



# A Project on Behaviour in schools

Note: This paper should not be taken to constitute the policy of Birmingham Education Department.

# Final Report

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Birmingham City Council Education Department, 1998/2002.

## **1. Introduction**

The New Outlooks study commenced in January 1996 having been commissioned by Professor Tim Brighouse, Chief Education Officer, and Trish Taylor, Assistant Director of Education, Birmingham.

The brief of the Core Group <sup>1</sup> was to

- Frame an LEA Policy on EBD
- Formulate guiding principles for provision
- Identify provision needed
- Propose a pattern of provision
- Contribute to inter agency city-wide strategies

An early survey of opinion (October/November, 1995) revealed major concerns around the behaviour of children in mainstream schools and a desire for help in dealing with it. The level of support that the LEA was able to give to schools was questioned but concerns were also expressed about the effects of social deprivation, familial problems and influences, and the seeming impossibility of affecting such causes from within the education context.

It is these factors that have appeared time and time again as concerns throughout the project. In addition, concerns have been raised about; violence in schools (particularly towards teachers), the problems of emotional disturbance, the problems surrounding definitions of 'emotional and behavioural difficulties' (EBD) <sup>2</sup> as opposed to 'naughty' behaviour or problems of child mental health<sup>3</sup>, the effects of illegal and legal drugs, exclusion and the over-representation of particular groups, general concerns about the lowering of children's moral and ethical standards, the coordination of effort between different agencies, and, finally, the problems of children entering school or nursery already exhibiting extreme behaviour- (memorably if not always accurately described as 'tinies with attitude'). It would be misleading, however, to suggest in any way that any of these problems are particular to Birmingham. All these issues are reflected across Authorities the length and breadth of Britain <sup>4</sup> and internationally. Members of the New Outlooks Core group have, as part of the present project and within their substantive roles, had opportunity to discuss these problems with colleagues from other areas of the country; the clear picture that emerges is the consistency of reported experience and concerns.

Neither are the problems reported new. Historically there has always been a perception that the behaviour of pupils is deteriorating. <sup>5</sup> However, there is a danger that pointing this out can lead to underestimating the intensity of feeling that behaviour problems engender, and particularly the degrees of anger, helplessness and hopelessness related to the view that the position is worse now than it has ever been. What is more, there is some substantive evidence that some problems are increasing; for example the numbers of offences of violence committed against the person by boys between 10 and 16 increased rapidly between 1987 and 1993;<sup>6</sup> whilst in a survey in 1996 58% of 15 year olds said that they had at some time stolen something, and 67% of 11 year olds claimed that they had drunk alcohol.<sup>7</sup>

In Birmingham the evidence is similar to the national picture. There was a rapid rise in the number of exclusions from schools between 1990 and 1995 though there is

some evidence that this may have reached a plateau.<sup>8</sup> There has been local concern about the over- representation of boys from African-Caribbean backgrounds amongst those excluded though there has been progress here too.<sup>9</sup> At the same time there has been an overall increase in the number of children with Statements of special educational needs with an apparent rise in the number of pupils in mainstream schools with statements mentioning behaviour problems.<sup>10</sup> All this, however, should be put in the context of a situation where inspection reports on the majority of schools still describe most areas of school life as being calm and ordered.<sup>11</sup>

It was not the case that there had not been any attention paid to the problem in Birmingham before this project. In 1989, a smaller scale review concentrated on the support given to mainstream schools by the nine off-site centres. This work resulted in the establishment of a coordinated Behaviour Support Service.

A working party was set up by Professor Brighouse in November 1994 to consider exclusions producing its interim report concentrating on secondary schools in June 1995 with a further report on primary in 1997.<sup>12</sup>

Since 1996/7 the Authority has offered extensive courses on tackling behaviour in schools devised by members of BASS (then the CSS and Advisory Service), the Behaviour Support Service and the Psychological Service. These courses continue to be offered and their content has been influential on New Outlooks documents.

Though written in 1989 the Elton Report<sup>13</sup> still provides an excellent basis for work in this area and many of the proposals in this account owe their roots to this work.

A number of other more recent government documents affect the contents of this report as they have affected the thinking behind it. The group of six circulars published in 1994 by the (then) Department for Education (DfE) under the overall title of 'Pupils with Problems' included three very specifically related to the New Outlooks brief. These, covering 'Pupil Behaviour and Discipline', 'The Education of Children with Emotional and Behavioural Difficulties' and 'Exclusions from School' have provided useful background for the work.<sup>14</sup>

The Special Needs Green Paper 'Excellence for all children' from the Department for Education and Employment (DfEE) published in late October 1997 includes a chapter on EBD which reflects a continuation of the thinking of the Elton Report. In addition, the DfEE has published 'Draft guidance on LEA behaviour support plans'<sup>15</sup> which outlines the present government thinking on the implementation of the relevant section of the Education Act 1996.<sup>16</sup> The publication of these has prompted the project to include their considerations in proposals in this document for future LEA action.<sup>17</sup>

From the outset it was considered important that the project established a coherent statement of philosophy and principles against which proposals could be tested. The study of behaviour problems and the formulation of solutions can never exist in a wholly objective environment; people have very strong views about behaviour and what should be done about it. This is as true for professionals as it is for non professionals:

*"..... bad behaviour in schools is a particularly emotive issue. Teachers complain in the strongest terms about the lack of support that society gives them in dealing with it. We note that views on (the causes and cures ) are often based on deeply held beliefs, such as the importance of punishment as a form of moral retribution or the*

*need to recognise children's rights rather than on evidence about what happens and what works in schools.*<sup>18</sup>

The project recognised that all such views are honestly held and deserve to be heard, but agreed with Elton's conclusion that it was important to work on the basis of effective practice. The 'Principles for Action' paper<sup>19</sup> was thus formulated to reflect the principles surrounding best and most successful practice, consonant with those underpinning the strategy of the education department,<sup>20</sup> and taking into account national advice and guidance.<sup>21</sup> Responses following from the wide circulation of the paper have indicated a large measure of agreement with its content.

The foundation of these principles can be summarised simply:

- ✧ Behaviour is central to learning
- ✧ Problems in behaviour are usually based on an interaction between the child and his/her environment
- ✧ Solutions must be based on mutual respect.

This should not be confused with any concept of being 'soft' on behaviour. The project is aimed at promoting good behaviour in classrooms, and this includes pupils having responsibility for their own behaviour. However, to attempt to require this of pupils without being sure that the significant adults are meeting their responsibilities is both inequitable and liable to be ineffective.

The Core Group made a decision in the earliest days of the project, in response to many of the representations made following the first request for submissions, to concentrate first on early action and prevention. This approach, supported heavily in the Green paper on SEN<sup>22</sup>, is seldom possible in LEA reviews of EBD as often there are pressing matters related to current provision (or its lack) which take up all the time. New Outlooks was fortunate in not having such considerations placed upon it so that a much longer term view could be taken. It has enabled the work to move away from the problems of 'fishing the bodies out of the water' and allowed the project to go upstream to see how we can prevent them 'falling off the bridge'.

It would have been impossible to carry out this project without considering issues to do with agencies other than education. Indeed, from the start of the project our work and deliberations were shared through the Reference Group<sup>23</sup> with colleagues from other departments and agencies. Through this group we noted the similarities of the problems that were faced, whether by the Probation Services, Social Services or Health Authorities. What was more, it was clear that our 'client groups', whilst not being identical, had great similarities.<sup>24</sup>

Based upon these interactions, the project produced the discussion document 'The Role of the LEA in Emotional and/or Behavioural Difficulties'.<sup>25</sup> This includes considerations which underpin some of the proposals of this account and reflect an increasing concern that there be greater clarity and coordination between agencies and services.

