



West Lothian
Council

Education Executive

West Lothian Civic Centre
Howden South Road
LIVINGSTON
EH54 6FF

11 May 2011

A meeting of the **Education Executive** of West Lothian Council will be held within the **Council Chambers, West Lothian Civic Centre, Livingston on Tuesday 17 May 2011 at 10:00am.**

For Chief Executive

BUSINESS

PUBLIC SESSION

1. Apologies for Absence.
2. Order of Business, including notice of urgent business.
3. Declarations of Interest - Members should declare any financial and non-financial interests they have in the items of business for consideration at the meeting, identifying the relevant agenda item and the nature of their interest.
4. Confirm Minute of Meeting of the Education Executive held on 22nd March 2011 (herewith).
5. GLOW - Detailed Demonstration by John Low, Education Services.

PUBLIC ITEMS FOR DECISION

6. Managing Behaviour - West Lothian Council Policy and Procedures - report by Head of Education (Quality Assurance) (herewith).

PUBLIC ITEMS FOR INFORMATION

7. Action Taken Under Standing Order 31 (Urgent Business) - Note

DATA LABEL: Public

approval to increase the intake limit at the James Young High School from 220 to 240 - report by Head of Service - Schools with Education Support (herewith).

NOTE **For further information please contact Lorraine McGrorty (01506 281609) or e-mail lorraine.mcgrorty@westlothian.gov.uk**

MINUTE of MEETING of the EDUCATION EXECUTIVE of WEST LoTHIAN COUNCIL held within COUNCIL CHAMBERS, WEST LoTHIAN CIVIC CENTRE, LIVINGSTON, on 22 MARCH 2011.

Present – Leader of the Council Peter Johnston (Chair), Councillors Andrew Miller, Frank Anderson, Willie Boyle, John Cochrane, Martyn Day, Robert De Bold, Lawrence Fitzpatrick, Ellen Glass, Isabel Hutton, Danny Logue and Jim Walker, Mr John Hendrie and Mrs Myra McPherson.

Absent – Rev. W. Richard Houston

1. DECLARATIONS OF INTEREST

Agenda Item 12 (ED8 Pupil Support Workers) – Councillor Fitzpatrick declared a non-financial interest in that he was a member of the Parent' Councils of Williamson Primary School, St Ninian's Primary School and Bellsquarry Primary School.

2. MINUTE

The Committee approved the Minute of its meeting held on 22nd February 2011. The Minute was thereafter signed by the Chair.

3. DEVELOPING ST MARGARET'S ACADEMY GROUNDS – PRESENTATION BY CRAIG KERR AND EMILY LOVAT OF ST MARGARET'S ACADEMY

The Education Executive was provided with an overview of the Grounds for Learning Programme that was operating within St Margaret's Academy. School pupils Craig Kerr and Emily Lovett explained that the programme was designed to encourage pupils to think about and generate ideas for potential improvements to the school grounds, which in turn would encourage a healthier lifestyle.

A series of workshops had been convened by the school to provide suitable forums for discussion between pupils, staff and other professionals to stimulate ideas and get buy-in from all the school pupils on the programme.

Craig and Emily continued to explain that they hoped that the programme would be rolled out to other schools throughout West Lothian and that local people would also benefit from the improvements made to the school ground.

The Chair thanked Craig and Emily on behalf of all the members of the Council Executive for the very informative presentation.

Decision

To note the terms of the presentation from Craig Kerr and Emily Lovett of

St Margaret's Academy.

4. PLACING IN SCHOOLS (APPEALS) COMMITTEE – MEMBERSHIP

The West Lothian Council (Placing in Schools) Appeals Committee was a statutory body set up under the Education (Scotland) Act 1980. It was independent and was not part of the council's policy making or decision making structure.

The Education Executive considered a report by the Chief Solicitor (which had been circulated) providing information on the recruitment to and membership of the panel of members for the Placing in Schools (Appeals) Committee and seeking agreement to have committee appointments made and confirmed.

The report explained that a recruitment exercise had been carried out in October 2010 to expand the membership of the committee, particularly those with education experience who could be relied upon to be available for hearings. As a result, 3 applications were received from educationally qualified persons and 4 from parents of children at school in West Lothian. The membership of the committee would be expanded to 5 educationally qualified members and 12 parent representatives. There was no need to review the councillor appointments to the committee as there were already 10 members appointed to it, although not all had undertaken the necessary training.

Members noted from the report the training which had been arranged for new and existing members, and of the arrangements for the new members to undergo a Disclosure Scotland enhanced disclosure check.

The Chief Solicitor recommended that the Education Executive agree to note the information about existing and new members of the committee and agree to appoint the new members and confirm the existing members, as outlined in the appendix to the report.

Decision

To approve the terms of the report.

5. EDUCATION POLICY

Education Services delivered education in terms of a suite of policies but did not have a unifying policy that drew them together.

The Education Executive considered a report by the Deputy Chief Executive (which had been circulated) by the Deputy Chief Executive seeking agreement of a proposed Education Policy.

The Education Policy would draw together the suite of Education Services policies and would be the foundation against which all other policies governing the education system in West Lothian were built. These

included pedagogy, education legislation, national and local policy, equality of opportunity, developing enterprising citizens, ensuring positive destinations for school leavers and promoting lifelong learning.

The draft policy would cover the formal education offered to pre-school and school aged children and would recognise the commitment to ensuring that pupils progressed to positive destinations on leaving school, and to lifelong learning.

The Depute Chief Executive recommended that the draft Education Policy, as outlined in the appendix to the report, be approved.

