



# St. Thomas Centre Nursery School

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## Behaviour Policy

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(including Care and Control , Anti Bullying

*Article 37: No one is allowed to punish you in a cruel or harmful way*

**At St Thomas Centre Nursery School we follow the policies and procedures from Birmingham City Council and Birmingham Safeguarding Children Board (BSCB) which includes the governments PREVENT Strategy.**

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|-------------|--|
| Name        |  |
| Role        |  |
| Date        |  |
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| Next review |  |

# Aims

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The aim of this policy is to help children to develop a positive disposition to learn and positive behaviours to others

- We encourage children's increasing capacity to show self-control and to take responsibility for their own actions
- We want a learning environment that is calm and purposeful
- We aim to deal quickly, clearly and sensitively with disputes through conflict resolution

\*\*\* This policy should be read in conjunction with the **Care and Control Policy** and **Anti-bullying Policy**

## Introduction

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We aim to provide a happy, secure and stimulating environment for all members of our community. We promote an ethos that encourages sharing, caring, concern and respect for all.

At our Nursery the children have a lot of freedom and for most of the day they can choose what to play with, who to play with and whether they want to be in or outdoors. Learning is planned to be stimulating, interactive and exciting to give the children a wide range of experiences to cater for their differing needs, interests and learning styles. The learning environment is planned to be safe but also give the chance to take some risks, exploring new and different experiences.

Children are given opportunities to experience different groupings and teaching approaches to enable them to learn appropriate behavioural responses in different contexts. The nursery is often the child's first experience of having a large space with many children to communicate, negotiate and share with others. Children may need support to develop from adults who are respectful, caring and sometimes firm to learn how to behave appropriately. Staff work hard to make and keep up positive

relationships with each child. Young children can become frustrated or angry; and they may want to test things out

In nursery the children have considerable scope to make choices and move around from area to area, from inside to outside. There are not many times that the nursery staff need to say “no” to a child, but we must be sure that when we say “no”, we understand why and really mean it.

### **Promoting Positive Behaviours**

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When children are rewarded for positive behaviours they are more likely to repeat that behaviour again until it becomes habitual. Children need to know that adults recognise when they have done things well, have persevered or achieved new skills. This is important for raising children’s self esteem and confidence. This can be re-affirmed to them by:

- Praise and compliments
- Tone of voice
- Encouragement
- Positive and warm body language

Warm and positive relationships with key adults are vital to ensuring that children’s emotional needs are being met to enable them to feel happy and secure. If these needs are not being met children will seek to gain attention in order to address this.

Knowing the limits and boundaries enables children to develop self control and self discipline. We seek to promote this by setting clear expectations and boundaries for children’s behaviour which become part of the daily routine and structure of Nursery Life.

### **Strategies for managing inappropriate behaviours**

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Although Children are praised for good behaviour, inappropriate behaviour must be challenged and is dealt with in a calm and consistent manner. It is always the behaviour that is criticised not the child.

*'Support children to feel good about their own success, rather than relying on a judgement from you such as wanting a sticker'*  
*EYFS 2012 Revised*

### **Conflict Resolution**

- Approach quickly, calmly and stopping any hurtful behaviour
- Speak calmly and do not raise your voice
- Get down to the child's level where possible. Show concern for the child and acknowledge the child's emotion I e.g. "I can see you are angry" etc. try to gain eye contact

### **TRY TO SAY WHAT YOU WANT TO HAPPEN NOT WHAT YOU DON'T WANT TO HAPPEN**

- Gather information
- Restate the problem
- Keep focused and to the point
- Ask for ideas and solutions and choose one together
- Give follow up support and remember to praise positive behaviours
- State positively e.g. "I need you to come down from there, it is dangerous." "I need you to move safely around inside."
- Sometimes the more we say the less children hear. Try to say "I need you to pick up those toys now" not "stop being so silly"
- Be firm and clear. Avoid a direct power struggle. For example "I can wait one minute for you to give that to me" will give the child time to adjust to what you are saying.

- Don't keep talking or repeating. For example "I need you to come away now. I can wait one minute. But then I will have to hold your hand and bring you away."
- If the child does not respond: "I need to hold your hand and bring you away now."

## **Repeated patterns of behaviour**

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If a child is repeating the same difficult behaviour, or targeting a particular child, then you must raise it with your team leader as soon as possible, issues like this must be approached by:

- Raising staff awareness and vigilance
- Identifying triggers e.g. specific times of the day such as tidying up time and acting upon it by giving the child positive attention during this particular time.
- Evaluating the curriculum/ expectations and making adjustments
- Meeting with parents, in order to gain some understanding of the behaviour develop agreed strategies to manage these difficulties.

## **Involving parents**

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**'Share with parents the rationale of boundaries and expectations to maintain a joint approach'. EYFS 12**

Joint work is essential when dealing with difficult behaviour.