We have attempted to reflect all this in these conclusions. But our proposals do not pretend to be comprehensive and we apologise to any who feel that a key area has been missed. We do believe, however, that what follows represents both a realistic and principled way forward.

This introduction has been a brief account of the extensive work that has been carried out by the many groups in the project and the many people who have contributed to its work. The Core Group expresses its thanks to all and knows, that if the conclusions to the study match up to the quality of the contributions, we can have the highest confidence in their fairness and effectiveness.

## **2. Major proposals**

### **2.1 A policy for Birmingham**

Regulations made under section 527A The Education Act, 1996 (as inserted by the Education Act 1997) will require Education Authorities to produce 'Behaviour Support Plans'. At present it is believed that these will be required to be published by 31st December 1998.<sup>1</sup>

Much of the likely content of Behaviour Support Plans has been the subject of deliberations of the New Outlooks study, and we believe that Birmingham is therefore better placed than many to develop a plan which will be able to reflect a developing, improving and increasingly preventative situation in responding to the challenges of behavioural difficulties in schools.

LEAs will be required to consult a wide range of persons and agencies during the course of preparing such plans. Guidance is likely to state that such consultation should be greater than a simple circulation of a final draft and should be varied according to the circumstances of the different groups consulted.

It is proposed that the LEA, within its consultation procedures for development of its Behaviour Support Plan, builds upon the structures and links already in existence; joint committees with other services, headteacher and governor forums, consortium groups, New Outlooks Reference Group.

Guidance will probably state that that the plan should include descriptions of the roles of services within the LEA and those of other agencies involved with children exhibiting difficulties with behaviour. Section 2.3 of this account deals with LEA services. In respect of roles between agencies;

We propose that the LEA uses chapter 3 of the New Outlooks discussion paper, 'The Role of the Education Service in behavioural/ emotional difficulties'<sup>2</sup> as the basis for developing policy in this area and as an initial consultation document as part of compliance with the Regulations for its Behaviour Support Plan.

Early indication of government intentions in this area point to requirements for Behaviour Support Plans to include:

- Strategic planning for provision, and coordination between agencies

- Support for schools in improving the management of pupil behaviour

- Support for individual pupils in mainstream schools

- Support for pupils being educated outside mainstream schools.

This document includes proposals which relate to each of these areas; strategic planning for provision is discussed in section 2.4 and 2.5, support for schools is covered in 2.2 and 2.3, and support for individuals is described in 2.2, 2.3 and 2.4.

Provision for children out of school is referred to (though not described in detail) in 2.4.

We propose that the LEA engages in a process to develop a comprehensive Behaviour Support Plan based upon the proposals within this report and its associated documents.

All other relevant documents of the LEA and other sources should be taken into account.

We believe that the Behaviour Support Plan will be a major part of the policy of the Authority on behaviour, especially as it will need to link in with other existing or developing policies and plans such as those on exclusions, equal opportunities, Children Services Plan,<sup>3</sup> Early Years Development Plan<sup>4</sup> and Education Development Plan.<sup>5</sup>

But we also believe that the Behaviour Support Plan (as envisaged in DfEE draft guidance) should be part of a wider general Education Behaviour Policy for Birmingham which will incorporate a statement of the principles upon which the LEA seeks to operate, as well as indicating the bases upon which it intends to develop and maintain its provision, services, training, joint planning relationships with other agencies, monitoring and evaluation, and approach to pre-school and nursery behaviour problems. A draft indicating these areas was noted by Education (Services and Monitoring) Sub-Committee in July 1997.<sup>6</sup>

Such a comprehensive Policy will, and should, take some time to develop. It is likely to be the synthesis of a number of decisions which will be taken in response to developing statutory frameworks and government guidance, responses to reports and papers such as this one, and consultations with the many agencies, individuals, organisations and services involved in the area.

We suggest that the development of the full Education Behaviour Policy for Birmingham should be a goal to be achieved by the academic year 1999/2000 and that until then, developments related to aspects of behaviour be organised towards, and take account of that goal.

We would argue that in all decisions taken about behaviour difficulties, and especially the development of overall policy, there needs to be a general agreement about the fundamental principles upon which the Authority wishes to operate. This is necessary to ensure that decisions are made which are coherent and clearly related to a common set of principles.

In order to examine these issues, the New Outlooks project published and widely circulated a paper entitled 'Behaviour in Schools: Principles for Action' in May 1996<sup>6</sup>. This work has offered a vital background for the project's proposals.

We propose that, as a matter of priority, the LEA adopt a statement of principles to guide all activities conducted by the Authority related to behaviour in education. This statement would be planned for inclusion at the beginning of the full Education Behaviour Policy.

We further propose that the New Outlooks document 'Behaviour in Schools: Principles for Action' be used as the basis for developing the authority's statement of principles.

## 2.2 Support for schools: process

We have already indicated in the introduction the importance that the New Outlooks project placed upon prevention. We believe that there has been much good practice in schools, and some useful support service activity, but that few are happy with a system which appears to require a major problem to occur before a school can seek assistance.

We therefore propose that all efforts are made to provide external LEA support to schools at the time of earliest concerns over behaviour.

We also suggest that schools should reflect this in internal procedures by enabling staff to share concerns before they become acute.

We recognise the danger of impracticability if such proposals were implemented in this 'raw' form under current arrangements. Support services would be in danger of being overwhelmed by referrals of 'minor' cases. Headteachers, deputies and (in secondary schools) pastoral staff could not possibly deal with all children who have committed minor misdemeanours being sent to them.

Therefore, we propose that the Authority recommends a process for the work of schools and support services which offers both early intervention and practicability.

We believe that the process described in Section 4 of the New Outlooks document 'Behaviour in Schools: Framework for Intervention'<sup>7</sup> provides the basis for such a process. Particularly we see this as an evolutionary approach which does not require schools to make any sudden 'U turns' in their activities and certainly includes no suggestion that schools should abandon effective strategies.

We propose that the Authority recommends the use of the 'three level approach' of the Framework for Intervention as the basis for developing support service roles, and for developing schools' internal procedures for early notification of concerns about behaviour.

A key component of the 'three level approach' is the emphasis on developing the behavioural environment in response to early concerns about behaviour (rather than concentrating intervention on the individual child). This approach, whilst reflecting the principles adopted in other areas of education such as school improvement, is relatively novel in the area of behaviour.<sup>8</sup> Early evidence from trialling in Birmingham<sup>9</sup> suggests that this approach is acceptable to teachers and effective in meeting many concerns. In particular, it has led many schools to adopt a developmental and proactive response to problems rather than responses which only react to unwanted behaviours.

We suggest that the LEA formally commits itself to supporting the development and evaluation of the 'environmental approach' to early concerns regarding behaviour of pupils.

(It should be noted that the 'three level approach' suggests no diminution in the current availability of individualised responses to behaviour- its 'environmental' provisions operate at a stage before most current formal interventions take place.)

The 'Three level approach' offers direct or indirect internal and external support to teachers from the time of earliest concerns. The implications for LEA support services are covered in section 2.3. The full document (Behaviour in Schools:

Framework for Intervention) suggests that all schools should designate a person or persons to be the 'focus of responsibility' for supporting teachers and dealing with outside agencies in respect of behaviour. In the document the title 'behaviour coordinator' is used to describe this role. Many schools will have such a person or persons already (secondary schools' pastoral teams are an obvious example).