Decision

To approve the terms of the report.

6. CCTV GUIDELINES

The council currently had no guidelines on the use of CCTV within schools although national advice and guidance was followed.

The Education Executive considered a report by the Depute Chief Executive (which had been circulated) explaining that in response to a recent concern raised by a parent about the positioning of CCTV cameras over the sink areas within toilets, it was proposed to introduce guidelines to provide clarity for staff, parents and pupils and to promote consistency across the county.

Currently cameras were installed in toilets at West Calder High School and Whitburn Academy to observe the sink areas to deter acts of vandalism and indiscipline. Pupils had reported that CCTV cameras gave them an increased sense of security when using toilet areas as these were areas where pupils perceived that indiscipline or bullying occurred.

Consultation had taken place with schools, parent councils and the Local Negotiating Committee on the proposed guidelines which were appended to the report. The responses received had been detailed within the report. Head Teachers at schools where cameras were positioned to cover the sink areas had stressed their value in deterring vandalism, smoking, violent behaviour, etc., and had indicated that they would be reluctant to remove them.

The Executive noted that when the draft policy was considered by the Education Policy Development and Scrutiny Panel, two versions of the wording of Paragraph 6 had been presented. The option preferred by the PDSP was to continue to allow CCTV cameras to be positioned in changing rooms or toilets following consultation with parents, pupils and staff. In response to a suggestion by the PDSP, an additional paragraph had been added into the proposed guidelines to ensure schools regularly reviewed the continued use of CCTV and the positioning of cameras, in consultation with pupils, parents and staff.

The Depute Chief Executive recommended that the Education Executive approve the draft CCTV guidelines, as detailed in the report.

Decision

To approve the terms of the report.

7. THE PROVISION MADE FOR S4-S6 PUPILS WHO HAVE SIGNIFICANT ADDITIONAL LEARNING NEEDS AND A HIGH LEVEL OF VULNERABILITY – OUTCOME CONSULTATION

At its meeting held on 31st August 2010, the Education Executive agreed to commence statutory consultation on a proposal to make changes and improvements to the provision for S4 to S6 pupils who had significant additional support needs and a high level of support based in Cedarbank School. Pupils would benefit from having access to the full range of subject specialists and resources, thereby widening their learning experiences and opportunities prior to transition for work or college.

The Education Executive considered a report by the Head of Education (Quality Assurance) (which had been circulated) advising of the outcome of the public consultation on the proposed changes and improvements to the provision for pupils who had significant additional learning needs and a high level of vulnerability currently based in Cedarbank School.

The report provided detailed information on the background to the proposals, the consultation arrangements with key stakeholders, the key issues raised through the consultations, the outcome of public meetings, the response by the trade unions representing teaching and support staff and the response by Her Majesty's Inspectorate of Education. The response from Education Services to the points arising throughout the consultation were also provided in the report.

The report concluded that by establishing a provision in Armadale Academy, the council would be providing enhanced opportunities for young people to access broader learning experiences and further develop their skills for life. Young people, at the important transition stage, would benefit from increased independence and confidence which would be advantageous in preparing them for college or work experience.

The Head of Education (Quality Assurance) recommended that the Education Executives agree to:-

- a) Establish a provision in Armadale Academy for S4-S6 pupils from Cedarbank School.
- b) Transfer a staff team from Cedarbank School to Armadale Academy on an annual seconded basis.
- c) Use the integrated assessment process to transfer pupils to

Armadale Academy with the involvement and agreement of parents/carers.

- d) Confirm that all pupils currently attending Cedarbank School would be considered for the provision in Armadale Academy.

Decision

To approve the terms of the report.

8. WRAPAROUND CARE – TOUGH CHOICES ED19

The Wraparound care service provided high quality wraparound care integrated with pre-school provision. The Wraparound care service attached to a school affected the available capacity for pre-school provision and impacted on the ability of Pupil Placement to satisfy pre-school demand and, in particular, to meet parental choice for centres from parents resident in the locality. There was a need for balance when determining the provision and scale of the Wraparound care service in the context of the need for pre-school places in a locality which had been addressed during the first phase of the review of the Wraparound care service for school session 2010/2011.

The Education Executive considered a report by the Head of Service – Schools with Education Support (which had been circulated) advising of the ongoing review of the Wraparound care service to ensure full financial viability of the business model by financial year 2012/13, as indicated under the Tough Choices proposal, and seeking agreement to review the Wraparound care service contract terms and conditions.

The report provided the Executive with information on the current position and scale of charges. It also provided information arising from a benchmarking exercise on the fees charged by private providers and childminders. The uptake of the service during the school holiday periods was also provided.

The Head of Service – Schools with Education Support recommended that the Education Executive note the terms of the report and approve revised Terms and Conditions with the key changes as undernoted:-

- To increase the hourly rate for Wraparound to £3.50 from the start of session 2011/12.
- To set the annual registration fee at £20 for the start of session 2011/12.
- To introduce a per session charge during the summer school holiday period where users would apply for a half day (am or pm) £15.00, full day £25.00, or full week £110 placement. The hourly rate would be suspended over the school summer holiday period.

- To waive the annual registration fee for new users for the summer school holiday period.

Decision

To approve the terms of the report.

9. TOUGH CHOICES ED23 REVIEW OF SCHOOL SUPPORT FUNCTIONS

West Lothian Council agreed at its meeting on 11th January 2011 to implement Tough Choices ED23, Review of School Support Functions, in order to achieve a budget reduction of £175,000 in financial year 2011/12. A further reduction of £175,000 would be required in financial year 2012/13. Given the financial position, there was a need to review all support functions to ensure that service requirements were met in the most efficient manner, remove duplication, streamline systems and optimise the business benefits of new technology.

