Sections B to D (and in the wider research in this field e.g. Cole, 1999) suggests that the key factors under these five headings apply to any setting in which children with challenging behaviours find themselves (i.e. in Tiers 1 through to 5). Ofsted (eg 1999a and 2005a), backed up by earlier research (e.g Daniels et al., 1998; work cited in Cole et al., 1998), dispel the notion that there is much 'special' or particularly 'expert' about what services or most professionals should and can offer to children with challenging behaviour (see D1.3). It is rather that the professionals have to do the usual things very well, addressing social and emotional needs of children and their families as well as teaching their subject, with energy, enthusiasm and skill, hopefully feeling they are working in an environment that cares for the caregivers ('caregiving' is part of 'educating') and a system that will support them in times of particular stress (e.g. see Steer Report, B1.13 and B1.15 on allegations, and much material on the need for staff support and development). The exception to this argument is the small minority of children with acute mental health disorders firmly in the clinical range, who clearly need CAMHS acute services (but not the apparently widening proportion of the population said by psychiatrists and mental health campaigners to have mental health 'problems').

**E4.2: Pupils/parents.** Key factors include:

(a.) The importance of staff understanding something of child development/ the needs of children (eg for experience of success) in general, and the social and emotional underpinnings of the particular children (and the family context) they work with. This is necessary for relationship building between staff and pupils, and helps children to feel they belong/ are valued/have a stake in their educational community (particularly difficult to achieve in a large secondary school, organised on subject-department lines) (e.g. see Martin Report,DES, 2006, B4.1).

(b.) The need to understand social-economic backgrounds. As 1970s/80s research showed, schools can and do make a difference but family, community and social factors can make more difficult, sometimes nearly impossible, the best efforts of professionals. Understanding reducing social cohesion can help teachers.

(c.) Some exclusions or managed moves are needed: for the good of other pupils, physically violent/ severely disruptive children cannot be allowed to undermine the maintenance of a safe, caring school environment on a regular ongoing basis -
hence the need for some 'fresh starts', managed moves and exclusions (as a last resort).

(d.) conversely, school staff should do their utmost to understand and respond to the underlying reasons for behaviour which might lead to exclusions (fear of bullying, poor social skills, unaddressed SEN or social needs etc).

(d.) in Tier 4 and 5 provision, the numbers on roll should be sufficient to allow for peer relationships and employment of a range of staff able to allow each child receive a broad and responsive 'personalised' curriculum;

(e.) Transitions e.g. at start of school career, from year group to year group, particularly primary to post-primary/secondary or from one school to another need overseeing very carefully, for good of the child.

(f.) SENs/ASNs? Many children's challenging behaviour masks unaddressed or inadequately addressed learning difficulties.

(g.) The complex needs of children in care /'looked after' need very careful attention (and perhaps other minority groups e.g. Roma children [cited in Steer] ).

(h) Motivating children to improve attendance: SEED (2006 - see B2.6.3) makes practical suggestions for rewarding attendance.

(i) Parents as real partners. This theme occurs in various documents (e.g Steer, B1.13). The need for ongoing, sympathetic and empathetic work by school and support staff to engage parents, to make them welcome, to work with them for the benefit of their child, extending on occasion to offering non-stigmatising parent training packages. SEED (2006, B2.6.4) outlines the difficulties of making parents partners, but this has to be an important guiding principle.

(j.) the need to ensure that parents understand and where possible support the school's Code of Conduct (see DfES, 2007,B1.16).

E4.3 Professionals working with children with challenging behaviour
(a.) Repeatedly stressed is the crucial importance of good leadership.
(b.) Key factors associated with 'on-site' staff, who minimise behaviour challenges:

- a critical mass of staff (crucially most of the senior management team) have inclusive values i.e. a genuine and lasting concern and interest in the children who can challenge school staff and systems (see Steer, Martin - C4.2.2 and SEED, 2007 on principles and values)

- collegiate schools where staff talk and listen to each other, are mutually supportive, who listen seriously to the student voice;

- skilled professionals in classroom and around school, expert in their subject but responsive to social and emotional needs, applying well known aspects of effective schooling (research of 1980s and 1990s); able to build and work through positive relationships with children with challenging behaviour;

- staff who are well supported by senior staff and colleagues in times of need (e.g. assistance with behaviour difficulties in class through to support if victim of allegations by pupils or parents).

(c.) Training and CPD: the importance of effective initial teacher training and continuing professional development, to create and maintain motivated, skilled professionals, able to control children who challenge. Training should be mainly on-site, linked to daily practice, e.g. through mentoring, coaching. However it can also access existing web-based materials (e.g. English 'NPSLBA' -see C1.8 - or Scottish 'Better Behaviour Better Learning' -see C2.1). It might also use tutor-supported courses delivered through LAs or sites of higher education, some leading to accreditation that aids career development (this last point is particularly relevant to support staff who are not teachers). Training might usefully include anger management, conflict resolution as well as more general classroom management skills. A list of useful skills for teachers working with children with challenging behaviour was given in the Martin Report, B4.1) above.

(d.) New behaviour workers: the value of learning mentors is acknowledged in Steer (2005, para. 201 see B1.13) and both their value and proper usage is covered in Ofsted (2005b - see D1.6.2 ). Who and what 'Lead Behaviour Professionals' are is covered in some detail in C1.7).

(e.) Skilful classroom practice: this is key to successful engagement of children with challenging behaviour. The principles and practice of successful work for every teacher are laid out succinctly in the primary National Strategy document (see C1.4)
(f.) **Homelink workers**: educational settings should have the staffing capacity to work with parents and families. The person could be a Pupil Parent Support Worker - see Steer B1.13.6, para.206 - or 'homelink workers' favoured in Scotland or educational welfare staff (still favoured in Northern Ireland) who are more than 'truant chasers'. Trained field social workers are never mentioned acting in this role (probably because of their few numbers and because their working time is filled with crises and child protection?).

(g.) skilled 'off-site' multi-agency support (behaviour support, educational psychology, CAMHS, police, social work, Youth Justice) should be available in the era of 'Every Child Matters' and similar policies in Northern Ireland, Scotland and Republic of Ireland, for children with challenging behaviour.

(h.) Developing **inter-disciplinary working**: ways still need to be developed to build greater trust between professions through more open information sharing and joint training. The workforce reform of the ECM agenda could be relevant (see App. 2).