We suggest that the LEA recommend that all schools ensure that this 'focus of responsibility' is clear to governors, teachers, parents and relevant outside agencies.<sup>10</sup>

The full Framework for Intervention document provides a comprehensive set of guidance which can be used by schools to develop their own preventative approaches and responses to behaviour difficulties. It has been widely circulated since its publication in May 1996, and amended in the light of representation and experience from trialling.

We propose that the LEA recommends that all schools 'have regard' to 'Behaviour In Schools: Framework for Intervention' in developing policy and approaches to behaviour issues.

Acceptance of the proposals contained in this section would formalise the support that the LEA has given to a bid under the 'Standards Fund' (previously GEST) to pilot the 'three level approach' in all primary schools and for a further trial in a percentage of secondary schools. The experience gained from further testing of the processes will allow for further refinement.

For this reason, we propose that the LEA keeps its recommendations to schools under regular review, and amends and updates them as appropriate in the light of feedback from headteachers, governors, teachers, parents and support services.

### **2.3 Support services development<sup>11</sup>**

Our enquiries<sup>12</sup> suggest that while schools generally value support services in behaviour, it is crucially important that:

The role of the service is clear (thus not leading to unfulfilled expectations)

The service offered is available when needed.

Services offered are of high quality

Services are consistent with and complimentary to those offered by others.

We would add that we see it as extremely important that the development of support services is governed by the need to move away from the reactive to the preventive. Unfortunately, the pressures on schools and support services in the modern educational environment often push in the opposite direction.

It is often the case that by the time a problem is referred there are few, if any, constructive responses available. Whilst there will always be a need for a very limited service for such 'emergencies' we believe that their number can and must be reduced to the minimum. We therefore see the proposals made concerning policy and support for schools to be crucial to avoid the dangers of increasing pressure for more reactive provision to be made by support services.

We propose that development of support service provision is linked directly to the recommendation made with respect to policy in section 2.1 and support to schools in 2.2.

During the development of 'Framework for Intervention' and the trial of the 'three level' process there has been very close joint working between the Behaviour Support Service, the Psychological Service, Child Advisory Social Work Service and BASS, with input from Education Welfare Service, and other support services in special needs.

We suggest that the LEA facilitates the continuance of joint working and planning between support services as proposed in section 2.5 after the New Outlooks project ends.

The 'Standards Fund' bid envisages such close cooperation, especially between the Behaviour Support Service and Psychological Services with associated input from Child Advisory Social Work Service and Education Welfare Service.

Development of this work will give information allowing for greater clarity about the roles of different support services. At present schools have some understanding of support services roles in providing their largely reactive support. As the process develops, it will be essential to ensure that schools remain clear about support service roles, especially in an increasingly preventative setting.

We propose that the development of an early intervention and preventative approach should be accompanied by clear information to schools, regularly updated, giving details of how to access services, and what can be expected of them.

Until there is a greater level of experience of operating preventative procedures we believe that it is not possible to determine what the best possible organisation of services should be. In the end, a review process may suggest radical structural changes in the pattern of support. This is especially likely if the development of proactive approaches changes the climate around behavioural problems to the extent that the New Outlooks project expects. We would welcome this as a clear evidence-based approach to development of support services and believe that it would be change readily accepted by schools and support services alike.

We suggest that the organisation of support services related to behaviour in schools is subject to ongoing review in the light of experience and evaluation of the implementation of new processes.

As we have indicated, there will continue to be circumstances where problems reach a point where 'traditional support' and provision is necessary. The 'three level approach' allows for this at Level 3 and beyond. Support services, especially the Behaviour Support Service will need, therefore, to continue a level of provision for these circumstances. Along with in-school support, this part of support work can change to improve the services to schools and pupils. This is discussed in the next section.

## 2.4 Provision strategy

This section concentrates on provision for children with behavioural and emotional difficulties out of the normal mainstream school setting.

Provision for pupils who exhibit behaviour difficulties is fraught with problems. An indication of this comes from the high proportion of schools for children with EBD which have been found wanting by OFSTED inspections.<sup>13</sup>

The problems have been summarised in notes presented to Education Sub Committee in July 1997.<sup>14</sup> Briefly, the key problems are:

While separate systems of provision exist, there is no clarity in the definition of children with behaviour difficulties classified as having special educational needs versus those children regarded as voluntarily badly behaved.

Inclusive practice is especially difficult as children exhibiting behavioural difficulties evoke very strong feelings.

The cost of separate provision is very high, especially if residential provision is included.

Delivery of the National Curriculum to pupils with the full range of educational needs is difficult or impossible in small schools and units, and within part time provision.

'Demand' for provision is near impossible to assess or predict as it depends as much on attitudes and beliefs as objective criteria.

There are problems of over-representation of boys and minority groups within non-mainstream provision for behaviour difficulties.

New provision is often difficult to establish.

Within this context the New Outlooks project has struggled to develop an overall strategy to guide the future pattern of provision as required by the original brief. It has been our hardest task. However, we have felt confident to conclude that a changing environment - which other proposals seek to effect- demands a flexible approach to provision rather than an unchanging blueprint.

We propose that development of provision, as with other developments, is evolutionary rather than revolutionary, and uses the targets for provision in this report as guidance for direction of change.

We have attempted to take a new view of the problems and have found that, by looking at the National Curriculum 'Key Stages' separately, some indications of objectives for future provision can be discerned. Once again, as with support services, though we see the long term effects of our proposals being radical, we see development towards such a pattern as being gradual, and based upon developing experience of the effects of the increased concentration on early intervention in mainstream schools.

We propose that changes in provision are made on the basis of evaluation of the changes in need stemming from development in early intervention and preventative work.

At present there is no formal separate provision for Under 5s with behavioural difficulties (or 'simple EBD) within education department schools. In addition, whilst the Psychological Service, Child Advisory Social Work Service and Visiting Teacher Services all work with children under 5, the Behaviour Support Service does not. There is varied support outside the school setting from health authority services and social services.

Nursery schooling and other pre-school provision is valuable in picking up on behaviour problems to help assimilation into statutory schooling.

We propose that, for under 5s, the LEA adopts the aim of maximum inclusion for behaviour difficulties (or EBD) with access to all its relevant support services (including BSS,) and works towards closest possible links with other community services to establish a coordinated, inclusive and preventative approach to meeting needs.

Where problems are clearly linked to other special educational needs current pre-school arrangements<sup>15</sup> should pick them up and ensure appropriate provision.

At Key Stage 1 (Reception to Year 2) it is important that pupils spend the maximum possible time in inclusive settings. Almost all behaviour problems existing at the time that children enter school will have existed for some time before. Once at school, we would expect that the early support strategies underlying the three level process will provide a significant enhancement in support for teachers in dealing with developing problems.

We propose that the target for dealing with problems of behaviour (or EBD) at KS1 is one of fully inclusive practice backed by provision of key support worker, 'three level approach', clear access to support services and availability of intensive 'in class' support in particular cases.

At Key Stage 2 (years 3-6) we envisage that the inclusive aims will be tempered by a very few occasions where some alternative provision will be needed, at least in the medium term. The support suggested at KS1 will still be of value and should be available. There may be some need for continued provision away from the pupil's original school and as a first option we would favour the development of procedures allowing for 'fresh starts' in other mainstream schools.

We propose that the LEA develops procedures and arrangements that will facilitate schools being willing to take on pupils on a 'fresh start' basis.

Since the closure of the LEA's only day school for EBD, a 'resource base' has been created in a KS 2 (junior) school. We recognise the current need for such provision but would look to the LEA to ensure that any future resource bases are, like the present example, as inclusive in character as possible. However, we look towards the early intervention approaches proposed in this document reducing the need for 'non - Statemented' off site provision currently made through the Behaviour Support Service (PRUs).