The Education Executive considered a report by the Head of Service – Schools with Education Support (which had been circulated) providing an update on the proposals for the implementation of the Review of School Support Functions (ED23) in line with the required budget efficiency for financial year 2011/12.

The report provided the Executive with information on the review that had been undertaken to focus on the most efficient use of available resources. The short life working group set up to develop a new model of school support had investigated what functions would most efficiently be undertaken at school level, those that would more appropriately be provided at area level and those that could be delivered through a corporate resource working across all schools. Their review had impacted on all school sectors and had required consideration of corporate support functions.

The report then went on to outline in full the proposal to establish an Area Business Manager Model based on the 11 geographic school clusters. ASB Managers would be based in the secondary school and would provide a business management support service to the secondary school and other schools in the local area. A dedicated Health and Safety Officer would also be appointed to ensure that core Health and Safety requirements were delivered across schools and two centrally based posts would be created to undertake Finance and Workforce Planning roles.

The revised model removed a material element of the current business support resource and it would be very important to manage any risks through the implementation and review phase. To address concerns raised by the working group and Head Teachers, the senior management team proposed transitional arrangements and further work to look at the efficiency of the administrative support in schools, which were fully

outlined in the report.

The Executive noted that the required efficiency saving of £175,000 for financial year 2011/12 would be achieved through voluntary severance/early retirement. A pool of 16 staff would be considered for appointment, on a ring fenced basis, to the posts available under the new ASB model. Following the recruitment process, there would potentially be 2 staff where redeployment or voluntary severance/early retirement would require to be considered.

Finally, temporary funding would be identified to reinstate the 0.5 fte clerical post in secondary schools for 2011/12 to ensure that all secondary school offices had an Administrative Officer post to support the Area Business Manager Model which would be a condition of funding. The arrangement would be reviewed for future years as it was anticipated that there was scope for further efficiencies that could support the new model and sustain a high quality service provision for schools.

The Head of Service – Schools with Education Support recommended that the Education Executive agrees:-

- i. To implement an Area Business Manager model of school support based on 11 geographic school clusters.
- ii. To put in place transition arrangements as outlined in the report in order to support the introduction of the revised model of school support at a reduced resource level.
- iii. To progress a review of the efficiency of school administrative arrangements to meet business requirements within a reducing resource base.
- iv. To note that the revised arrangements would be reviewed in consultation with all relevant stakeholders with a 12 month period.
- v. To note that implementation of the recommendations would deliver the required efficiency for financial year 2011/12.

Decision

To approve the terms of the report.

An amendment, moved by Councillor Fitzpatrick, was ruled incompetent by the Chair in terms of Standing Order 28.

Councillor Fitzpatrick then requested that his dissent to the decision be recorded.

However the Chair ruled under Standing Order 11 that Standing Order 15(8) only gave that right when a motion or amendment was not seconded and not where the Chair ruled that the motion or amendment

was incompetent.

10. ED 8 – PUPIL SUPPORT WORKERS

ED8 had been developed in recognition that, for some small schools in particular, the Pupil Support Worker resource was very generous, particularly in the context of class size reductions in schools serving areas of deprivation. Given the very difficult financial position of the council and the need for Education Services to identify budget reductions, it had been necessary to review the Pupil Support Worker resource as it was not possible to reduce teacher numbers within current class size requirements. It was also recognised that the deployment of the available Pupil Support Workers required to be reviewed to recognise the differences in pupil rolls and also to take account of deprivation via SIMD.

The Education Executive considered a report by the Head of Service – Schools with Education Support (which had been circulated) providing an update on progress of implementing Tough Choices ED8 “New model for Pupil Support Workers” and related issues in the primary sector and seeking agreement to conclude the review of contractual arrangements as requested by the Council Executive.

The report provided the Executive with full information on the background to the number of Pupil Support Workers that had been employed in West Lothian schools and explained the overlap of roles with other school support staff. The report then outlined the proposed management framework which had been drawn up to assist Head Teachers in the appropriate deployment of their pupil support teams. Information was also given on the council’s work with the Equality Human Rights Commission to address issues relating to the salary scales and job remits of Pupil Support Workers.

The new Pupil Support Worker model was outlined in an appendix to the report. The new model reflected more accurately the workload in schools as it was weighted for higher school rolls and deprivation. Schools would receive additional resources for identified children with additional support needs. The report concluded with information on the redeployment process and the review of contractual hours which was underway to ensure the posts were more closely related to school hours and the school term.

The Head of Service – School with Education Support recommend that the Education Executive agrees:-

- i. To develop a Management Framework for Pupil Support Staff in primary schools.
- ii. To progress with introduction of Pupil Support Workers at level 2 to meet EHRC requirements as outlined in the report.

- iii. To note that the new Pupil Support Worker Model incorporate the core Pupil Support Worker budget, adjusted to reflect revenue budget decisions and also the Physical and Sensory Audit Budget.
- iv. To introduce the new Pupil Support Worker Model for August 2011.
- v. To approve the redeployment of Pupil Support Workers as noted in the report for August 2011.
- vi. To review contractual arrangements for school support staff to consolidate the contracts into 39 weeks for either 25 or 27 hours and in line with school requirements, to be implemented by August 2012.
- vii. To receive an update report once arrangements were in place for the start of session 2011/12.

Decision

To approve the terms of the report.