**E4.4 Policies (national, local and individual school site guidance)**

**E4.4.1: National and local authority policies.**

National up-to-date guidance is necessary (despite schools’ reservations about bureaucracy and excessive official paperwork - see Steer Report, B1.13). Updates are recommended e.g. for Republic of Ireland in the Martin Report (DES, 2006 - see B4.1) and on BESD by Steer Report (DfES, 2005a - this guidance will shortly be finalised by DCFS). There are many areas to be covered. The English DfES talks about a 'centrepiece' document on behaviour and attendance (DfES, 2007a) but of the need for complex issues such as SEN (Additional Needs) and disability; physical restraint; handling of allegations, Child Protection, exclusions to be covered separately, but cross-referenced (and on the website to be connected by hyperlinks). The English PRU guidance (DfES, 2004a) lists 28 such documents. Local authorities need to interpret and issue local guidance reflecting the above (e.g. having co-ordinated plans for behaviour provision as part of their children department plans). As LAs shrink in powers/duties in England and school partnerships/clusters take up the slack, partnerships will need to develop perhaps shared policy statements interpreting the national picture/ legal framework in their local context.
E4.4.2: Individual school or unit policies

Key points include the following:

(a.) there is a need for comprehensive whole-school policies on education, behaviour and pastoral care, 'owned' by staff and pupils, implemented and regularly reviewed (e.g. see DfES, 2007a, B1.16 and DfES, 2003, 1.3). Developing a behaviour policy is helpfully described in DfES (2007a, B1.16.5).

(b.) Codes of Conduct/Behaviour. In England all schools (including PRUs, which are legally a type of school) have to have behaviour policies, including a Code of Conduct, to which all stakeholders contribute on an ongoing basis. Recommended style and content is listed in Martin (DES, 2006, see B4.1.5). The content has to be disseminated to parents and, sensibly, shared with other schools in a setting's School Improvement Partnership/cluster (DfES, 2007a). The features of a good Code have been described in detail in earlier sections.

(c.) Regular 'behaviour audits' are recommended to help review and shape school behaviour policies. Steer (DfES, 2005 - see B1.13.5) lists the areas these should be applied to and recommends the use of tools supplied under the National Strategies.

(d.) Effective pupil support systems: good practice in this area is covered in various documents e.g. Steer (DfES, 2005, para.45, see B1.13).

(e.) Sharing out difficult children. In England a school should be party to agreed local protocols for fairly sharing out, sometimes moving on, extremely challenging children.

(f.) School curriculum policies/schemes of work should allow for the link between behaviour and learning difficulties and systems in place for identifying and addressing learning difficulties.

(g.) School curriculum policies should allow for flexible and creative approaches that appeal to and can engage 'disaffected' pupils (particularly teenagers). These are likely to play to student strengths (i.e. avoiding writing and stressing the practical and experiential).
E4.5: Programmes (curriculum for groups and for individual children)

(a.) **Structured individualised/personalised learning**: There is a need for individual education/ and/or care plans addressing pupil's short and long-term affective and educational needs, including efficient assessment, implementation and review. Children should actively contribute to their own programme planning and monitoring, so that it is 'personalised' and motivating. Programmes should contain small attainable steps, which re-enforce a child's desire to learn and support self-esteem. Building in success is essential: avoid approaches that emphasise a child's difficulties and shortcomings on a regular basis - particularly in front of peers. Recent English documents talk of the 'personalised' learning stressed in DfES (2004a - see B1.11).

(b.) **Varied teaching style and pace**: teachers and other staff should play to student learning styles (eg the common preference of children with challenging behaviour for the practical, experiential and for older children, vocational). See for example, Martin (2005, 8.2, B4.1.5). Ofsted (1999, 2005) refer to appropriate, varied 'pace' of lessons.

(c) **'Respite, Relationships and Resignification'** for children with particularly challenging behaviour: Prof. Paul Cooper (Cooper, Smith and Upton, 1994) found that effective provision provided children with 'EBD' with

- **'respite'** from stressful and damaging previous mainstream school, home and/or other social circumstances;
- **'relationships'** with peers and staff that helped to ameliorate their social, emotional and behavioural difficulties;
- **'resignification'** i.e. as the children experienced acceptance and being valued in their new educational setting; and as they experienced success in social, academic and other pro-social activities, they came to see themselves in a new and better light (i.e. they 're-signified' themselves) leading to improved self-esteem.

The detailed 18 month review of Ofsted inspection reports on EBD schools; visits to sites of good practice and analysis of over 150 returns from across England to a very detailed survey form (leading to Cole, Visser and Upton, 1998) found considerable support for the ability of EBD schools to deliver the '3 Rs'. Subsequent studies by the University of Birmingham EBD Research Group found further support (Daniels et al., 1998 - see B1.17). Some of the important content of Sections B to D can be
summarised by repeating here the need for staff to address these particular '3 Rs' if they wish to cultivate more positive behaviour and better attendance.

**E4.6: Physical environment**

(a.) People (ie the professionals working with the children) are far more important than the physical features of a school. However, the physical design (light, colour, space, sounds - outside areas, private and communal areas), furniture, refurbishments, upkeep, quick repair of damage, are also significant factors in minimising challenging behaviour and encouraging attendance. [see Ofsted on the physical environment - D1.4, p.79 and Steer, Ch.9, B1.13].

(b.) Transport to and from educational sites is an issue in relation to attendance and can impact on attendance for a number of factors (inconvenience, distance, fear of peers etc.). Better assistance might need to be given.

**E4.7: Miscellaneous legal requirements**

It has not been possible to summarise the many legal requirements which so many documents covered in Sections B to D list or allude to e.g. definitions of attendance, exact procedures to follow in relation to exclusions or SEN/disability legislation. The legislation noted in the DfES (2004b) PRU guidance is instructive (see B.12).

**E4.8: Lists of Recommendations**

The recommendations in 'Better Behaviour - Better Learning' (SEED, 2001 - see B2.15); the Steer Report (DfES 2005 - see B1.13.6); and the Martin Report (DES, 2006 - see B4.1.7 make instructive reading, giving a useful overview of current important issues.

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**Section F: Comparison with Welsh Policy and Practice [NBAR, 2007]**

**F1: Introduction**

This section is based on the premise that NBAR (2007) is a full and accurate distillation of key matters surrounding school behaviour and attendance in Wales, with practitioners, policy makers, inspectors and academics in the Review Group having already analysed a wide range of relevant materials. This section therefore looks in some detail at the NBAR draft report, following its adopted format.
The content of the interim report covers a broad range of highly pertinent topics and its reasoning is generally very persuasive. The issues discussed in the interim report overlap very considerably with the key issues outlined and commented upon in this present review in Sections B to E above.

F2: Comment on Section 1 'Introduction'

(para. 1.2) Principles: 'be realistic', 'take a holistic approach', 'be consistent' and 'stress proactive early intervention' are in accord with what other major reports and guidance say.