We propose that at Key Stage 2 medium term aims for the development of provision should include: Maximum integration, provision of key support worker, 'three level approach', clear access to support services, availability of intensive 'in class' support in particular cases, resource bases in a few identified schools (statemented provision), reducing need for off-site support.

The move to secondary school from primary is a time of significant change for all pupils, and for pupils who have exhibited behavioural difficulties in primary schools it is often a time of dire warnings about the future. There is a perception (unfounded in many cases) that children's school problems will be exacerbated when they move to secondary.

In fact, it is often very difficult to predict what will happen. For some their problems are not helped by the changes; larger schools, moving between classrooms and teachers, being the youngest in the new school, possible different academic climate stemming from departmental approach to subjects, etc; but for others problems are reduced.

For this reason, and because children learn a great deal about the life and routines of secondary schools in the first couple of terms,## there is a strong case for almost all pupils being included at this stage (with whatever support they are deemed to need).

We propose that the LEA aims towards all pupils in separate provision for EBD (or non- Statemented behaviour problems) at the end of KS2 starting KS3 at a mainstream secondary school unless there are extreme and exceptional reasons why they should not.

At present the 'three level' procedures are at a more 'trial' rather than 'pilot' stage for secondary schools. Nevertheless, we believe that, with proper adaptation to take into account the varied internal pastoral systems and approaches of secondary schools, they provide the basis for very positive developments.

All the provision available at KS2 should be available for KS3 though we are not convinced of the appropriateness of resource bases at this level except, possibly, for emotional difficulties. However, we envisage a continuance of some pupils receiving Statements with extra provision being made, and we believe that there should not be major differences between mainstream schools in their willingness to make the provision on-site. In the medium term we foresee a need for a small number of places for statemented pupils in special schools, though the LEA should aim to reduce these further.

We propose that at Key Stage 3 medium term aims for the development of provision should include: Maximum integration, provision of key support worker, all pupils having named mainstream secondary school at transfer, development of 'three level approach' for maximum effect at secondary level, clear access to support services, availability of intensive 'in class' support in particular cases, resource bases for 'emotional difficulties' in a few identified schools (statemented provision), parity of expectation of mainstream schools in their making statemented provision on-site, development of support for re-integration where necessary, development of approaches for reducing need for off-site support.

Historically one of the key options for children with behaviour difficulties who had reached 'the end of the road' was transfer to another mainstream school, often by agreement between the head teachers and parents. We feel that this was a useful extra resource (given proper safeguards) that has been largely lost.

We suggest that 'fresh start' schemes at KS3 should be developed and that issues such as funding arrangements should be examined in order to facilitate them.

We believe that KS4 presents different problems and requires different solutions. There is no doubt that many of the problems experienced at this stage are related to

a mismatch between the environment of the secondary school and the expectations and perceived requirements of some pupils. Pupils, moving towards adulthood, begin to wish to make choices that schools are not able to afford to them. There are significant numbers of pupils for whom school has limited relevance.

We would not suggest that secondary schools are not aware of these factors, nor that they do not make significant attempts to overcome the difficulties. But they are limited in what they can do- they are subject, amongst other things, to the pressures of inspection, the National Curriculum, league tables and parental choice.

It is not, therefore, surprising that there are a significant number of KS4 pupils who receive their education (under the aegis of the Behaviour Support Service ) at sixth form and further education colleges. Many achieve in these environments to an extent that would be inconceivable at their schools. In addition, projects such as Focus Centre and the 2020 project at Lindsworth school have provided some success to pupils previously seen as wholly 'disaffected'.

Although we believe, wherever possible, in an inclusive approach, we do not advocate inclusivity in current mainstream school provision at KS4. On the contrary, we feel that there may be more pupils who could benefit from a greater range of types provision at this stage. In the meantime, we believe that a range of provision should be maintained and developed for those pupils who become, for whatever reason, divorced from the mainstream.

We propose that Framework for Intervention three level approach 'environmental change' principles is continued in mainstream schools at KS4, but that there is also; more emphasis on individual programmes geared towards vocational/pre-vocational plans, mainstream with support, pre-vocational off site projects- more local provision, PRUs including statemented children as appropriate, joint provision agreements with other services, work experience schemes, continued use of colleges, and reduction of need for 'traditional' special schools. We further propose that provision for pupils with behaviour difficulties or who are 'disaffected' at KS4 be the subject of a specific enquiry with a view to establishing a developmental programme to coordinate and extend the range and scope of current provision across the city.

Within the developing framework for provision envisaged by these aims at different Key Stages many opportunities will exist for collaboration between institutions and providers. Some pupils will therefore find themselves supported by more than one provider. It is important that under these circumstances the LEA makes a clear statement of the appropriate rights and responsibilities within such arrangements and clarifies the nature of 'dual registration' as introduced in the Education Act, 1993.<sup>17</sup>

We propose that, as part of its development of the Behaviour Support Plan, the LEA produces guidance for schools and others on the circumstances and operation of 'dual registration' arrangements

## **2.5 Maintaining, innovating and developing : Management issues**

At present, the management of and involvement in issues related to behaviour is dispersed around the education department. At the centre is the Special Needs Division which includes the Behaviour Support Service, the Psychological Service, the Exclusions Team, the Education Welfare Service and (at present) Child Advisory Social Work Service. In addition, the Casework section has responsibility for the Statementing process for EBD.

Schools manage their own internal disciplinary and behavioural process, but are supported in this by the support services already listed, as well as the Schools Support Services and the Birmingham Advisory and Support Services (BASS-advisers and INSET providers).

The New Outlooks project has benefited from having, on its Core Group, representative from the Special Needs Division and BASS. (In retrospect, representation from the School Support Services would have improved the process further.)

We believe that this provides a lesson which could be crucial for the implementation of proposals made by this study or any other developments in the future. We believe that the area of EBD/behaviour in schools is one that requires all those involved to work together in a formalised way, otherwise there is a danger of confusion from unco-ordinated development, lack of clarity about areas of responsibility and difficulty in providing a focus within the department for liaison with other agencies.

We propose that the LEA forms a standing group to coordinate developments in all behaviour policy and provision, perhaps based upon the pattern of membership of the New Outlooks core group with the addition of a member from the School Support Services.

The purpose of such a group in the first instance could be to oversee the Standards Fund project based on the three level approach, the work associated with the development of the Behaviour Support Plan, and any other proposals from this document that the LEA wishes to effect.%%

The leadership of the group should be considered carefully. It will need to be someone with a knowledge of and credibility in the field, time to devote to the work, and sufficient status within the department to effect proposals.

We propose a new post to be created at a senior level to lead the standing group on behaviour, perhaps entitled 'Behaviour in Education Co-ordinator' or 'Head of Developments in Behaviour'.

Whilst we do not feel that we should make specific proposals about how a new management group might receive advice and liaise with elected representatives and other agencies, we would wish to state that we have found the advice and support of the New Outlooks Advisory Group (City councillors; all-party), and the Reference Group (members of the Advisory Group, representatives of other services, agencies and voluntary groups) extremely valuable in our work.

Missing from these groups, however, was any representation of parents/carers or pupils involved in behaviour difficulties. We have recognised the particular difficulties of hearing the 'true voices' of these but, as they are the ultimate 'clients', we see this as a deficit in our work.18

We believe that future development should be subject to consultation with parties as described in the Draft Guidance on LEA behaviour support plans 19 but there that proposals should be tested against the views of parents and pupils wherever appropriate and possible.