An amendment, moved by Councillor Fitzpatrick, was ruled incompetent by the Chair in terms of Standing Order 28.

Councillor Fitzpatrick then requested that his dissent to the decision be recorded.

However the Chair ruled under Standing Order 11 that Standing Order 15(8) only gave that right when a motion or amendment was not seconded and not where the Chair ruled that the motion or amendment was incompetent.

11. PUPIL PLACEMENT UPDATE FOR SESSION 2011/12

There was a need to manage school intakes to ensure quality of provision and that appropriate standards of provision were met for children already attending schools operating above or close to capacity. School intakes were managed in the context of the statutory requirements and guidance provided by the Scottish Government in order to ensure efficient operation of school catchment areas and consistency and fairness in the treatment of all applications to pre-school, primary and secondary schools.

The Education Executive considered a report by the Head of Service – Schools with Education Support (which had been circulated) advising that to date, 2182 applications had been received for Primary 1 places for August 2011, an increase of 91 pupils on the August 2010 intake.

The report explained that children with January and February birth dates had a statutory right to an additional year of pre-school education and, to date, the parents of 62 children in that age group had been granted places. Applications for a further 248 children were being sought,

although a number of those children had possibly left the area.

Based on the applications received to date, the report went on to list 18 primary schools that were currently over-subscribed by first choice applications and the need to reserve place. 5 of the 18 schools were currently over-subscribed by applications from pupils living within their catchment area. Consultation would continue with Head Teachers in order to accommodate as many catchment children as possible for August 2011. Parents applying for places at the 18 primary schools would be advised of the potential for over-subscription.

The report then went on to explain that whilst intake limits for secondary schools had been outlined in previous accommodation studies and reports to committee, it was still necessary to review changing circumstances at schools in discussion with Head Teachers in order to confirm the intake that the school could accommodate without detriment to pupils already in attendance at the school.

2022 applications had been received for S1 places for August 2012, the third year in a row that S1 application had been at a relatively low level. It was anticipated that secondary roles would remain relatively low for 3 more years before the current growth in primary rolls impacted on secondary schools. Based on the secondary school applications received, 4 secondary schools were over-subscribed with first choice applications. Parents applying for places at those 4 schools would be contacted and advised of the potential for over-subscription.

Reports on over-subscribed schools would be prepared for consideration by the Schools Placement Panel. There was potential for the list of over-subscribed schools to change as further applications were received or through applications being withdrawn/amended by parents. Other schools could also become oversubscribed once the implications of deciding applications for over-subscribed schools had been worked through. The council's existing Placing in School Guidelines, shown in the appendix to the report, would be used when taking decisions on all applications.

Finally, the report advised that the Scottish Government had amended "The Education (Lower Primary Class Sizes) (Scotland) Regulations 1999" with "The Education (Lower Primary Class Sizes) (Scotland) Regulations 2010. The amendment introduced a maximum class size of 25 for Primary 1 pupils to 25 with effect from the start of the school year beginning 2011 and removed uncertainty about the statutory size of P1-P3 classes.

The Head of Service – Schools with Education Support recommended that the Education Executive: -

- Agree primary and secondary intake limits proposed for Session 2011-2012 for schools currently anticipated as being over-subscribed as outlined in the report; and

- To note the legal update on class sizes of 25 at P1.

Decision

To approve the terms of the report.

12. PLAYGROUP UPDATE REPORT

The council had been working with the Scottish Pre-School Play Association (SPPA) for over ten years to provide support, advice and training for playgroup staff and committees. The support had been valuable in maintaining services across West Lothian and had involved intensive “hands on” work on a continuous basis with the groups. The support however had not effectively addressed the underlying issues that led to support being required in the first instance: frequently changing committees, increased legal and regulatory requirements and staff turnover.

The Education Executive considered a report by the Head of Service – Schools with Education Support (which had been circulated) proposing the development of a suitable, sustainable model for the management of West Lothian Playgroup provision.

The report recalled the work which had been ongoing with the SPPA since January 2009 and explained that, as no visible progress had been made, despite all 28 groups having formally indicated a desire for an alternative solution, a steering group had been formed in September 2010 to drive the initiative forward.

The steering group had produced guidance and support to formulate and outline proposals for a new management model for playgroups consideration, as outlined in the appendix to the report. The model was presented to a steering group meeting on 24th January 2011 which was attended by 13 playgroups, with 14 having sent apologies. No group disagreed with the issues presented and agreed the need for change to ensure the long-term future of playgroups in West Lothian.

Playgroups felt ideally placed to contribute much more to national priorities within the Early Years Framework and local outcomes in Life Stages, through inter-agency working, early interventions and promoting and supporting parental participation. Surestart had already expressed an interest in using the model as a non-stigmatising route to engaging with parents on parenting strategies. It was essential that the initiative was urgently progressed as knowledge and momentum were easily lost with committee changes. Since August 2010, two groups had closed and many were unsure about their immediate future.

As the SPPA had not managed to deliver a new model at the level or pace of significant progress the initiative required, despite their direct support for individual playgroups having been most helpful, it was

recommended that the council cease its current arrangements on 30th April 2011 and moved with immediacy to appoint an internal fixed-term post within the Early Years Team to take the new model of provision forward.

The Head of Service – School with Education Support recommended that the Education Executive approve the proposal to develop a suitable, sustainable model for management of West Lothian Playgroup provision as described in the report.

Decision

To approve the terms of the report.