(para.1.3) Values: the values expressed here are very similar to those expressed in other major documents and are entirely appropriate;

(para.1.4) Context:
  - (p.10) setting the NBAR against the wider context of promoting social inclusion and responding to diversity reflects similar statements of intent in other major documents on B & A;
  - (p.11) the use of the term 'additional learning needs' rather than talking of SENs is different to terminology used in England but very similar in choice of words and in rationale to the adoption in 2004 in Scotland of 'additional support needs';
  - (p.11) linking the NBAR to reviews of the secondary curriculum (14 -19), content of the national curriculum (giving more attention to PSE and SEAL etc); development of co-ordinated children's plans; early years education; transitions; working with parents etc. again reflects a similar approach in England and Scotland, and hopes for this in Ireland;
  - (p.12) Overarching considerations: this list is very similar to issues considered key by other major reports (other than concern for Welsh language issues). The 'Seven Core Aims' are perhaps an improvement on the five 'Every Child Matters' outcomes (see Appendix 1).

F3: Comment on Section 2 'Our work together'

(p.14) Introduction: A 'child-centred' approach seems entirely appropriate and mirrors approaches taken by other British Isles review groups.
(para. 2.2.1) **Contextual issues**:

- (p.14) **Disparity of funding** between LAs is not a topic covered in any detail in the major reports or guidance outlined in Sections B to E, but its effects were evident in different usage and provision reported in Cole et al. (1999) and Cole and Daniels (2003).

- (p.14) **'Bid to Close' cycle**/ **Short-term funding**. This is an important topic unsurprisingly (given its political implications) not explored in other major published reports/guidance. Even three years is a short time for projects to become embedded - and they need probably six months to a year planning time before they start. The disruption to established good practice, occasioned by 'eleventh hour' time-consuming bids' (dictated by political and government deadlines) can be disheartening, particularly, as often happens, the bid fails. Also long-term good practice can be harmed as bid chasers are creative in distorting their LA's or work-setting's existing practice to meet the terms of the grant they are seeking. Recruitment of skilled and appropriate staff is a major challenge. Sudden secondments of staff to short or medium term projects can also be detrimental to the vulnerable children and colleagues in their normal places of work (seen in work by the University of Birmingham EBD Team over a period of years). The likely ineffectiveness and waste of so much of the 'behaviour' initiatives of the last decade in England might be attributed to 'pilotitis' and political short-termism. It would seem better to devolve more assured long-term funding to trusted LAs or other bodies, for them to develop their existing promising services.

- (p.16) **'drab and demeaning' settings**: attention to the physical environment mirrors the findings of Ofsted (see D1.4) and Steer Report (see B1.13).

- (p.16) **Middle manager training**: this specific issue receives attention in a way that is absent in the documents outlined in Sections B to D.

- (p.17) **Figure 1: Systems map**: this is a useful but slightly flawed summary of the necessary holistic, inter-disciplinary approach. The diagram apparently omits the important contribution that is made by behaviour support teams and underplays behaviour support assistants/teaching assistants/mentors/home-school linkworkers etc (whose value is recognised in documents reported in Sections B to D). In daily practice, these professionals have far
more impact on children's behaviour and attendance in schools than health, social services and police. Also, are special schools for children with SEBD ('small schools') and placements in FE college for 14 to 16 year olds, all subsumed under the one box 'Alternative Provision'?

(Para 2.2.1) Is behaviour getting worse?
The Welsh experience - and lack of definitive answer to the question - reflects what has been reported for other countries in the British Isles:

- Linking inappropriate curricula to challenging difficulties. As has been seen, this is a major theme of other British Isles reports and guidance;
- Loss of social cohesion affecting school behaviour: this is another theme explored in detail in other British Isles reports and guidance;
- Fixed-term exclusions rise when permanent exclusion rates fall: mirrored in the English experience;
- Bullying: concern for an apparent growth in the occurrence of this reflects the experience of England and Scotland.

(Para 2.2.2) Low-level misbehaviour: the content of p.19 entirely replicates the key content on this issue in major reports cited in Sections B to D.

(Para 2.23) Children at risk of exclusion: again, the content of pp 20 -21 echoes the Steer Report, Martin Report, Scottish research and SEED (2001). The vast majority of children attend school and behave well but there are challenging 'pockets' where this is not so - particularly where they struggle to read and write (sometimes unidentified ALNs/SENs) and feel undervalued. The need for greater input from CAMHS again reflects calls made for other parts of the British Isles.

(Para 2.2.4) 'Troubled' children: this sketch of often unrecognised 'internalising' difficulties and the need for empathetic teacher responses reflects other BI reports/guidance.

(Para 2.2.5) EOTAS:

- Lack of accurate data: this mirrors the Irish experience (see the Martin Report) and concerns for many years in England about the difficulty of first finding and then addressing the needs of 'missing' children. As Daniels et al.(2003 - for the DfES) found in their detailed study of 190 permanently excluded KS4 pupils over a two year period (of whom about 50
it will be no simple task to design a robust research project which gives clear answers (as the Review Team realises) given transience/ family structures spanning different LA borders and a steely resistance of c.40% of 'hard to reach' excluded pupils to engage with the services offered. This was the situation in Daniels et al. (2003). no matter how good the staff making the offers were; nor how good the attractiveness of the offer was; nor whatever 'sticks' were used to enforce attendance and engagement. This reality is likely to apply to Wales as well as the 10 LAs studied in England. Services are likely to have to continue to operate in a continuing murky situation.

- out of school provision is greater where LA has more out of mainstream provision: this factor is not considered in Section B to D reports, but was noted in some of the English research literature of the 1990s. Is this factor significant? It could be argued that the LAs making more provision are meeting more needs and increasing the social inclusion chances of more pupils (see Section E above on the need for five Tiers of provision).
- differential use of exclusions: not confronted in detail in Section B to D documents, but there is some English research mirroring this finding.

F4: Comment on Section 3 'Improving children's and young people's attendance and behaviour'

(para.3.2) Improving Attendance: (p.24) the concerns listed mirror those reported in documents reported in Sections B to D. The responses e.g. better recording systems, automatic call systems etc mirror English advised policy (DfES, 2007, is worth studying in this context);

- (p.24 -25) Transition from primary to secondary: this is a major concern of other BI reports and guidance;
- (p.25) Home-school workers: these are advocated in Steer (DfES, 2005a) and their value seen in many Section B to D reports/guidance;
- (p.26) praise for home-school liaison officers and learning mentors also occurs in Section B to D reports/guidance;
- Optimal caseload for EWOs: this topic is not raised in Section B to D reports/guidance.
(para 3.2.1) **Leadership, whole-school ethos and culture:** the content of pp26 -28 could easily have been borrowed in its entirety from many other British Isles key reports and wider research (e.g. for England Cooper et al., 1994; Cole et al., 1998; Daniels et al., 1998, and for Scotland, Munn et al., 2000). Problems of recruiting headteachers also occur in England and are acute in Scotland (perhaps is more responsibility and powers were given back to LAs, headships would become more attractive?).