### ***3. Main proposals: development plan***

Two of the main conclusions that working on this project emphasised are that dealing with emotional and or behavioural problems is extremely complex and that there are constant developments which affect the work. This the basis of the 'evolutionary' nature of the proposals in this account: we want to suggest a system and structure that will be robust, yet flexible enough to deal with changes as they occur.

We hope that much of this change will be in response to the implementation of our proposals for a much more pro-active, early intervention model. We expect that the results will be that fewer children will move through to need higher levels of provision, but that the needs of those who do will be much clearer.

As this change occurs, it will be important for the LEA to be able to adjust its provision and practice to meet the current needs. To do that it will need to have structures to keep and update information, to discuss, consult and recommend specific decisions to the CEO and Committee on :

provision,

services,

training and communication,

new issues as they arise,

joint planning relationships with other agencies,

monitoring and evaluation, and

approach to pre-school and nursery behaviour problems<sup>1</sup>,

based on the policy statement as proposed in section 2.1 of this account. This should be the essence of the work that would be done by the standing group proposed in section 2.5.

Not all required changes could occur at once. It will be important that the planning process takes into account the difficulty of coping with change in many different areas at one time: for example, we have reflected this in our conclusions that there should be no instant and dramatic changes in the provision of support services, units or special schools and that any change should be gradual.

It is right to create plans which can cover the medium term and indicate the projected order of developments. Such plans can be amended to take account as circumstances change . However, publication of outline intentions will allow those working in the field to have a much clearer view of the future and to make their own plans accordingly.

We therefore propose the production of 'rolling' development plans for behaviour covering the areas above, and that these be part of the LEA Education Development Plan<sup>2</sup>.

Such proposals from this report that are accepted would be included in the plans; indeed we believe that it is necessary to have such a formal structure to maximise chances of successful and coherent implementation.

#### **4. Other proposals**

##### **4.1 Criteria for EBD: SEN Audit and SEN Statements/ Role of BSS in Statutory cases/ Framework for Intervention and special schools**

This study has already discussed some of the problems associated with definitions of behavioural difficulties and the distinction made between 'naughty' children, children with 'EBD' and children with mental health problems.<sup>1</sup> Very often, it is hard to distinguish between these categories in the field.<sup>2</sup>

This is a problem in respect of the statutory framework for assessing special educational needs and making Statements.<sup>3</sup> In brief, if a pupil is determined as having Emotional and behavioural difficulties,<sup>4</sup> then he/she will fall within the area of special educational needs and the could be placed on the SEN Code of Practice or be considered for Statutory Assessment. Especially in the case of Statements, this can result in extra resource becoming available to schools to deal with the pupil's needs.

But if he/she is deemed to be 'naughty' then he/she is not deemed to have special educational needs simply upon this account.

This leads to a fundamental problem. Schools have no specific means for gaining extra resource for children with behavioural difficulties- over and above those that they receive in annual budgets- unless they define the problem as being a special educational need. Further, there is a general perception, and a wrong one in our view, that having 'naughty' pupils reflects more badly on a school than having pupils with 'EBD'.

The project has been requested to answer some questions that follow from this situation:

What changes in the published criteria<sup>5</sup> for the decision to make Statutory Assessment for children with EBD should be made ?

Should the Audit of special needs (which allocates some funding to schools through the Schools' Budget on the basis of children on stages 2 and 3 of the Code of Practice) cover children with EBD and if so what criteria should be used for this ?

Both these questions are fraught with difficulty. We believe that making Statements for children with EBD is particularly problematic. We accept that the present criteria for Statutory Assessment do not provide simple bases for making decisions- in effect they give very general guidelines leaving each case to be considered individually. If and when there is wider adoption of the new procedures of the 'three level approach' working in conjunction with the SEN Code of Practice's Stages we believe that this topic can be revisited on the basis of the information gained from that experience.<sup>6</sup> But until then;

We propose that, at present, no substantial change is made in the published Criteria for Statutory Assessment with relation to children with EBD.

The Audit of special needs covers, at present, areas of need other than EBD. We accept that schools will need to allocate extra time to deal with such problems, but we feel that the problems of definition and the dangers of schools being perceived as receiving money for the bad behaviour of their pupils strongly argues against the allocation of extra resource on the basis of reported numbers. However, there is evidence that the incidence of such problems is closely related to other indicators (known as 'proxy' indicators), especially social and economic.<sup>7</sup>

We propose that any differential funding for problems of EBD at Stages 2-3 of the SEN Code of Practice is made on the basis of 'proxy' indicators rather than on an 'audit' basis.

In the case of acceptance of this proposal, no individual criteria would be needed.

These considerations lead us to an associated area. To avoid the danger of being 'swamped' with Statutory cases the Behaviour Support Service has tried to limit its activities to children without Statements of special educational need. Because this approach can have the perverse effect in some instances- especially of children out of school- of 'Statemented' pupils having less resource than non-Statemented, exceptions already exist.

Given our view that there is little rational and practical discrimination possible between 'SEN' and 'non-SEN' behaviour 'cases', and the belief that the 'Framework' approach will reduce the dangers of over- referral, we believe that this should continue to be phased out.

We propose that it is an aim to increase the extent to which the support of the Behaviour Support Service with all pupils exhibiting difficulties in behaviour is deemed appropriate whether they have Statements of Special Educational Need or not.

This proposal relates at present to children who are in mainstream or have no school; we believe that support for special schools should be a matter for further soundings and consideration.

It is our view that the principles of the Framework for Intervention approach as proposed in 2.2 are likely to be widely applicable in special schools.

We propose that special schools are encouraged and supported in adapting the principles of Framework for Intervention to their own situations.

#### **4.2 Children under 5 not yet in school/nursery**

The project Core Group was struck by the reports, coming from the primary Behaviour Support Service centres, the exclusions team and from schools, of increasing incidence of children entering schools or nurseries with very difficult behaviour. Sometimes the behaviour is at a level which is so intense the staff feel that there is no way that they can cope.

Frequently it is reported that there has been no prior information available about the children from other agencies, sometimes they have not attended any pre-school provision nor had contact with other services. the reasons for this can be many;

frequent changes of address and homelessness<sup>8</sup>, problems of poverty and child care, limitations in parents' abilities to contact agencies, parental suspicion of 'authority'.

While we recognise that there will be a continued need We have attempted to look at the problem using the same principles that we used for school problems.<sup>9</sup> These pointed us towards a no blame, early support-based, environmental model similar to that to Framework for Intervention. This would suggest that support for parents should be available in their own environments and as early as possible. To leave situations until the point at which parents might, for example, go to their GP for help and advice may be too late.

We therefore believe that preventative action can only occur in the communities where children live- we do not believe that it is enough simply to set up centres and expect all the parents who are having difficulties coping with their children's behaviour to attend.

We support the aim of maximum coordination of pre-school services in preventative approaches based upon clear areas of responsibility as advocated for the education service in section 2.1 of this document. It would be beneficial to parents if there could be a coordinated service covering the whole city, to provide such support, perhaps with a single phone number. More detail on this subject is outside our remit, and the maybe outside the direct role of the Education Department (though linked to pre-school Special Educational Needs and the responsibilities of other Council departments; Housing and Social Services). Our observations are included here simply to record that we feel that the approach we are advocating could be continued for younger age groups and for parent support.

### **4.3 Dealing with children with emotional difficulties**

In all our deliberations the problems of pupils who 'act out' or disrupt came to the fore. This reflected the majority of concerns of the persons who contributed views to the project, but there were a concerned and vocal minority who pressed the claims of children who have emotional difficulties but who, because they do not draw attention to themselves, gain little attention, and therefore little support.