EDUCATION EXECUTIVE

MANAGING BEHAVIOUR – WEST LOTHIAN COUNCIL POLICY AND PROCEDURES

REPORT BY HEAD OF EDUCATION (QUALITY ASSURANCE)

A. PURPOSE OF REPORT

To invite Elected Members to approve the recommendations within the Behaviour Management Policy for schools, and to inform them of the positive implications for pupils and school staff.

B. RECOMMENDATION

It is recommended the Education Executive approve the policy appended to this report for implementation in all educational establishments.

C. SUMMARY OF IMPLICATIONS

I Council Values

- Focusing on our customers' needs
- Being honest, open and accountable
- Providing equality of opportunities
- Developing employees
- Making the best use of our resources
- Working in Partnership

II Policy and Legal (including Strategic Environmental Assessment, Equality Issues, Health or Risk Assessment)

The Education (Additional Support for Learning) (Scotland) Act 2004 and 2009. The Equality Act 2010. GTC Code of Professionalism and Conduct. United Nations Convention on the Rights of the Child. Child Protection Procedures 2007. An Equalities Impact Assessment has been carried out. Consultation has taken place with West Lothian Disability Equality Forum and Employee Disability Forum for comments and amendments.

III Resources - (Financial, Staffing and Property)

None (at present)

IV Consultations

Education SMT
Head Teachers.
Trade Unions.
LNCT
Parents
The Education Policy Development and Scrutiny
Panel recommended approval of the attached
policy.

TERMS OF REPORT

1. Background

The aim of the policy is to provide clarity for all educational establishments in relation to managing behaviour and is written within the context of West Lothian's Continuum of Support. This policy complements the guidance within Safe Environment at School Policy (2007) and CALM Policy (2003) and emphasises West Lothian Council's duty of care for all staff and pupils.

The policy focuses on:

- Managing behaviour within the continuum of support
- Key elements of effective practice in the use of physical Intervention
- Working in partnership with staff, pupils, parents and carers
- Recording and reporting the use of physical intervention
- Debriefing and support for staff, pupils and parents

2. The purpose of the policy is:-

- To advise and protect staff and pupils.
- To ensure that all staff understand their responsibilities,
- To prevent inappropriate use of physical intervention,
- To describe good preventative practice and how to manage physical intervention.
- To produce a generic framework which outlines preventative and problem – solving risk management procedures for staff
- To provide a staff development and training package for managers and all staff working with pupils.

General Principles

- A school culture which promotes success, equal opportunities for all and which endorses values that are demonstrated by all staff is fundamental to effective learning and teaching and to the prevention of disruption.
- The focus of school intervention must be on the least intrusive preventative approaches using positive behaviour management strategies as per the continuum of support.
- Physical intervention must be used minimally, in accordance with policy and only when a pupil or member of staff is judged to be at risk of harm, which may be prevented by intervention.
- The views of pupils and parents/carers must be taken into account when planning strategies resulting from an individual risk assessment.
- It is recommended that any incident involving the use of physical intervention should be recorded and discussed with the Education Officer for the school and the Child Protection Officer.
- Debriefing and support for staff and pupils is necessary following any incident where physical intervention is used.
- Ogilvie School continues to train staff using Crisis and Aggression Limitation Management (CALM). Should any other specialist establishment wish to adopt and fund an independent training package for their staff rather than engage with CALM or the training currently provided by West Lothian Council, this must be discussed with the school's Education Officer prior to any agreement being made.
- Risk assessment and management help staff to manage exceptional circumstances through detailed assessment, planning and intervention. The purpose of risk management is to minimise and wherever possible prevent risk.

E. CONCLUSION

The Managing Behaviour policy provides clear guidance for school managers and staff. The policy gives cognisance to the duty of care placed on West Lothian Council for staff and pupils.

A training strategy for all staff will cover the following:-

- the context of inclusion
- curriculum for excellence – culture and context for learning
- low-level behaviour management
- de-escalation strategies
- conflict management
- de-briefing process

Physical intervention is expected not to feature in practice for the vast majority of staff. In all but the most specialised of settings, it will be a rare and exceptional occurrence.

F. BACKGROUND REFERENCES

None.

Appendices/Attachments: 1 – Managing Behaviour WLC Policy and Procedures

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Date: 17 May 2011

Managing Behaviour

West Lothian Council Policy and Procedures

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5. Recording and Reporting the use of Physical Intervention
6. Debriefing and Support for Staff, Pupils and Parents
7. Special Educational Establishments
8. Staff Development / Training Strategy

Appendices

1. Managing Challenging Behaviour: Exceptional Cases proforma
2. Record of physical intervention in schools

West Lothian council wishes to acknowledge the co-operation of Fife Council in the writing of this document.

Managing Behaviour

West Lothian Council Policy and Procedures

1.0 Background

The aim of this policy is to provide clarity for all educational establishments in relation to the use of physical intervention and is written within the context of West Lothian's Continuum of Support.

The Education Service:

- has a duty of care for all staff and pupils
- will provide clear guidance and support to staff
- will provide opportunities for staff development

All schools are required to promote a learning culture which is based on the promotion of success and achievement, emphasising equal opportunity for all pupils based on the highest standards and robust core values. A key feature of our strategy is the prevention of difficult behaviour through positive approaches, quality teaching and learning and well coordinated interagency planning and engagement.

Physical intervention is expected NOT to feature in practice for the vast majority of staff. In all but the most specialised of settings, it will be a rare and exceptional occurrence.

West Lothian Education Services expects the highest professional standards and behaviour from all staff and in return for this professionalism, staff will be supported by the authority.

This policy should be read in conjunction with the following Council policies and legislation.