(para. 3.2.2) **Responding to behavioural difficulties:** Again this is a full list of responses, very similar to the content on this topic of the Steer Report, Part 2, and most other major reports for the British Isles.

(para. 3.2.3, p.29) **PSE and SEAL:** the content here echoes the welcome re-emphasis on these areas in the last decade in England, after an over-emphasis on subject knowledge acquisition etc. under early incarnations of the English National Curriculum.

(Para 3.2.4) **Parental participation:** this is an old and well-established part of effective schooling, supported by much research before the Desforges et al study cited. Steer (2005) and DfES (2007) on these issues supports what the Review Group reports. A 'no blame' approach is a refinement not mentioned in other Section B to D documents -similarly 'father-friendly school-based schemes' (p.30).

(para.3.2.5) **Inter and multi-agency working:** this has been a concern in the behaviour and attendance field for at least half a century and for probably longer (Cole, 1989). The Review Group is right to comment: 'We appreciate that this is easily stated and less readily achieved.' The need to try to make it happen this time, as the Every Child Matters agenda in England attempts, is no less important for past failures. Creating space for time together for joint training, developing a common language and more ready sharing of information are also advocated in Scotland, Ireland and England. In England much attention is being given to evolving a Common Assessment Framework. Other reports also focus on the strategies listed on pp31 -32 as ways ahead.

(Para.3.2.6) **Linking communities with schools:** the attempted creation of one-stop community schools in Scotland has met with mixed success (and would be worth studying by the Review Group or WAG). The suggestion that compensatory funding
be offered to schools with more challenging catchments is not clearly echoed in Section B to D documents, unless a link is made to additional monies being given in England to 'Excellence in Cities' schools and their links with BIP and BEST.

The intimidating nature of schools is covered in some detail in e.g. SEED (2007). English practice is, of course, implementing breakfast clubs, extended school days and other items listed at the top of p.33. The methods of communicating with parents are echoed in the Steer Report (2005a).

F5: Comment on Section 4 'Exclusions'

(para. 4.1) (p.35) The cost of exclusion: this list reflects much research evidence and also documents produced by the English government, not examined in Sections B to D. The 'big picture' that para. 4.1 paints is largely true. However, in relation to some pupils, it is not - and sometimes the converse of the conventional account given here can be argued persuasively. Some research shows that a significant minority of young people welcome permanent exclusion. They say it gives them a fresh start; they can get on with their working lives (e.g. take jobs with relatives); it brings them into contact with adults who care and can address their barriers to learning; it brings release from an mainstream school environment they find boring, or actively dislike, and provides them with little that engages them (as the Review Group admits elsewhere). Exclusion can give young people a better practical chance of getting qualifications that they would never have got had they remained in the unhappy circumstances of their inappropriate mainstream settings (see Daniels et al., 2003).

Similarly, the bullet points of the costs to the community are also open to challenge (for some 'excluded' children). The evidence (see Section E) suggests there will always be a need for alternative provision and (e.g. see Berridge et al., 2002 - and Ofsted reviews of special education/PRU provision) there are times when it can be 'best value' (when the costs that are incurred by social and health services are added to the costs incurred by educational services). Going to alternative provision can create 'a potential economic contributor' (see case studies in Daniels et al., 2003. in which c.50% of excluded KS4 youngsters were in education or training two years after their permanent exclusion). Given the complex needs of the children excluded (sometimes apparent from before they start at primary school - see Daniels et al., 2003), it is highly likely that there should have been or would have been 'a deployment of a wide range of services' whether some children were excluded or not.
The shortcomings of p.35 do not however, invalidate the view that exclusion is 'a bg decision' and does have cost implications - perhaps invoking costs for services that should have been provided many years beforehand. Reducing LA alternative provision will not necessarily result in significant cost savings (and could lead to the placing of some children in very expensive independent provision).

(para. 4.1.1) The purpose of exclusion: using the 45 days in one block does seem an ill-advised practice and counter to what was intended in England when the 1997 Act brought this in.

Given the Review Group advocates the continuing usage of alternative provision and 'small schools', perhaps this section should recognise to a fuller extent (as happens in many documents in Section B to D) that provision outside mainstream schools can be value for money, appreciated by some pupils and their parents - and can represent a reduction of risk for a minority of children and enhance life-chances.

(para.4.1.2) Pre-exclusion requirements. The early and effective use of Pastoral Support Programmes mirrors comments made in Section B to D documents.

(para.4.1.3) The justification for seeking a new placement: the position taken here seems very reasonable and in accord with practice recommended in Section B to D documents.

(para.4.1.4) The concept of permanent exclusion: documents in Sections B to D would seem to concur with the view that some schools should do far more to minimise the need for permanent exclusion, through improved practice and responsiveness to earlier identified needs. However, the reality is probably that if permanent exclusion was not officially allowed, it would continue to happen in some shape or form either with a new name or without one.

F6: Comment on Section 5 'Alternative provision and the wider curriculum'

(para. 5.1) On-site provision:

- The list of criteria for best use of the Welsh equivalent of LSUs or 'EBD units' is close to those suggested in Section B to D documents. Planned entry and exit criteria are important - as is the need to prevent such units becoming
'clogged up' with children with severe SEBD, who might be better placed in a special school or long-term alternative provision.

- The reluctance of schools to run a unit that accepts pupils from other schools is an important point not covered in documents in Sections B to D, but which was encountered by the writer as part of research for the University of Birmingham EBD Research Team in the English midlands. Such resistance is unlikely to be easy to dissipate.

(para. 5.2) **Off-site provision and negative labelling:** there are echoes here of Scotland (and Wales) adopting the label 'additional support for learning (learning needs)' in place of 'special education needs' (see Section B2.4). Looking beyond the documents in this review, Cole (1989) recounted the search over a century and a half or more for ways of removing stigmatising labels. Tackling the stigma attached to names and labels is a battle that is unlikely ever to be won. Adopting new names can help in the short-term through obfuscating what a 'unit' or 'centre' does in the eyes of its local community, but once this initial mist clears, new euphemistic names are likely to become as stigmatising as the old discarded ones. Stigma is likely to be something that probably has to be lived with.

Schools for the 'maladjusted' or 'EBD' have been called 'small schools' in the past and there may be some short-term merit in adopting this proposal. The characteristics given suggest these 'small schools' will be really be 'traditional' 'EBD' schools or a form of long-stay PRU. Ensuring that there is a possibility of return to mainstream school is likely to be a fond hope in many instances as the Review Group admit when they write: 'This may require significant shift in some teachers' attitudes towards pupils returning from such settings.' (p.41) Evidence is indirectly given in various Section B to D documents (and more directly in research cited in B1.17) about the massive challenge of changing many teachers' attitudes in some mainstream schools.