We recognise that such problems exist and that there is truth in the concerns expressed. Children who experience such difficulties will often be identified only when a crisis occurs; they stop attending school, they suffer associated illnesses, they threaten or attempt suicide, they disclose abuse or they are identified as the subject of significant bullying. Many more may experience difficulties but go unnoticed.

As with all other difficulties, emotional difficulties exist on a continuum; there are no cut-off points or easy criteria. All children might have emotional problems sometime during their school life and it is important that staff are aware of early signs of difficulty (change in behaviour, friendship patterns etc.) and can, as part of their normal activities, respond to them. We have heard of a number of activities in schools which are aimed at tackling and identifying the problems leading to emotional difficulties.<sup>10</sup>

We believe that the Framework for Intervention three level approach will help: by limiting the focus of direct attention to pupils who are acting out through adopting 'the environmental approach' and the focus on the 'behavioural environment' which will increase awareness of the behaviour of other pupils. This way there will be more

chance of hearing those with emotional difficulties over the 'noise' of those who disrupt.

The benefits for pupils with emotional difficulties might go further than this. It seems reasonable to believe that, associated with the behavioural environment is a school 'emotional environment'. If the parameters of a good emotional environment can be determined, the procedures of the three level approach might point to procedures appropriate for children with emotional difficulties.

We have not tested this notion but believe that it is worthy of further investigation to the possible benefit of all children in schools.

We advise that further research should be carried out into 'optimal emotional environments' in schools to determine whether and how the procedures in the 'three level approach' can be adapted to incorporate emotional problems. 4.4 Joint action plans

In the Framework for Intervention<sup>11</sup> there is an indication of the need for procedures when a pupil's needs are not being met at Level 3 of the 'three level approach' but where the problems are not seen to be in the realm of special educational need. Usually, these will be cases where there is a significant external component, usually social.

We propose that the recommendation in the Framework;

'The LEA should provide a detailed framework for the development of a system of joint action plans where schools may share the responsibility and provision for children with significant and complex and intransigent behavioural difficulties with the LEA, and, if indicated, with the social services department, health services, the housing department, and others such as voluntary agencies, probation services etc.';

be a target of the LEA's behaviour support plan.

#### **4.4 Proposals relating to the national environment**

It is impossible to ignore the national environment in dealing with local difficulties in the area of behaviour in schools and this account has described many of the external conditions under which the LEA and schools have to work.

We feel that there is little in the proposals made which would not be appropriate to argue on a national scale; the approaches, whilst being based on good practice in schools and support services, are quite different (though often complementary) to many of the others being advocated.

There are a number of issues that we believe are very difficult to address on a purely local basis as they reflect difficulties that could be seen to stem from the national and legislative educational environment. Therefore we suggest proposals that would be appropriate to address, through the LEA, to national authorities.

We suggest that the Framework for Intervention is considered as a basis for national guidance for behaviour in schools along the lines of the Code of Practice for the Assessment and Identification of Special Educational Needs.

We suggest that 'Stage 1' of the Code of Practice for the Assessment and Identification of Special Educational Needs is re-examined to determine whether it

should reflect a more 'environmental' approach similar to Level 1 of the Framework for Intervention.

We suggest that the inclusion of 'Emotional and Behavioural Difficulties' as a Special Educational Need and as a basis for Statementing be re-examined to determine whether a clearer unitary and supportive approach to behaviour difficulties might be developed.

## Footnotes

### Chapter 1

1. The full description of structure and membership of the working and advisory groups of the project are described in Appendix E
2. Sometimes also used to refer to 'Emotional and/or behavioural difficulties': see Chapter 4.
3. See paragraphs 1-9 of 'The education of children with emotional and behavioural difficulties' ; DFE Circular 9/94, (1994) and P.70, paras 1-3 of 'Excellence for all children' (Special Needs Green Paper) DFEE, 1997
- 4 During the time (1996) of the New Outlooks project much attention was being paid to the Manton and Ridings schools difficulties.
5. 'Discipline in schools' :Report of the Committee of Enquiry chaired by Lord Elton, HMSO, 1989 p.65;
6. James, O. (1995) "Juvenile violence in a winner-loser culture", Free Association Books, p.121
7. Guardian ICM poll, May 14th 1996
8. Source: Birmingham Education Department Exclusion Team
9. A problem that Birmingham was in the forefront of bringing to national prominence, though over- representation of A/C boys in 'EBD' provision had been noted for some time- See Cooper, P, Upton, G. and Smith C (1991) 'Ethnic minority and gender distribution among staff and pupils in facilities for pupil with emotional and behavioural difficulties in England and Wales': British Journal of Sociology of Education, 12 1
10. Exact numbers of Statements which are 'for EBD' are effectively impossible to collect as the pupils almost always have other learning difficulties- also pupils with other learning difficulties can exhibit difficulties in behaviour: numbers would therefore reflect the definition used rather than some objective 'fact'. - source: informal New Outlooks research, 1997
11. Discussion with HMI, 10.12.971. The full description of structure and membership of the working and advisory groups of the project are described in Appendix E
12. 'If there were an answer, somebody would have found it by now'; Working Party on Exclusion from School- Interim Report. Presented to Education and Social Services Committees June

- 13,14th 1995 13. 'Discipline in schools' (Elton) op.cit
14. DfE Circulars 8/94, 9/94 and 10/94
15. DFEE, October 1997
16. EA, 1996, 527A as amended by EA, 1997, 9
17. In the interests of space and readability it is not possible to refer in the text to any but the main sources used by the project- for a more comprehensive list see Appendix G
18. 'Discipline in schools' (Elton) op.cit. p.66
19. See Preface
20. For example 'Strategy 2000', 1995
21. For example Elton, DfE Circulars 8-10/94
22. 'Excellence for all children', DFEE, 1997, op cit Ch.8, p.4
23. See appendix E 24. A Somerset project reported on a case where
- 24 professionals from different services were involved: David Bracher & Linda Moss, 'The Process of permanent exclusion and implementation of 'Fresh Start programmes for pupils up to and including year 9': Somerset Education Services, 1996
25. Renamed 'The Role of the Education Services in Emotional and/or Behavioural Difficulties' : See Appendix A 26. See appendices G and H

## **Chapter 2**

- 1 Draft Guidance on LEA Behaviour Support Plans, DFEE, October 1997
- 2 Appendix A
3. From Children Act, 1989 17- In force. Birmingham plan published September 1997
4. DFEE Guidance: Early Years Development Partnership Plans, 1997. Birmingham in draft
5. Excellence in Schools (White paper) DfEE 1997- expected to be required by April 1998
6. Appendix C 6. Preface
7. Appendix B
8. The approach is being received very well, and in some cases adopted already, in areas other than Birmingham
9. Report of the trial of the '3 level approach' from Framework for Intervention - Appendix D

10. A proposal closely related to the requirements of section 2 of EA, 1997
11. We have sought to be objective within this section. However, members of the New Outlooks Core Group 'declares their interests' in the issues covered by this section.
12. A limited survey of schools and providers conducted by the project in February, 1997 See introduction
13. Around 40% of all EBD schools opposed to 7% all special and 2-3% of all schools (OFSTED) See also 'Excellence for all children', DFEE, 1997, op cit Ch.8, p.17
14. Appendix J
15. 'Pre-school liaison groups', with representatives from health, education and social services co- ordinate the work with almost all children with special educational needs under 5 years old. They cover the city and were created between 1985-8 by the support workers.
16. Later re-integration is made very difficult indeed without this early experience of secondary schools; it is often very hard for older pupils to admit that they don't know such basic information.
17. Now incorporated into Education Act, 1996; schedule 1, 4(1)
18. Though there have been informal discussions throughout and a small scale investigation of parental and pupil experience commissioned by the project. (unpublished at the time of this report)
19. DFEE, October 1997 op.cit. p.4