Safe Environment at School

Personal Safety at Work Policy and Guidance

Focus on Inclusion

Exclusion Guidelines

Continuum of Support

Crisis and Aggression Limitation Management

Focus on Behaviour

Dispute Resolution (Complaints against Additional Support Needs)

Disciplinary procedures (Teaching and non-teaching Staff)

Child Protection Policy and Procedures

Protection of Children – Managers Guide

Health and Safety at Work etc Act 1974

The Management of Health and Safety at Work Regulations 1992 (amended 1999)

Reporting of Injuries, Diseases and Dangerous Occurrences Regulations

Definition of Physical Intervention

West Lothian Council defines physical intervention as:

A method of responding to the challenging behaviour of a child or young person involving measures which limit or restrict the movement or mobility of the person concerned.

Purpose of the Policy

It is essential that staff adhere to the advice within this policy document in order to ensure that both staff and pupils are protected. The purpose of this policy is therefore to:

- advise and protect staff and pupils
- ensure that practice is well informed and that everyone understands their responsibilities
- prevent inappropriate use of physical intervention
- describe good practice in preventing the need for and in managing physical interventions
- support the implementation of school procedures.

2.0 Key Elements of Effective Practice in the use of Physical Intervention

A school culture which promotes success, equal opportunities for all and which endorses values that are demonstrated by all staff and (subsumed within good classroom management) is fundamental to effective learning and teaching and to preventing disruption.

The West Lothian Council, 'Focus on Behaviour,' document outlines a range of procedures, supports and positive initiatives which schools should have in place. The effective deployment of such measures will minimise the need for physical intervention.

Where physical intervention is used it must be used minimally and in accordance with this policy. It must only be used where a pupil or member of staff is judged to be at risk of harm which may be prevented by intervention.

Physical intervention must never be used as a punishment, sanction or threat in line with the Article of the United Nations Convention on the Rights of the Child, Edinburgh and Lothians Inter-Agency Child Protection Procedures (2007) and GTCS guidance on staff conduct.

Supporting Staff and Pupils

Decisions about using physical intervention can raise anxieties for staff, pupils and parents. Situations can occur where staff may have to intervene physically with a pupil to ensure the safety of staff or pupils. In such situations Education Services will fully support staff who follow the school procedures (**Section 3 below**) contained in this document. Education Services will use the procedures outlined in this document as the basis for protecting staff from any unfair or inappropriate complaints made against them.

Equally, where it has been established by management that physical intervention has been used inappropriately, Education Services will address such situations through established Council procedures. Education Services does not support uncontrolled or unnecessary use of any form of physical intervention.

3.0 Procedures

3.1 Using the Procedures

Schools should address physically challenging behaviour in the context of a school policy for behaviour management that emphasises positive approaches, success in learning, achievement and the prevention of difficulties.

Education Services has a duty of care for the health and safety of all of its staff, children and young people. The implementation of the school's behaviour policy including risk assessment, along with these procedures will be monitored as part of Education Service's quality assurance process and will be subject to ongoing review.

3.2 Principles of Good Practice

All of the following principles of practice apply:

- The focus of the school's interventions must be on the least intrusive preventative approaches, aiming to avoid the need for physical intervention when at all possible.
- Physical intervention must only be used as a last resort to restore well being and safety in situations which are judged to involve immediate danger or physical harm to the pupil, staff and / or others.
- Wherever possible, de-escalation techniques must be used prior to any restrictive physical intervention by staff.
- Physical intervention must only be used where, in the informed opinion of the employee, it does not compromise the safety of the pupil or the employee.

3.3 Preventative Approaches to Physically Challenging Behaviour

3.3.1 Creating Positive School Environments

The procedures outlined in this document complement strategies developed by schools which contribute to the creation of a positive and calm school environment.

Effective classroom and behaviour management techniques contribute to calm and productive classroom environments that, in turn, can help to defuse potentially difficult situations. As part of school improvement planning and staff review, Head Teachers are responsible for identifying and supporting professional development needs of **all** staff in this area.

3.3.2 Positive Behaviour Management in all Schools – Continuum of Support (Level One)

Positive behaviour management is recommended by West Lothian Council as a proactive approach to discipline in schools. Adopting a culture of raising self esteem through good staff - pupil relationships and creating opportunities for pupils to excel, forms the basis of positive behaviour techniques in school. Positive behaviour management is a non-reactive system, set within clear behavioural boundaries and consistent approaches to discipline

West Lothian Council works in partnership with The Scottish Government to provide training and development work in the area of positive approaches to behaviour.

The Positive Behaviour Team (Scottish Government) currently supports schools and local authorities to introduce and embed approaches to positive behaviour. The approaches include:

- Framework for Intervention/Staged Intervention (FFI/SI)
- Nurture Groups
- Restorative practices
- Solution-oriented approaches
- The Motivated School and Social and Emotional Learning Frameworks (SELF)

Each of the above approaches, when aligned with the culture of the school, can create a highly effective climate to support behaviour within the school. (For more information on individual approaches see www.betterbehaviourscotland.org) .

Importance of Good Classroom Organisation and Management

Effective teaching relies on good classroom organisation and management to convey a message of order and consistency. This is fundamental to setting parameters for good behaviour in the classroom.

Modelling school values is key when embedding classroom behaviour expectations.

Quality teaching which meets the needs of the individual learner, engages the learner in the process of learning, encompasses very good planning and assessment, employs the confident use of a variety of teaching styles and resources and that has an in-depth knowledge of the subject being taught, will contribute greatly to how students respond and deal with classroom issues. Classroom layout, temperature and seating plans will contribute to producing a relaxed, comfortable and supportive learning environment.