(para. 5.3) **Post Key Stage 3: flexibility of options through 14 -19 learning pathways** and young people being assisted by learning coaches or behavioural coaches are notions strongly endorsed in the English, Scottish and Irish literature. The content of pp41- 43 mirrors that of material included in Sections B to D.
F7: Comment on Section 6 'Re-inclusion - re-integration'

(p.44) Talking of re-inclusion rather than re-integration would seem logical, although when the Warnock Committee used the term 'functional integration' in 1978, they clearly had in mind what is now termed 'inclusion'. Academics over the last two decades have sought to give the two words different connotations. It is unlikely that opting for one word over the other will have profound meaning for most professionals or clients. English documents have tended to persist with talking of 're-integration'.

(p.44) Low level of returns to mainstream schooling. This is not an issue covered in detail in the documents in Sections B to D but is a fact that is in accordance with some research findings, e.g. Cole et al. (1998), the national study of EBD schools in England. Also to be noted are a few research studies (e.g. Howlett and Parsons, 2000) which tend to show that only about a third of excluded pupils who go back to mainstream schools survive or prosper there. Figures for children transferring from primary alternative provision/special schools to mainstream secondary schools has tended to be higher than for secondary aged pupils (Cole et al., 1998). Welsh research to extend English research on this issue would be valuable.

The advice given on increasing the likelihood of successful return (p.45) is sound and in accord with recommended practice elsewhere in Britain. It is true, as stated, that many pupils 'who lose their place in mainstream school come to regret it' (although some do not).

F8: Comment on Section 7 'Training and development'

(para. 7.1) Sections B to D (repeated in Section E) have produced much comment which recognised that a major component of improving behaviour and engaging children is to develop the skills of staff - first in initial training (for teachers, for TAs, for mentors, for playground and midday supervisors etc) and then in continuing professional development. It is a condition of Scottish teachers' employment that they undertake a minimum of 36 hours of CPD per year (outside their usual working time). The Review Group's concern seems stronger than usual in relation to training for governors.
(para.7.1.3) Similar concerns about ITT have been expressed in Section B to D documents. Making the point that many teachers leave the profession because of challenging behaviour is pertinent and not a point commonly stressed.

There would seem to be endorsement of the view that 'new input' should be 'skills-based rather than academic' and offered by 'accomplished practitioners' in the approach of the National Strategy behaviour strands including NPSLBA (see C1.8), and the English stress on 'coaching' and 'Lead Behaviour Professionals' (C1.7). A practitioner led-approach is seen in the Scotland-wide version of the City of Birmingham's well-planned Framework for Intervention scheme (see section C2) where teachers are helped by on-site Behaviour Co-ordinators (BCos) to use self and behaviour environment audits, to develop their awareness and competencies. However, a question remains: why do some more traditional courses in SEBD remain popular (e.g certificated distance education courses or locally delivered courses run by Birmingham University or SEBDA working with Leicester University)? Such courses, mixed with practitioner-led work, would seem a more complete model, at least for some behaviour 'leaders'. Traditional courses can be a valid way of answering the Review Group's desire for staff with greater insight, understanding (p.47) and skills in what would seem to be 'academic' topics listed on p.48 (understanding behaviour, developing pupil self-esteem etc.). There seems much sense in the old adage - (research-based) theory should guide practice, and practice correct theory.

Whatever the mode of delivery, the list of topics to be covered (p.48) does include vital areas (and overlaps with the list of topics covered in the self-help, internet provided materials of NPSLBA, listed in C1.8, p.75).

(para. 7.1.4) Continuing support for NQTs is in accord with recent practice in England and Scotland. 'Critical friends' or coaches or BCos (see Daniels and Williams, 2000; Cole, Visser and Daniels, 2000) or LBP support are widely recommended.

(Para. 7.1.5) Experienced teachers. Birmingham and Scottish Framework for Intervention/ Staged Intervention is very much geared to the needs of experienced teachers. NPSLBA materials, presented not necessarily (as planned) by course participants, but by experienced local and knowledgeable practitioners might help to fill the gap identified here and in documents covered in Section B to D. Again the specialist University of Birmingham and SEBDA first degree and Master's Level
courses could assist the Group in developing reflective, knowledgeable, skilful practice.

(p49) five year refresher course entitlement: this idea has not been encountered in any documents mentioned in Sections B to D.

(p.50) talking bluntly of the inappropriateness of an autocratic and confrontational style is unusual in the context of this review, but in accord with research evidence suggesting best practice with children with challenging behaviour involves a collaborative and collegiate approach (e.g. Daniels et al., 1998; Cooper et al., 1994)

7.1.6 Middle management training and development. The stress on this topic is not mirrored in other documents covered in this review. The NPSLBA materials and self-help group approach might be appropriate in this context.

7.17 CPD in specialist settings: the content of this paragraph seems entirely appropriate and in line with, for example the DfES (2004a) Strategy for SENs. Cole et al. (1998) found only a third of staff in England's EBD schools had specialist training - a percentage that could well have shrunk in the last decade, with the demise of secondments and the switch to twilight or distance education. DfES SEN and Disability Division has provided some funding for BESD school staff to undertake NPSLBA training (leading to City and Guilds Accreditation).

F9: Comment on Section 8 'Reflection'
The issues to be examined and 'key themes' on p.53 overlap considerably with the content of major documents covered in Sections B to D. 'The impact of inspections' could perhaps mirror the recent English stress on linking inspections to audits/self-evaluation? Restorative justice, mediation, working with parents and ICT are topics receiving much attention in English and Scottish documents. 'Personalised learning' is a key concern of DfES (now DCFS).

F10: Areas that will be covered more fully in the final report?
- The role of support staff (who are not teachers - TAs etc) should be fully covered in the final report, given the importance and increasingly wide-spread nature of their work in English schools and support systems?
Likewise the contribution of Behaviour Support Teams, perhaps working in a multi-agency context, like BESTs, should be examined. The value of their input is acknowledged in major documents covered in Sections B to D.

Similarly, there has been no coverage thus far of special schools (in England meant to serve a very different role to time-limited placements in so-called 'revolving door' PRUs) unless 'specialist setting' is a new name for these?

What role are educational psychologists (often experts in child development, SEBD, anger management, solution-focused brief therapy, conflict resolution etc.) to play? Can they be freed from assessment duties to employ their likely expertise as advisors and trainers of attendance and behaviour professionals?

Finally, in the past (and apparently in Northern Ireland at present) EWOs/ESWs could be skilled people playing a valuable role in linking home and school, and supporting vulnerable children and families. Their potential contribution has only received very limited attention thus far.