- Think first and plan for what you are going to say. Talk it over with a line manager first.
- Meet with the parent in a confidential space
- Explain the difficulty in nursery and then ask if the parent has any particular understanding.
- Take a problem solving approach....we need to work together to

help your child with this. Using the same strategies

- Arrange to review in a week's time
- Feedback information to the team

When the behaviour continues to be difficult talk with the SENCo

**PLEASE REMEMBER IN RARE CASES OF RESTRAINT IT MUST BE RECORDED AND SHARED WITH THE PARENT (see Care and Control Policy )**

For families experiencing difficulty with their child's behaviour at home we seek to support parents and may need to involve other professionals. Useful tools and strategies which may support parents may include Family Common Assessment Framework (FCAF), and referrals to parenting courses run by the family team such as 'Incredible Years ' (IY), 'Promoting Happier Parenting' (PHP) and Promoting Positive Parenting' (PPP).



# St. Thomas Centre Nursery School

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## Care and Control Policy

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**At St Thomas Centre Nursery School we follow the policies and procedures from Birmingham City Council and Birmingham Safeguarding Children Board (BSCB) which includes the governments PREVENT Strategy.**

**St Thomas Centre Nursery School**

**CARE AND CONTROL**

**POLICY**

(Incorporating Physical Intervention, Positive Touch, Physical Contact and Restraint)

**Introduction**

This policy has been prepared after staff discussion(s) and was adopted by the Governing Body. The responsible person for the implementation of the policy is Sue Bennett (Head teacher). The policy will be reviewed on an annual basis by staff and governing body.

The policy is based on relevant legislation, regulations and guidance including the most recent examples from the Department for Education, Department of Health and the Health and Safety Executive. For young people over the age of 16 years, the Mental Capacity Act must also be considered.

The policy has been prepared to support all staff who will come into contact with children and for volunteers/work place students working within the school to explain the school's arrangements for care and control. The purpose is to give good staff the confidence to act in the best interests of the child. This policy should be made available to parents and pupils upon request. Within this policy there will be references to the most current government guidance and legislation and includes a glossary for reference.

**Duty of Care:**

All staff have a duty of care towards the children and young people they look after, their colleagues and others, under Health and Safety Legislation. They have a responsibility to familiarise themselves with policies and risk assessments, and participate in necessary training. They should look out for obvious hazards and reduce foreseeable risks wherever possible.



The Children Act 1989 makes clear that in any decision involving a child the paramount consideration must be the child's welfare. Paramount means it should be the first thing people think about and it should take precedence over all other considerations. For that reason staff need to carefully consider what is in the best interest of the child, both in the short term and the longer term.

In exceptional circumstances, staff may need to take action in the best interest of the child and the use of reasonable force may be required to achieve this. (Name of school) acknowledges that physical interventions which use varying degrees of reasonable force are only a small part of a whole setting approach to behaviour management.

Every effort will be made to ensure that all staff in this school/setting:

- Understand their responsibilities in the context of their duty of care
- Understand that the paramount consideration is the welfare of the individual child
- Understand that 'reasonable' force means that it is necessary and proportionate
- Are provided with appropriate training to manage risk and this training is maintained at an appropriate level.

### **Legal Justification:**

The Education and Inspections Act 2006 gives examples of the types of circumstances in which use of reasonable force may be legally defensible.

1. self – injuring
2. Causing injury to other children, staff, parents and visitors.  
Causing significant damage to property.

The paramount consideration is for staff to work in the best interests of the child. Reasonable force will only be used when no other effective alternatives are available.

## Identifying hazards and making risk assessments:

It is essential to make risk assessments when considering the use of reasonable force. Staff should balance the risk of taking action against the risk of not taking action. The Health and Safety Executive (HSE) has developed a 5 step approach to risk assessment. This can easily be applied to situations where staff need to make a decision whether to use de-escalation or physical contact.

4. Look for hazards.
5. Decide who might be harmed and how
6. Evaluate the risk and decide on the necessary and proportionate action.
7. Record your findings.
8. Review and revise if necessary.

It is not always possible to predict all risks relating to a specific behaviour of a child. When an unforeseeable risk presents itself a “dynamic risk assessment” can be undertaken. This means that staff do a mental risk assessment and then act in the best interests of the child. Once a risk has been identified, or if the risk is already known, then a planned risk assessment needs to be put in writing. If physical touch or restraint is required, a Positive Handling Plan or Restraint Reduction Plan can be recorded by staff who work closely with the child, using their knowledge of the child’s behaviour and the environment they are working in.