### **Chapter 3**

1. Liaising with 'Early years forum' (if established). See 'Excellence in Schools' (White paper) DfEE 1997 2. As proposed in 'Excellence in Schools'- expected to be required by April 1999

### **Chapter 4**

1. Paragraphs 1- 9 of 'The education of children with emotional and behavioural difficulties' ; DFE Circular 9/94, (1994) op.cit.
2. A small scale study carried out for this project (unpublished, 1997) looked at the cases of pupils who had either; been excluded permanently without previous reference to the SEN Code of Practice or special needs, or who had received a Statement indicating EBD in the 'learning difficulties' section. The study looked for the words used in reports to describe the pupils and their behaviour to find out how these might discriminate between the apparently 'naughty' and those with EBD. No differences were found; in fact the words used were surprisingly similar, the most common being 'disruptive' and 'aggressive'. Few descriptors of 'emotional difficulty' were found in either group. See section 4.3

3. Education Act, 1996, sections 321-332
4. Code of Practice for the Identification and Assessment of Children with Special Educational Needs. DFE, 1994, p.3.64-3.70
5. Criteria for Statutory Assessment: SEN handbook, 2nd Edition : Birmingham Education Department 1996
6. The information and experience coming from the CRISP (Criteria for Special Provision) project currently under way in Birmingham may also guide future developments in this.
7. 'The SEN Initiative-First Report' CIPFA/SEO/Coopers and Lybrand, 1996
8. Vostanis, P, Cummella, S. and Grattan E; 'The Impact on Homelessness on the Mental Health of Children and Families': (Report of project funded by the Nuffield Foundation) University Of Birmingham, 1997 This report gives a stark account of the range of problems experienced by homeless families and their difficulties of contact with support mechanisms.
9. 'Behaviour in Schools: Principles for Action' : Preface to this report
10. For example, 'Circle Time'
11. Appendix B, 4.83

## Appendices

### Appendix C Draft Behaviour Policy Proposals

(Based on 'Principles for Action'; 'Behaviour in schools: Framework for Intervention'; 'Role of the LEA')

1. The Education Department will adopt a revised and extended 'Principles for Action' paper as the basis for its behaviour policy.
2. The adopted 'Principles for Action' paper should include:
  - 2.1 a statement of core values
  - 2.2 a statement advocating maximal inclusion
  - \* 2.3 a statement promoting equal opportunities
  - \* 2.4 a statement on anti-discrimination practice
  - 2.5 a statement promoting partnership
  - \* 2.6 a principle of provision by most appropriate agencies
  - \* 2.7 a statement promoting respect for all
  - \* 2.8 a statement promoting positive approaches to behaviour
  - \* 2.9 promotion of consistency of expectation of standards
  - \* 2.10 a statement promoting school improvement principles in this area
  - 2.11 the principle of striving for success for all
  - 2.12 a principle of entitlement to education (\* - included in [Principles for action](#))
3. The department should adopt the following policy on professional development and training:
  - 3.1 The Department has a direct role in developing knowledge and professional expertise in meeting needs, training in new national and local procedures and sharing developments in good practice.

3.2 The Department will establish and maintain procedures to determine need for training for individuals and groups in its direct employ. It will seek ensure that all those who provide education for Birmingham children are appropriately trained.

3.3 The Department, through maintaining support services, will have a provider's role in professional training. The Department will consider commissioning training from other providers.

3.4 The Department will evaluate all training to ensure it meets its stated purposes cost-efficiently.

4. The department should adopt the following policy on planning and provision:

4.1 The Department will make and maintain specific plans to ensure that in all its planning there is a balance between its preventive and reactive activity.

4.2 Planning and provision will base itself always on the contents of 'Principles for Action'

4.3 The Department will develop its procedures for analysing the degree of need for its activities and provision in the field of behavioural and/or emotional difficulties.

4.4 The Department will assess the quality of provision made on the basis of its quality, appropriateness, efficiency and value.

4.5 The Department will ensure effective procedures for cost benefit analysis and financial planning for its activities and provision.

4.6 The Department will plan, determine and disseminate the procedures and bases for access to services it provides or commissions.

4.7 The Department will manage and coordinate support services and non-school placements offering direct provision.

4.8 The Department will ensure it has appropriate and specific structures and procedures for purchasing or commissioning provision from third parties or delegated institutions.

5. The department should adopt the following policy on joint planning with agencies and other services:

5.1 The Department will ensure that work in areas of joint responsibility is properly planned, organised and conducted. To carry this out effectively the LEA will ensure businesslike liaison strategies.

5.2 The Department will make and maintain a clear statement of what it considers to be its areas of responsibility and those it considers to be areas of joint responsibility.

6. The department should adopt the following policy on monitoring and evaluation:

6.1 The Education Department will establish written procedures for monitoring and evaluation of its own and third-party provision made to meet statutory needs.

6.2 In order to carry out this role effectively the Department will establish written criteria for evaluation and educational audit, most likely based on provision criteria, performance indicators and improvement targets.

6.3 The Department requires that its direct services adopt and implement internal quality assurance procedures.

6.4 The Department will develop procedures to assure itself that providers are meeting all statutory requirements including those associated with child protection.

7. The department should adopt the following policy on procedures and policies in mainstream schools:

7.1 The Department will continue its development of recommended procedures for dealing with behaviour difficulties in mainstream schools as described in its document 'Behaviour in schools: Framework for Intervention'.

7.2 It will monitor the application of the recommended procedures and consult all involved on any need to make amendments as required.

7.3 The Department will consult with schools, teacher associations and other professional bodies in order to make and maintain advice on developing school behaviour policy.

7.4 The Department will take evidence of intervention at levels 1 and 2 of the Framework for Intervention as full substitute for any requirement for action at Stages 1 and 2 of the Code of Practice in deciding whether or not to agree to a request for Statutory Assessment.

8. The department should adopt the following policy on behaviour problems in pre-school and nursery-aged children:

8.1 The Department will accord maximum priority to furthering preventative action in early years

8.2 The department is committed to join with other providers to early years' children and their carers; in order to facilitate services which are universal and simple to access. These services will encompass advice, training and community self-help and will seek to maximise preventative work.

8.3 In association with the principles and practice of the 'The Framework for Intervention' the department is committed to developing a partnership of support to its nursery schools and classes in respect of managing difficult behaviour and supporting teachers, other staff and carers.

(First published July 1997)

## **Appendix F: Provision for pupils exhibiting behavioural and/or emotional difficulties- Some Issues**

### **1. Definitions**

i Most pupils identified are those acting out ii Little discernible difference between pupils excluded for persistent bad behaviour and most in EBD provision iii Educational needs vary greatly: some need provision for learning difficulties, others are bright but behind iv Emotional problems have to be very severe to gain provision v No generally accepted standard definitions: in fact, passionate disagreements vi

Complicated and sometimes confusing inter-relationship between a wide range of provision that covers behaviour problems, EBD, emotional problems etc

## **2. Inclusion**

i Many pressures against inclusion: stress of dealing with problems in mainstream settings, cost and time taken in providing, attitudes of other parents and school's 'competitive position', general feeling that 'specialist help' is needed ii Problems of separate provision: limited curriculum, putting many pupils with varied behaviour problems in one place together, exclusion from special provision, very high cost iii General principle of authority towards inclusion very difficult in field of EBD/Behaviour: always possible to circumvent through exclusion: schools that emphasise inclusion in danger of feeling isolated and 'taken advantage of'

## **3. Gender Imbalance/ discrimination**

i 80-90% identified (as having behavioural problems) are boys- means that mixed provision often has very few girls and usually too few girls for single sex provision ii Historical over-representation of minority groups can lead to accusations of discriminatory practice

## **4. Cost of provision**

i Provision costs for children in special school very high: typically around £10,000 p.a. in day and £17,000-£80,000+p.a. in residential. ii Full time mainstream support costs £10,000+p.a.