Section G: What Further Research is Needed?

G.1 Not what is ‘good practice’? Rather how can it be spread? Professor Phillip Garner (advisor to DfES for Behaviour4 Learning web-site, researcher and writer in this area) recently told the 2007 SEBDA UK National Conference that we know what we need to know about what good practice is in relation to positive behaviour promotion, SEBD and school development.- a position which this writer tends to support. There has been much research on these issues (though not perhaps in a Welsh context). This research is reflected in the fact that there is a high degree of repetition in the documents discussed in this review. Areas for further research would seem to relate less to what good practice is and more to how knowledge of that practice is spread, how skills known to be needed in staff are developed, how resistant attitudes of other staff and of children of families can be changed, how behaviour improvement or deterioration can be measured accurately to allow monitoring and informed planning.

G2. Suggestions. It could be helpful to know more about:

- Programmes that engage and involve: what is happening in Welsh (and perhaps British) educational establishments now? A survey of professionals could help to establish which published and perhaps unpublished schemes of
work (books, IT programmes, training courses) are actually being found successful at present, and whose use would be likely to transpose successfully to other situations.

- Which instruments are being used to assess social, emotional and behavioural progress and are being found useful? These instruments should be able to be used by teachers - not restricted to educational psychologists. This is a very fraught area, likely to be subject to unscientific and simplistic practice, but further knowledge could be helpful.

- Effective working with parents, to help their child’s behaviour and attendance, perhaps extending to a review of parent training approaches (e.g. 'Community mothers' etc.);

- Following matched groups of excluded 13 year old pupils in PRUs/ special schools and seriously at risk and disaffected and disruptive youngsters still in the mainstream over say a three year period. Ask who goes back to mainstream, becomes settled and gains national accredited qualification (how does this happen?); who stays in PRUs and similarly prosper; who goes back to mainstream and becomes disruptive or disengaged (build on Daniels et al., 2003). Who becomes disruptive and disengaged in PRUs etc.? What social and factors beyond the schools/educational settings impacted on these children? This necessarily expensive and complex study would have to allow for drugs, family circumstances etc. and the comparative skills and motivation of staff in the different settings. Otherwise the study could be deeply flawed. It will be very difficult to compare 'like with like'.

- Relative effectiveness of differing approaches to CPD: how well do training courses ( in different guises) work compared to mentoring, coaching - probably a study of staff perceptions of what has helped them become more skilled and understanding practitioners in relation to children and parents with challenging behaviour.

- Further study of schools which have improved attendance: how did they do it?

- Further study of schools who have cut exclusions and, perhaps after sample schools have been identified by Estyn, schools who have made inroads into low-level disruption.

- 'Missing children': try to find them and if successful look further at approaches which might re-engage them.
G3. This question is for Welsh professionals. The paragraph above has been written tentatively, given the writer's limited understanding of Welsh systems. It seems best that Welsh professionals, with their close knowledge of the strengths and weaknesses of policy and practice in Wales, advise on what they see as priorities for research. 'Behaviour' research specialists from elsewhere in the British Isles might more appropriately act as 'critical friends', or work up the themes and outlines suggested in Wales into robust projects and indeed conduct projects, if a neutral 'outside' view was preferred. This type of role could be fulfilled by SEBDA Scottish President, Professor Pamela Munn; SEBDA UK President, Professor Harry Daniels; or SEBDA Education Officer; Dr John Visser, Associate Professor; or SEBDA members, Professor Paul Cooper and Professor Philip Garner; or the present writer, formerly Senior Research Fellow on the University of Birmingham EBD Team, which conducted many national and local studies in this area between 1995 and 2003).

G4. NBAR Review Group suggestions. There seems much merit in the Review Group's indirect and direct suggestions that research is needed, including:

- Collecting examples of best practice for dissemination - but follow this through, see what needs doing to ensure that this good practice becomes embedded in new sites. This implies a short term project followed by a longer-term and more expensive second phase (NBAR, 2007, 1.5, p.12).
- The collection of client views is a sound plan and could confirm the initial impressions of the Review Group (given the overlap between international findings) (1.5, p13).
- Collect information on differing spending patterns and examine whether extra spending does in fact help reduce exclusions, promote school engagement - perhaps link to favourable Estyn reports on ethos, values, behaviour and attainment in specific schools or LAs? [2.2, p15].
- Similarly examining the effects of the 'bid cycle' and short-term initiatives in Wales [2.2, p.16] could be illuminating and perhaps lead funding bodies to favour longer term projects in future? [2.2, p.16].
- Data systems review and information gathering to 'secure a complete picture in Wales and to develop a resource base to reflect the true level of need' [2.2.5, p.23].
- Study of 'best value' usage of EWOs/EWS [3.1, p.25];
- Audit of 'professionals and semi-professionals' helping with attendance [3.1., p.25];
- Effective working with families (including fathers) to support child behaviour and attendance [3.2.4, p.30];
- ‘Compensatory funding’ - how to do this? Study the past operation of English Education Action Zones and present Excellence in Cities work. [3.2.6, p.32];
- How to maximise the positive impact of Pastoral Support Plans [4.2.2, p.37];
- Post Key Stage 3 'flexible curriculum' schemes that have had a positive impact: what factors were involved? How could such practice be spread and become successfully embedded elsewhere? [5.3, p.41];
- Effects of different teaching styles: do the autocratic and confrontational create more problems than they solve? Compare teaching styles in Welsh schools to existing research (e.g. Daniels et al., 1998, who found teachers with contrasting styles could be effective with challenging children) [7.1.5, p.50];
- Collect examples of successful 'personalised learning': what does this mean in practice in Wales? [Section 8, p.54].

**Section H: Endnote**

**H1: Overview.** This hastily undertaken review has outlined and commented upon reports and guidance compiled or sometimes commissioned by the English, Scottish, Northern Irish and Republic of Ireland governments, national strategy documents and inspectorate 'overview reports' as requested. In Section F, key points from these were synthesised. In Section G, it was established that these key points overlapped substantially with many important issues identified by the interim report of the Review Group of the NBAR. Some suggestions for future research in Wales (and beyond) have been made. It is hoped that this document is helpful in the continuing review of behaviour and attendance issues in Wales and contributes to improved policy and practice, which better meets the needs of children with challenging behaviour, their families and the dedicated staff who work with them.

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OFSTED (1999a) Principles into Practice: Effective Education with Pupil with EBD. HMI report. London: OFSTED.


