

## **SAFEGUARDING Behaviour and Disciplinary Policy**

The Board of Directors / Trustees of Midstream (West Lancs) Ltd consider the behaviour and discipline of our clients to be an integral part of their development in the context of preparing them to live independent lives as adults e.g. using appropriate behaviour in the work place and developing acceptable social skills. The Directors / Trustees are keen to ensure all Clients will be given every opportunity & support in this respect which includes the setting of personal targets relating to appropriate behaviour. Any disciplinary actions will pay cognisance to this and will also take into account the nature of an individuals special needs or disability. However, persistent or serious misbehaviour cannot be condoned and will likely lead to suspension and/or permanent exclusion. Directors / Trustees are also keen to stress that Midstream is not an appropriate environment for individuals who have emotional and behavioural difficulties e.g. where behaviour presents a serious safeguarding risk to the individual themselves, to others, or to Midstream.

It is the responsibility of the Chief Executive to ensure the maintenance of good order, and ensure the safeguarding of all clients, other vulnerable people, staff and visitors to Midstream. Individual members of staff share this duty and should ensure the health, safety & wellbeing of clients and others that they may come into contact with. Any actions or disciplinary measures should recognise the individuality of all clients and their respective susceptibilities. Staff should also balance the needs of individual clients against those of other clients or students at Midstream. However, it is not reasonable that staff should be expected to foresee every eventuality nor should they be expected to run the risk of personal injury and indeed, they are entitled to protect themselves from harm. Therefore, this policy aims to :

- a) allow staff at all levels to foster positive behaviour management, promote equal opportunities and personal / social development.
- b) foster the acquisition of self control, responsibility and accountability amongst clients.
- c) promote respect between clients for each other, for others attending Midstream and members of the public.
- d) promote respect for Midstream's property and equipment and for property belonging to other clients, others attending Midstream and members of the public.
- e) protect clients and others at Midstream from bullying, harassment, discrimination, abuse or injury including that which is self inflicted.
- f) protect clients entitlement to dignity and self respect and that of other clients at Midstream.
- g) protect staff members entitlement to dignity and self respect.
- h) protect the entitlement of members of the public to dignity and self respect.
- i) create an environment which enables clients to make choices and learn from the consequences.
- j) Safeguard all clients, staff and others in order that their health, safety & wellbeing is not compromised.

Staff working with children and adults who have learning difficulties should recognise that Midstream aims to educate and progress the skills of each individual as a whole person, that is, not only academically and vocationally but also socially and emotionally. Some may have difficulties in acquiring acceptable behaviour standards. Staff must have empathy and provide an effective regime which will promote appropriate social and behavioural self regulation.

Teachers / Instructors are required to set clear behavioural expectations in the classroom, work areas and during recreational times. Learning & care support staff are required to re enforce these expectations at all times.

The expectation should be that respect should be given as well as received. The principles underlying behavioural expectations should include listening skills, turn taking skills, politeness and consideration for others. Everyone is at Midstream for a purpose therefore everyone should be treated with respect and every person is an individual. Clients should be praised when displaying good examples of appropriate behaviour, especially when encouragement is needed. Staff should teach values as well as knowledge and skills both formally within the classroom & work areas and also through the manner in which staff behave towards clients or students and towards each other i.e. by example.

**Taking corrective action :**

Where minor behavioural problems arise they should be predominantly dealt with by teachers / instructors and learning / care support staff at classroom, work / area level. Break time misdemeanours should be dealt with by the learning support / care staff on duty in the recreational areas. All clients and students should be taught not to take matters into their own hands but to report to the staff member on duty.

Staff are encouraged to seek assistance from each other or, if necessary seek advice & support from a more Senior Manager e.g. Mark Saxon, Training & Operations Manager.

Where difficulties persist, a referral should be made to the Training & Operations Manager, using an Incident Report Form, who will then speak to the client/s concerned and decide what action to take. This may lead in turn to liaison with parents and / or other agencies / disciplinary action / temporary suspension and/or permanent exclusion. Action taken must be recorded on the form, logged and filed by the Training & Operations Manager.

**Midstream must inform the clients parents at an early stage of any situation or problem developing in order to give the parents an opportunity to work with Midstream to resolve the difficulty.**

## **Reprimands, Sanctions and Disciplinary Action :**

### ***Minor misbehaviours :***

Most behaviour can, and should be, verbally corrected by teaching, learning and care support staff. More appropriate behaviour should be described and encouraged. Saying sorry and shaking hands should also be encouraged.

It is recommended that a “3 strikes” system for minor behaviours is used, then a sanction may be imposed e.g. loss of privileges, setting of work tasks, losing the opportunity to take part in a planned leisure trip etc.,

Where minor misbehaviours are persistent Midstream reserves the right to call in the parents for discussion or to make a home visit. In some cases, incidents judged to be more serious and / or persistent can result in suspension and / or permanent exclusion from Midstream. In these instances, parents will be notified.