Importance of De-escalation Processes

Schools should adopt non-reactionary strategies to pre-empt potentially disruptive situations. The use of proactive methods of behaviour management will set the tone in a situation, raise pupil self esteem and promote inclusion.

When a situation requires teacher involvement, basic de-escalation skills should be employed – maintaining self-control, using non-aggressive language and adoption of non-confrontational posture and body language. Acknowledging pupil frustration and anger is a powerful tool and should be employed to engage the pupil in addressing the issue.

It is recommended that schools train staff in de-escalation processes and work collaboratively as a school community to adopt this approach.

3.3.3 Additional Supports for Behaviour: Level Two / Three Continuum of Support

Within West Lothian Council, there is a range of services available to schools to further support the promotion of positive behaviour. These services can offer support at strategic and individual pupil levels and include teams such as the Primary Behaviour Support Service, Educational Psychology, the ADHD Outreach Team and the LAC

Outreach Team. See Edweb for the full range of specialist provision and outreach services.

It is expected that the involvement of the above agencies would be part of the integrated assessment process including the essential involvement of the young person, their parents / carers and other relevant professionals.

Predictable Events and Risk Assessment

These are situations where the likelihood of incidents requiring physical intervention is greater than in others. Head Teachers should ensure that risk assessments are completed and determine the appropriate strategies to de-escalate situations and to avoid physical intervention or restraint becoming necessary.

Risk assessments should be closely monitored and policies and procedures that contribute to a safe environment implemented. West Lothian Council provides training on risk assessment and risk management of pupil behaviour.

The need for physical intervention with a very small minority of children and young people with severe and complex needs **may be** predictable and must involve careful planning with senior staff, parents / carers, health professionals and where possible the child or young person. Specific needs must be reflected during the Integrated Assessment meeting, recorded and communicated effectively to ensure that all relevant staff and parents / carers understand and accept the plan in place for the child or young person.

The Head Teacher is responsible for the accuracy and appropriateness of the content of the risk assessment and the subsequent plan for the child or young person.

In exceptional cases where major difficulties are presented, the proforma *Managing Challenging Behaviour: Exceptional Cases* (Appendix 1) **should** be used. This form is designed to be used as a problem-solving, planning tool which will inform the integrated action/behaviour plan for the child or young person.

Transitions

Transition periods for vulnerable children and young people are likely to raise additional issues for all concerned. Planning and information transfer is vital in supporting transitions. Head Teachers should ensure that new staff and, where possible, the child or young person and the parents / carers participate in planning and receive satisfactory briefing regarding effective strategies; this will help to defuse any potential difficulties that may be anticipated.

Unplanned interventions

Unplanned interventions may be necessary when a child or young person behaves in an unexpected way. In such circumstances, staff may need to intervene to ensure the safety and well being of others in the vicinity. Any response must be proportionate whilst ensuring safety. Staff should use the minimum intervention necessary to prevent injury and maintain safety.

4.0 Involving Children and Young People, Parents / Carers

Children and young people and parents / carers must be involved as far as possible in decisions about how and why restrictive physical intervention may be used. Where a particular child or young person is likely to need support strategies in dealing with challenging behaviour, especially at transition periods, the child or young person and the parents/carers must be actively involved in planning individual risk assessment and management strategies. Such plans must take into account the views of children and young people and parents/carers.

5.0 Recording and Reporting the use of Physical Intervention

5.1 All staff must be made aware of the school's procedures for recording incidents of challenging behaviour. The member of staff must inform their school management as soon as possible of any incident.

5.2 The aim of recording is to retain enough information to inform best practice, identify future strategies and to ensure a record of events for legal purposes. Record keeping should be kept to a purposeful and manageable level. School senior management are responsible for ensuring that appropriate staff are involved in the process.

5.3 The circumstances and reasons for using physical intervention should be recorded in writing as soon as possible, and no later than the next working day. The record should note any physical injury to staff or pupil (*Appendix 3*). This intervention should be reported to the Child Protection Officer and the school's Education Officer.

5.4 Incidents of violence against staff are reported on forms specific to such incidents (see Standard Circular HSW 2). These reports are for statistical monitoring purposes only, to monitor trends within and across schools, they are not intended to identify effective strategies to manage individual situations.

6.0 Debriefing and Support for Staff, Pupils and Parents

6.1 Following an incident where physical intervention has been required senior management should assess the degree of staff support required and discuss the incident(s) with staff concerned, as soon as possible, in a calm and supportive environment. Managing Behaviour training provided by Education Services includes guidance on debriefing for staff and children and young people. Where it is clear that a member of staff needs further support, advice or training, senior school management should take prompt action to see that it is provided. School management may seek additional advice from the Education Officer and / or Educational Psychologist. Where the child or young person presents ongoing difficulties, it will be important for senior school management to ensure ongoing dialogue with staff.

6.2 Following the incident, the child or young person (where they are able to express a view) should be given time, opportunity and support to discuss and reflect on the situation in a calm and supportive environment.

The child or young person's views (where the child or young person can express a view) should be recorded at an appropriate time when the child or young person is most likely to provide the best information. Arrangements must be made for pupils to be interviewed about the reasons that led to the incident and the circumstances that followed.

6.3 Parents / carers must be informed of the incident and provided with an opportunity to discuss it. Parents / carers must be invited to participate and contribute to problem solving and planning future strategies for their child or young person. Debriefing with staff, pupils and parents should lead to a positive and problem-solving discussion about how the risk of such incidents may be avoided in the future.