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Appendix 1: The challenge of definition and finding appropriate terminology; numbers of children involved

Ap.1.1 Challenging behaviour or other terms? The documents described in this review have used a variety of terms. For ease, the term 'challenging behaviour' has been used to give a consistent thread. This term was used to apply to children who might be seen as 'disaffected' and/or 'disturbing' and/or 'troubled' and/or 'troublesome'. Some in England would now be termed by the English Government 'BESD', by their inspection body Ofsted 'EBSD', by many English professionals in the field 'EBD' or 'SEBD'. In Scotland they are referred to as
children with 'SEBD'. Medical service professionals might well see the same children as having mental health difficulties/problems or disorders and opt for terms such as Oppositional Defiance Disorder [ODD], 'severe conduct disorder', or 'Attention Deficit Hyperactivity Disorder [ADHD].

In Wales, many professionals use the term 'EBD' while the NBAR uses the term 'problematic behaviour', defining this as:

'Any child with emotional, social, behavioural or learning needs, where behaviour and/or attendance adversely affects their learning and/or the learning of others.' (NBAR, 2007, p.20).

This succinct description could produce another ordering of letters: 'ESBLN'.

**Ap.1.2:** 'Additional learning needs' or 'special' needs/schooling/'support for learning'? The history of special/additional educational needs (S/AENs) shows the possibly futile search for terms that do not stigmatise - also the challenge of trying to operate without labels and categories (DfES has in recent years re-established categories of SENs after the attempt of the 1981 Education Act to do away with them). As the initial obfuscation achieved by a new term clears, professionals and clients come to re-apply long-established often negative connotations to the new terms (Cole, 1989). In 2007, the DfES (DFCS) continues to talk of 'special educational needs', but SEED talks of Additional Support for Learning and the NBAR (2007) and WAG of 'additional learning needs'. In this review it has been necessary to use the terms used by the body publishing a particular piece of guidance.

**Ap1.3:** Epidemiology. It is difficult to put precise figures on the extent of the numbers of children who are covered by the materials described and discussed. In England the schools' annual returns (PLASC figures) and numbers in PRUs suggest about 150,000 children or c.2% of the school population. However, Ofsted (2005) estimates many children have serious challenging behaviour who are not included in these figures. These will have gone down disciplinary and pastoral rather than SEN routes, perhaps taking the numbers to c.5% of the school population. Many more may have unidentified - or what are sometimes known as 'internalising' - mental health problems, that do not seriously disrupt or disturb staff (Cole and Visser for Ofsted, 2003).

**Appendix 2 'Every Child Matters - Change for Children'**

**Ap2.1:** Introduction: The Green Paper 'Every Child Matters'

This major Green Paper was published in September 2003 and had high hopes for re-shaping and unifying social and education services for children in England and Wales. It received a good reception. It was seen as 'the chance of a generation' by many. It was 'the biggest shake-up of children's services for thirty years' said Margaret Lochrie in the Times Educational Supplement, 'If the minister for children can drive through the necessary reforms it might turn out to be New Labour's finest and most far-reaching achievement'.

The ECM web-site is: everychildmatters@dfes.gov.uk where there is policy information, details and guidance on implementation, and examples of emerging practice after the Children Act 2004.

**Ap2.2:** Key Points from 'Every Child Matters’ and Children Act, 2004

**An unhappy heritage** The report begins with an acknowledgement of the 'shameful failings in our ability to protect the most vulnerable children' revealed by the
Victoria Climbie affair. These included:

- failure to intervene early enough
- poor co-ordination of services
- a failure to share information
- absence of anyone with a strong sense of accountability
- lack of adequate staff
- poor management.

The Green Paper aims to improve universal services which every child uses and more targeted services for those with 'additional needs'. It cites Lord Laming's comment that child protection cannot be separated from policies to improve children's lives as a whole.

**Green Paper aims:** The government wants every child to fulfil their potential by reducing levels of educational failure, ill health, substance misuse, teenage pregnancy, abuse and neglect, crime and anti-social behaviour among children and young people.

The consultation process identified five outcomes which mattered most to children and young people:

- **being healthy:** enjoying good physical and mental health and living a healthy lifestyle
- **staying safe:** being protected from harm and neglect
- **enjoying and achieving:** getting the most out of life and developing the skills for adulthood
- **making a positive contribution:** being involved with the community and society and not engaging in anti-social or offending behaviour
- **economic well-being:** not being prevented by economic disadvantage from achieving their full potential in life.

The government claims to have 'built the foundations for improving these outcomes through Sure Start, raising school standards, and progress made towards eradicating child poverty'.

The Green Paper sets out plans to build on these claimed successes through:

- creating **Sure Start Children’s Centres** in each of the 20 per cent most deprived neighbourhoods. These combine nursery education, family support, employment advice, childcare and health services on one site;
- promoting **full service extended schools** which are open beyond school hours to provide breakfast clubs and after-school clubs and childcare, and have health and social care support services on site
- increasing the focus on **activities for children out of school** through the creation of a Young People’s Fund;
- increasing investment in **child and adolescent mental health services (CAMHS)** to deliver a ten percent increase in CAMHS capacity each year for the next three years. All areas are expected to put in place a comprehensive CAMHS by 2006;
- **reforms to the youth justice system.** The government intends to revise the Child Safety Order to make it more effective and build on the success of the Intensive Supervision and Surveillance Programme by using it more widely as an alternative to custody. The government also plans to create a new range of community sentences and make greater use of a wider range of residential placements such as intensive fostering for young offenders, including for 10 and 11 year old persistent offenders.
Supporting parents and carers
The Green Paper argues that supporting parents and carers must be at the heart of its approach to improving children’s lives. To build additional capacity in this area, the Government is creating a Parenting Fund. They are consulting on a long term vision to improve parenting and family support through universal services such as schools, health and social services and childcare; targeted and specialist support to parents of children requiring additional support; and compulsory action through Parenting Orders as a last resort where parents are condoning a child’s truancy, anti-social behaviour or offending.

Through the adoption modernisation programme, local authorities are promoting increases in the adoption of looked after children. The Green Paper also wishes to tackle the recruitment challenges in foster care, and to ensure that foster carers have the skills and support they need to care for vulnerable children.

Early intervention and effective protection
The government wants agencies must ensure that children receive early intervention through:
• improving information sharing between agencies to ensure all local authorities have a list of children in their area, the services each child has had contact with, and the contact details of the relevant professionals who work with them. Legislative barriers to better information sharing are to be removed.
  To be introduced:
  o a single unique identity number, and common data standards on the recording of information.
  o a lead official with responsibility for ensuring information is collected and shared;
• developing a common assessment framework across services for children, covering special educational needs, Connexions, Youth Offending Teams, health, and social services. The aim is for basic information to follow the child to reduce duplication;
• introducing a lead professional. Children known to more than one specialist agency should have a single named professional to take the lead on their case and be responsible for ensuring a coherent package of services to meet the individual child’s needs
• developing on-the-spot service delivery. Professionals will be encouraged to work in multi-disciplinary teams based in and around schools and Children’s Centres. They will provide a rapid response to the concerns of frontline teachers, childcare workers and others in universal services.