The Health and Safety Executive is keen to stress that risk assessment is a simple process. They should focus on the most likely and serious risks. Formal risk assessments should be clear and concise so that staff can recall useful information. Information should be explicit and honest. Parents need to be informed and involved with this process as they need to be notified of why and how reasonable force is being used in the best interests of their child. Where possible the child’s views should be sought and included in the risk assessment.

Assistance can be sought from other members of staff to help reduce the risk. Physical intervention is seen as a proactive response to meet individual pupil needs and any such measures will be most effective in

the context of the overall ethos of the school, the way that staff work together as a team, share their responsibilities and the holistic behaviour management strategies that are used.

### **1. Physical Contact**

There are a range of circumstances in which positive physical contact occurs between staff and pupils in order to support equal opportunities to access to a broad and balanced curriculum such as using PE equipment. Examples of physical contact covers a wide range of positive physical interactions ranging from light touch to firm pressure. Physical contact is necessary to provide provision of care, give comfort, and convey communication, reassurance and safety. Physical contact should be considered “positive and part of the adult role-modelling what good touch or contact is. The purpose of any physical contact should be to meet the needs of the child. Where children have special needs their individual requirements should be detailed in an individual behaviour management plan.

### **2. Physical Intervention**

There needs to be a gradual and graded approach from staff when considering the use of reasonable force. Examples of low risk physical interventions could be guiding or escorting a child to a safer place. Medium to high risk physical intervention could be separating a fight or using a standing or seated restraint.

### **3. Restraint**

Restraint involves the restriction of freedom and movement in circumstances in which the child is resisting. It is reasonable to use proportionate force when there is a significant risk to children, staff or property. It should be used as a last resort when no effective alternatives are available. All incidents involving restraint must be recorded and reported. The level of force and/or positive handling techniques used towards the child determines whether or not it is classified as restraint.

### **4. Positive Handling:**

Positive handling uses the minimum degree of force for the shortest period of time necessary to achieve the desired result.

The scale and nature of any physical intervention must be proportionate to both the behaviour of the individual and the nature of the harm they might cause.

Positive handling techniques are intended to ensure the safety and wellbeing of the child, maintain dignity for both adult and child and allow for communication.

Consideration must be made to clarify the distinction between:

**Seclusion:** the term used where a child is forced to spend time alone against their will in a locked room or restricted space which they cannot leave. Staff are advised to follow guidance on the use of seclusion. Seclusion of a child should only be considered as an emergency response and where it is in the best interests of the child. Staff working with young people aged 16 years and older should consider an application to the Court of Protection under the Mental Capacity Act if they believe that planned use of seclusion may be required in the future.

**Time out:** this term is used informally to mean a cooling off period, giving space to calm down and reflect.

**Withdrawal:** this term is used when removing the person from a situation which causes anxiety or distress to a location where they can be continuously observed and supported until they are ready to resume their usual activities

### **Staff Training and Authorised staff**

The provisions of the Education and Inspection Act 2006 apply by default to all school staff who are authorised to have care and control of children. The Head Teacher or Manager is responsible for making clear to whom such authorisation has been given. The Head Teacher/Manager must consider the training needs for all staff and then retain a list of all staff that have been trained and when the training needs to be refreshed. This list is reviewed within a regular time-frame and

consideration given to new members of staff and to volunteers/students/supply staff.

Training for all staff will be made available and will be the responsibility of the Head Teacher. Training needs should be assessed in relation to foreseeable risks. Training that contains physical interventions should have the British Institute of Learning Disabilities (BILD) accreditation. Birmingham Local Authority's preferred model of training is Team Teach.

### **Reporting and Recording**

Whenever a physical intervention has been used a record of the incident needs to be kept. If the physical intervention does not involve restraint it needs only to be recorded on the child's risk assessment e.g. guiding. If a restraint has been administered then the incident needs to be recorded in the Bound and Numbered Book. This can be in the form of a hard-backed book, with numbered pages, retained by the Head Teacher or Manager. It should be considered reasonable and good practice for staff to collaborate when recording an incident in order to ensure the most accurate and complete record possible. If staff do not agree on details of an incident, they should write separate reports. The aim is to promote clear, accurate and useful records.

Records should normally be completed within 24 hours, but the welfare of those involved takes precedence over paperwork. If this is not possible the Head teacher needs to be informed as soon as possible with the reason for the delay. Records should be kept for at least 7 years. After the review of the incident, a copy of the details will be placed on the pupil's file. Parents/carers of the child need to be informed following the use of reasonable force. A record of this communication should be kept.

A Health and Safety Accident/Incident Form will be completed and returned to the Authority in situations where injury has occurred to either members of staff or pupils. Where staff have been involved in an incident they should be given time to recover and have access to support such as counselling and debriefing.