Special Educational Establishments

In the case of a very small number of children / young people with severe and complex needs, incidents can be frequent and predictable. In these cases parents / carers must be kept informed at agreed, regular intervals about incidents where it has been deemed appropriate to use physical intervention. In these circumstances, parents / carers, health professionals and the educational psychologist must be involved at regular intervals in planning and risk assessment. School senior management must ensure robust systems are in place to facilitate regular communication with parents / carers.

In Ogilvie School, staff have received formal training on Crisis and Aggression Limitation Management (CALM) which is appropriate for staff working within an Social Emotional and Behavioural Needs provision. Should a specialist establishment wish to adopt and fund an independent training package for their staff rather than engage with the training currently provided by West Lothian Council, this must be discussed with the Senior Education Development Manager prior to any agreement being made.

Staff Development / Training Strategy

It is expected that school management will ensure ongoing continuous professional development for staff to develop a range of competencies in positive behaviour management. Education services will provide training, to include the following:

- *the context of inclusion*
- *curriculum for excellence – culture and context for learning*
- *low-level behaviour management*
- *de-escalation strategies*
- *conflict management*
- *de-briefing process*

Support / training will be tailored to meet the needs of a school's specific context with the emphasis on preventative approaches.

Appendix 1

Managing Challenging Behaviour – Exceptional Cases

The form should be used as a summary self-evaluation of the steps taken in school to address exceptional circumstances where sustained or repeated challenging behaviour is experienced. A completed copy of this form must be kept along with the pupil's records.

The form should be completed by senior school management representatives in conjunction with the young person, parents and all other relevant agencies involved. (the school's Education Officer may also be involved).

Date of submission:
1. Name of School:
2. Name / Stage of pupil(s) involved:
3. Concerns/ summary of behaviours / possible known triggers
4. Strategies currently implemented:
5. Strategies previously employed:

6. Risk Assessment <ul style="list-style-type: none"> • Attach copy(ies) of risk assessment carried out • Indicate timescales involved and dates of review / planning meetings 		
7. Outline ways in which parents / carers and pupils have been involved planning interventions.		
8. Risk Management <ul style="list-style-type: none"> • interventions tried so far • any other strategies that may help • use of physical intervention 		
9. Pupil's view of: <ul style="list-style-type: none"> • interventions tried so far • any other strategies that may help • use of physical intervention 		
10. Next steps / tasks:		
11. Staff training needs identified:		
Line Manager	Signed:	Date
Reporting staff member	Signed	Date
Review Date:		

Appendix 2

Record of use of Physical Intervention

Record the use of physical intervention to address specific incident(s) in school (to be completed by school senior management)

Class:	Date:
Pupil:	
Member of Staff:	
Time:	Location:
Name of any witness:	
What happened:	
Details of strategies used:	
Details of any injury:	
Immediate action taken:	
Pupil's view / account of the incident and way forward:	

Parent's / Carer's view of the incident and way forward:

External Support Services involved:

Supports / plan to be put in place by school:

Care considerations (where appropriate)



EDUCATION EXECUTIVE

INTAKE LIMIT – THE JAMES YOUNG HIGH SCHOOL

REPORT BY HEAD OF SERVICE – SCHOOLS

A. PURPOSE OF REPORT

To ask the Education Executive to increase the intake limit at the James Young High School from 220 to 240.

B. RECOMMENDATION

To increase the intake limit at the James Young High School from 220 to 240

C. SUMMARY OF IMPLICATIONS

I Council Values

Being honest, open and accountable

Focusing on our customer's needs

Providing equality of opportunity

Developing employees

Making best use of our resources

Working in partnership

II Policy and Legal (including Strategic Environmental Assessment, Equality Issues, Health or Risk Assessment)

Within existing policy relating to admission of pupils to school, and the provisions of the Education (Scotland) Act 1981, the Standards in Scotland's Schools etc Act 2000, the School Education (Amendment) (Scotland) Act 2002, Education (Lower Primary Class Sizes) (Scotland) Regulations 1999, and Circular 2004.

III Resources - (Financial, Staffing and Property)

Management of pupil placement impinges significantly on revenue and capital budgets and is an important aspect of achieving best value for education provision.

IV Consultations

PDSP 15 March 2011

Education Executive 22 March 2011

Headteacher at the James Young High School.

D. TERMS OF REPORT

There is a need to manage school intakes to ensure quality of provision and that appropriate standards of provision are met for children already attending schools operating above or close to capacity. School intakes are managed in the context of the statutory requirements and guidance provided by the Scottish Government in order to ensure efficient operation of school catchment areas and consistency and fairness in the treatment of all applications to pre-school, primary and secondary schools.

For this reason intake limits for the S1 stage at secondary schools are set in consultation with Headteachers.

The intake limit at The James Young High School was set at 220 by the Education Executive on 22 March 2011. Since that date, it has become apparent in discussion with the Headteacher that the school can cope with an intake of 240, fully utilising the accommodation available as a result of the recent extension to the school. This became apparent as the school began to plan and prepare potential timetables for the forthcoming session. This information was not available when the Executive took its decision.

The Executive is asked to raise the intake limit at the James Young High School to 240 as a matter of urgency, in order to facilitate the granting of placing requests that have currently been refused.

E. CONCLUSION

Increasing the intake limit at the James Young High School from 220 to 240 is possible without detriment to others within the school and will allow the granting of additional placing requests that have currently been refused..

F. BACKGROUND REFERENCES

Report to Education Executive 22 March 2011.

Appendices/Attachments: None.

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Date: 10 May 2011