Accountability and integration
The government claims that children should be at the heart of policies, and services organised around their needs. It is recognised that radical reform is needed to break down organisational boundaries. There should be one person in charge locally and nationally with the responsibility for improving children’s lives. Key services for children should be integrated within a single organisational focus at both levels.

To achieve this the Government will:
• create the post of Director of Children’s Services accountable for local authority education and children’s social services;
• create a lead council member for children;
• integrate key services for children and young people under the Director of Children’s Services as part of Children’s Trusts. These bring together local authority education and children’s social services, some children’s health services, Connexions, and can include other services such as Youth Offending
Teams. Children’s Trusts will normally be part of the local authority and will report to local elected members.

- require local authorities to work closely with public, private and voluntary organisations to improve outcomes for children.
- in relation to child protection, require the creation of Local Safeguarding Children Boards as the statutory successors to Area Child Protection Commitees.

To support local integration, the Government has created a new Minister for Children, Young People and Families in the DfES. The Government has also brought responsibility for children’s social services, family policy, teenage pregnancy, family law, and the Children and Family Court Advisory and Support Service (CAFCASS) into the DfES.

**Local joined-up services**

Government will encourage joined-up local provision by:

- ensuring children are a priority across services. Local bodies such as the police and health organisations will have a new duty to safeguard children, promote their well-being and work together through these partnership arrangements. Local authorities will have a duty to promote the educational achievement of children in care;
- setting out clear practice standards expected of each agency in relation to children;
- rationalising performance targets, plans, funding streams, financial accountability and indicators;
- creating an integrated inspection framework for children’s services. OfSTED will take the lead in bringing together joint inspection teams.
- sharing effective practice, and intervening where services are failing.

A new Children’s Commissioner is to act as an independent champion for children, particularly those suffering disadvantage. The Commissioner will report annually to the Secretary of State.

**Workforce reform**

Subject to consultation and resources, the Government would like to deliver:

- a workforce reform strategy to improve the skills and effectiveness of the children’s workforce developed in partnership with local employers and staff. This will review rewards, incentives and relativities across children’s practice with the aim of moving towards a framework that fairly rewards skills and responsibilities, and ensures effective incentives for good practitioners to stay on the front line
- a high profile recruitment campaign
- workload survey to address bureaucracy/freeing up time for face to face work with children and families;
- more flexible and attractive training routes into social work, including expanding work based training routes for graduates;
- common occupational standards across children’s practice linked to modular qualifications which allow workers to move between jobs more easily;
- a common core of training for those who work solely with children and families and those who have wider roles (such as GPs and the police) to help secure a consistent response to children’s and families’ needs and a better understanding of professional roles;
- the Chief Nursing Officer will undertake a review of the contribution that health visitors and other nurses and midwives can make for children at risk
- a leadership development programme to foster high-calibre leadership.
The development and delivery of workforce proposals will be taken forward through two new bodies. A **Children’s Workforce Unit**, based in the Department for Education and Skills, will develop a pay and workforce strategy for those who work with children. The Children’s Workforce Unit will work with the relevant employers, staff and Government Departments to establish a **Sector Skills Council (SSC) for Children and Young People’s Services** to deliver key parts of the strategy.

**Ap2.4: The Children Act 2004**

Following ECM, came The Children Act 2004:

"An Act to make provision for the establishment of a Children’s Commissioner; to make provision about services provided to and for children and young people by local authorities and other persons; to make provision in relation to Wales about advisory and support services relating to family proceedings; to make provision about private fostering, child minding and day care, adoption review panels, the defence of reasonable punishment, the making of grants as respects children and families, child safety orders, the Children’s Commissioner for Wales, the publication of material relating to children involved in certain legal proceedings and the disclosure by the Inland Revenue of information relating to children. [DfES press release:15th November 2004]"

It set up or required:

- unified Children's Services departments
- Directors of children’s services to replace Directors of Education and Directors of Social Services.
- Local Safeguarding Children Boards to replace Area Child Protection Committees.
- Children and young people’s plans to replace the many existing plans with one comprehensive plan:
- Inspections of children’s services (both education and care) were to come together under Ofsted.

Part 3 of the Act made similar requirements for Wales

**The Children Commissioner**

The Act brought into being the role of the Children Commissioner. The latter is the weakest in the UK and he/she can only conduct an inquiry with the permission of the Secretary of State

Part 1, Section 2 describes his/her 'general function'. Powers included the right to inquire into the case of an individual child in England where this raises issues of public policy of relevance to other children. He may hold an inquiry into that case for the purpose of investigating and making recommendations about those issues. He should be guided by the United Nations Convention on the Rights of the Child.

**Databases on children ‘causing concern’** [sharing information between services]

Another area, which worried many professionals, was the “power to set up a data base or databases with basic information about all children”. The wording “cause for concern” is very vague and will mean different things to different people. Alongside this was the Common Assessment Framework
Ap2.5: Children and Young People Plans [CYPP]
Brought in by the Children Act 2004, this was to be a single, strategic, overarching plan for all services affecting children and young people. In April 2006 the CYPPs replaced 19 existing statutory plans, including children's services plans.

The purpose of the Children and Young People's Plans (CYPP) was to create seamless front-line services - multi-disciplinary, co-located teams of professionals based in extended schools and children's centres. In a CYPP, council and partner agencies were to set out a strategy for how they would deliver services. Councils were required to publish the plans by the education secretary under section 17 of the act, but [a clear weakness] schools and teachers, along with other key providers such as GPs, have no legal duty to co-operate.

Ap2.5: Common Core Skills and Knowledge for the Children’s Workforce:

One of the key recommendations from the ECM Green Paper was [from ECM website]: 'the need for a Common Core of training for the Children’s Workforce. It promotes consistency of practice in working with children and young people.

The Common Core will be an integral part of the standards for a range of occupations, though more specialised skills will be required for specific roles.

What is the Common Core?
The Common Core outlines the essential skills and knowledge needed by people whose work brings them into contact with children and young people. It also applies to volunteers. It aims to include detailed information about children’s rights and the responsibilities of parents, carers and people who work within the Children's Workforce.

This information is outlined in the rest of this prospectus, and is organised under six main headings:
- Child and young person development
- Safeguarding children and promoting welfare
- Effective communication and engagement
- Supporting transitions
- Multi-agency working
- Sharing information

It also encourages people working in the Children’s Workforce to adopt a child-centred approach based on inclusion and access, honesty, trust and respect. It promotes equality, respect diversity and challenge stereotypes, helping to improve the life chances of children and young people and to provide more effective services.

In implementing the Common Core, it is essential that the appropriate legislative frameworks are followed too.