### **Support for staff and children after an incident**

The Head Teacher / Manager will ensure that each incident is reviewed and take action as necessary, such as:

- Reviewing the child's risk assessment.
- Reviewing curriculum access.
- Reviewing staffing levels.
- Considering the Involvement of outside agencies
- Reviewing provision.

Remember, the priority after a significant incident is to look after the people involved.

### **Listening and Learning**

Incidents provide opportunities for teaching and learning. Staff should explain the reasons for any use of reasonable force according to the level of understanding of the child. They should clearly distinguish between restraint, which is designed to keep people safe, and sanctions or consequences. Staff should reinforce simple messages:

- We hold children to keep them safe from harm.
- We hold children to prevent them doing something they will regret.
- We care about children too much to let them be out of control.

### **Complaints:**

The availability of an accessible policy about reasonable force and early involvement of parents should reduce the likelihood of complaints but may not eliminate them.

All allegations will be investigated thoroughly, however it is the responsibility of the person making the allegation/complaint to prove any inappropriate actions by the staff member.

The authors of this policy are:

Steve Brown: Birmingham Local Authority Care and Control Co-ordinator (Senior Team Teach Tutor).

Bernard Allen: Principal Team Teach Tutor and member of the society of expert court witnesses.

December 2014

## **Glossary:**

**Child:** In this policy the legal definition of “child” to mean a person up to and including the age of 18 years. However, staff should be aware that the provisions of the Mental Capacity Act come into effect from the age of 16 years.

**Risk assessment:** Risk assessments consist of a simple process rather than elaborate paperwork. It is a process to determine a level of risk. Once a risk has been observed, staff need to make a formal plan to reduce it. Dynamic risk assessments allow staff to consider the risk in real time that requires an urgent response in the best interests of the child.

**Guides or prompts:** The use of assertive touch to move or direct a child usually in a low risk situation.

## **Reference:**

Allen, B. (2012) The Legal Framework for Restraint. Steaming Publishing.

Allen, B. (2012) Risk Assessment for Behaviour. Steaming Publishing.

BILD (2006) Guidance on the Use of Seclusion.

DFES/DOH (2002) Guidance on the use of restrictive physical interventions for staff working with Children who display Extreme Behaviour in Association with Learning Disability and/or Autistic Spectrum Disorders Reference.

DFE (July 2012) Use of Reasonable Force.

HSE (2007) 5 Steps to Risk Assessment. Health and Safety Executive.

The Children’s Act 1989  
[http://www.opsi.gov.uk/acts/acts1989/Ukpga\\_19890041\\_en\\_1.htm](http://www.opsi.gov.uk/acts/acts1989/Ukpga_19890041_en_1.htm)

The Education and Inspections Act (2006) Section 93.



# St. Thomas Centre Nursery School

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# Anti-Bullying Policy

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**At St Thomas Centre Nursery School we follow the policies and procedures from Birmingham City Council and Birmingham Safeguarding Children Board (BSCB) which includes the governments PREVENT Strategy.**



# Anti-Bullying Policy

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## **Introduction**

We acknowledge the School Standards and Framework Act 1998 that clearly states that all maintained schools must have in place an Anti-Bullying Policy that outlines procedures in order to prevent bullying among pupils.

We have a duty of care to protect pupils from bullying as part of our responsibility to provide a safe, secure, caring and friendly school environment for all the children in order to protect them from those who wish to deliberately hurt them either physically or emotionally. We believe all our safeguarding procedures are in line with Sections 3(5) and 87(1) of the Children Act 1989 and Section 157 of the Education Act 2002 and that we promote the welfare of all children in our care.

Under no circumstances will we tolerate any form of bullying and all incidents of bullying will be dealt with promptly and effectively.

## **Aims & Objectives**

To develop a school environment that is both safe and secure for all pupils.

To have in place established systems that will deal with incidents of bullying.

To inform everyone connected with the school of the school's anti-bullying policy.

## **Definition of Bullying**

Bullying is an act of aggression, causing embarrassment, pain or discomfort to someone. It can take a number of forms: physical, verbal, gestures, extortion and exclusion. It can be planned and organised, or it may be unintentional. It may be perpetrated by individuals or by groups of children.

## **Responsibilities**

Staff will:

Develop children's self-esteem, self-respect and respect for others  
Demonstrate by example the high standards of personal and social behaviour we expect of children

Be alert to the signs of distress and other possible indications of bullying  
Listen to children, take what they say seriously and act to support and protect them.

Deal with observed instances of bullying promptly and effectively, in accordance with agreed procedures.

Follow up any discussion with a parent about bullying and report back fully on the action which has been taken.

## **Procedures**

All reported incidents are investigated and dealt with.

Parents are informed of all events and what actions have been taken.

Records will be kept of all incidents and their outcomes.

Returns will be submitted to the local authority as requested

**This policy should be read alongside the Behaviour policy and Safeguarding Policy.**