### ***Serious misbehaviours / serious incidents :***

Staff should seek assistance immediately from the Training & Operations Manager or other available member of the Senior Management Team should a serious behavioural incident occur, i.e. where a client is placing themselves or others in danger, or is likely to damage property/equipment.

The first priority is to protect the safety of the client and others and to bring the situation under control.

At the same time first aid / medical attention should be sought for any injured parties if needed.

A member of the Senior Management Team will inform parents as soon as is reasonably practical after an incident has occurred by telephone.

Incident Reports are required to be completed by staff who were involved or witnessed the incident as soon as reasonably practical. These should then be given to the Training & Operations Manager (or other member of the Senior Management Team in his absence).

The Training & Operations Manager (or other member of the Senior Management Team in his absence) will fully investigate the incident. In some instances it may be necessary to inform relevant Local Authority Safeguarding Teams.

Serious incidents will most likely result in immediate suspension from Midstream which may result later in permanent exclusion.

### **Restraints :**

Restraint is a very last resort at Midstream. Reasonable physical restraint should only be used if the students behaviour is such that they are placing themselves or others in danger.

## **Exclusion on Disciplinary Grounds :**

Reasons which may be given for Midstream excluding a client on disciplinary grounds include, but are not restricted to :

- actions which present a safeguarding risk to the client or others
- actions which mean the client or others on their programme are prevented from participating or progressing in their learning or work activities
- bullying and harassment

**Midstream's Training & Operations Manager has authority to suspend a client until a decision can be made by the Chief Executive as to whether it is appropriate for the client to return or whether the client should be permanently excluded from Midstream.**

**Midstream's Training & Operations Manager will inform the parents/guardians and the clients home Local Authority by telephone at the earliest opportunity, which will be confirmed in writing within 24 hrs. The letter will state the reasons for suspension and state a time scale if possible. He will then convene a meeting with the students Local Authority to take place as soon as can be practically convened. Unless the exclusion is permanent, the outcome of the meeting will be a strategy plan for the students return.**

**In the event of a proposed permanent exclusion Midstream will notify the students home Local Authority immediately by telephone and written confirmation will be provided within 3 working days.**

**The Chief Executive has the authority to permanently exclude a student from Midstream. Parents / guardians will be informed by letter if a student is permanently excluded from Midstream. The letter will state the reasons for dismissal and appeal procedure.**

## **Appealing against a permanent exclusion :**

Clients may appeal against a permanent exclusion. Appeals should be made in writing to the Chief Executive within 15 working days of the date of the letter of dismissal. Letters should state the reasons for appeal. Please see Midstream's 'Complaints and Appeals Policy / Procedures'.

## **SAFEGUARDING**

### **Bullying & Harassment :**

Bullying and harassment will not be tolerated and disciplinary action will be taken against anyone found to be bullying or harassing any individual or group of people.

Bullying and harassment will be regarded as serious misconduct.

Any disciplinary action will take into account special educational needs or disabilities that the clients or student/s involved may have. Nevertheless action will be taken which may result in warning/s suspension or permanent exclusion from Midstream.

**All** Midstream staff must act firmly and swiftly against bullying wherever and whenever it appears.

Bullying is usually defined as behaviour that is :

- repeated
- intended to hurt someone either physically or emotionally
- often aimed at certain groups e.g. discriminatory because of race, religion, gender or sexual orientation

Bullying takes many forms and can include :

- physical assault
- teasing
- making threats
- name calling
- cyber bullying – bullying via mobile phone or online e.g. e-mail, social networks and instant messenger.

Some forms of bullying are illegal and should be reported to the police depending upon how serious the bullying is and these include :

- violence or assault
- theft
- repeated harassment or intimidation, e.g. name calling, threats and abusive phone calls, e mails or text messages
- hate crimes

Clients should be actively encouraged and at every opportunity reminded that they should tell a member of staff whenever they feel that they are being victimised for whatever reason.

All teaching, learning, instructional and care staff must:

- encourage clients to share concerns and worries across a range of personal issues including aspects of bullying. In addition they should encourage clients / students to share interests, to interact appropriately with each other and work together amicably. During breaks and lunch times staff must involve and encourage clients / students to interact constructively.
- share information with each other in order that patterns of behaviour can be identified.

- report incidents to Senior Management by using an incident report form. Senior Management will then investigate claims thoroughly and take appropriate action.

Senior Managers must :

- investigate claims of bullying thoroughly
- take appropriate action i.e. involve parents – explain what is happening – where parents report, report back to parents as soon as possible. Involve social workers and other agencies
- take disciplinary action i.e. written warning/s, suspension or permanent exclusion
- seek advice from the Local Authority Safeguarding Teams if it is felt that there is or maybe is a safeguarding issue/s
- follow the advice given by the appropriate Local Authority Safeguarding Team