## **5. Responsibilities**

i Legislation not clear on what responsibilities belong to the education service ii History of education department paying for placement at residential schools meeting medical and social needs

## **6. Delivering the full curriculum**

i Full National Curriculum provision in small special schools very difficult to maintain (particularly at KS3 and 4) ii Delivery of full curriculum provision in off-site units (PRUs) almost impossible

## **7. Differences at different Key Stages**

i Problems and solutions (and therefore provision) will vary as pupils get older: Aim for 'tinies with attitude' will always be assimilation into full mainstream, at Key stage 4 (years 10 and 11) there will be need for alternative solutions.

## **8. Current/Rising Demand**

i Numbers of statemented children waiting for placement ii Potential for rising demand: over 90% of respondents to survey say problems are increasing iii Limits on resources available (or that people might wish to allocate as opposed to other needs in education)

## **9. Other special needs**

i Most pupils identified as having behaviour difficulties/EBD show significant limits to attainments compared with peers: provision must therefore be able to meet heightened educational needs as well as dealing with behaviour

## **10. Scope of Authority**

i Can create new separate provision but takes time ii Can expand current special provision with agreement from LMSS or LMS governed schools iii Can purchase available provision from outside authority iv Establishing Unit/resource base provision linked to mainstream depends upon agreement (and enthusiasm) from potential hosts v Increased powers of schools to exclude: new act introduces 'effect on others' as legal parameter vi Can make differential funding arrangements through LMS (with agreement from DfEE) Appendix E Membership Of New Outlooks Groups

## **E. Membership of the Advisory Group:**

Concillors Membership of Reference Group: All Members of the Advisory group

Also invited/informed: Other departments of Birmingham City Council Director, Social Services Director, Housing Department Homelessness Officer, Housing Department Director, Community and Leisure Services

Teachers' Associations and Trades unions BANUT, BANASUWT, BHTA, ATL, SHA, NATFHE, PAT, UNISON

Health Services Senior Lecturer in Child Psychiatry, Bham Univ. Birmingham Health Authority Consultant Clinical Psychologist

Voluntary Organisations (invited) Young Minds Barnados Cadbury Trust The Samaritans Afro-Caribbean People's Movement Kidscape KWESI Association of Workers with Children with EBD

University / Higher education University of Birmingham University of Central England

Other West Midlands Police Chief Probation Officer Appendix H List of proposals

## **I. List of Proposals - A policy for Birmingham**

1. It is proposed that the LEA, within its consultation procedures for development of its Behaviour Support Plan, builds upon the structures and links already in existence; joint committees with other services, headteacher and governor forums, consortium groups, New Outlooks Reference Group. 7

2. We propose that the LEA uses chapter 3 of the New Outlooks discussion paper, 'The Role of the Education Service in behavioural/ emotional difficulties' 2 as the basis for developing policy in this area and as an initial consultation document as part of compliance with the Regulations for its Behaviour Support Plan. 7

3. We propose that the LEA engages in a process to develop a comprehensive Behaviour Support Plan based upon the proposals within this report and its associated documents. 8

4. But we also believe that the Behaviour Support Plan (as envisaged in DfEE draft guidance) should be part of a wider general Education Behaviour Policy for

Birmingham which will incorporate a statement of the principles upon which the LEA seeks to operate, as well as indicating the bases upon which it intends to develop and maintain its provision, services, training, joint planning relationships with other agencies, monitoring and evaluation, and approach to pre- school and nursery behaviour problems 8

5. We suggest that the development of the full Education Behaviour Policy for Birmingham should be a goal to be achieved by the academic year 1999/2000 and that until then, developments related to aspects of behaviour be organised towards, and take account of that goal. 9

6. We propose that, as a matter of priority, the LEA adopt a statement of principles to guide all activities conducted by the Authority related to behaviour in education. This statement would be planned for inclusion at the beginning of the full Education Behaviour Policy. 9

7. We further propose that the New Outlooks document 'Behaviour in Schools: Principles for Action' be used as the basis for developing the authority's statement of principles. 9

### **Support for Schools: Process**

8. We therefore propose that all efforts are made to provide external LEA support to schools at the time of earliest concerns over behaviour. 9

9. We also suggest that schools should reflect this in internal procedures by enabling staff to share concerns before they become acute. 10

10. Therefore, we propose that the Authority recommends a process for the work of schools and support services which offers both early intervention and practicability. 10

11. We propose that the Authority recommends the use of the 'three level approach' of the Framework for Intervention as the basis for developing support service roles, and for developing schools' internal procedures for early notification of concerns about behaviour. 10

12. We suggest that the LEA formally commits itself to supporting the development and evaluation of the 'environmental approach' to early concerns regarding behaviour of pupils. 10

13. We suggest that the LEA recommend that all schools ensure that this 'focus of responsibility' is clear to governors, teachers, parents and relevant outside agencies. 10

14. We propose that the LEA recommends that all schools 'have regard' to 'Behaviour In Schools: Framework for Intervention' in developing policy and approaches to behaviour issues. 11

15. For this reason, we propose that the LEA keeps its recommendations to schools under regular review, and amends and updates them as appropriate in the light of feedback from headteachers, governors, teachers, parents and support services. 11

## **Support Service Development**

16. We propose that development of support service provision is linked directly to the recommendation made with respect to policy in section 2.1 and support to schools in 2.2. 12

17. We suggest that the LEA facilitates the continuance of joint working and planning between support services as proposed in section 2.5 after the New Outlooks project ends. 12

18. We propose that the development of an early intervention and preventative approach should be accompanied by clear information to schools, regularly updated, giving details of how to access services, and what can be expected of them. 13

19. We suggest that the organisation of support services related to behaviour in schools is subject to ongoing review in the light of experience and evaluation of the implementation of new processes. 13

## **Provision Strategy**

20. We propose that development of provision, as with other developments, is evolutionary rather than revolutionary, and uses the targets for provision in this report as guidance for direction of change. 15

21. We propose that changes in provision are made on the basis of evaluation of the changes in need stemming from development in early intervention and preventative work. 15

22. We propose that, for under 5s, the LEA adopts the aim of maximum inclusion for behaviour difficulties (or EBD) with access to all its relevant support services (including BSS,) and works towards closest possible links with other community services to establish a coordinated, inclusive and preventative approach to meeting needs. 15

23. We propose that the target for dealing with problems of behaviour (or EBD) at KS1 is one of fully inclusive practice backed by provision of key support worker, 'three level approach', clear access to support services and availability of intensive 'in class' support in particular cases. 16

24. We propose that the LEA develops procedures and arrangements that will facilitate schools being willing to take on pupils on a 'fresh start' basis. 16

25. We propose that at Key Stage 2 medium term aims for the development of provision should include: Maximum integration, provision of key support worker, 'three level approach', clear access to support services, availability of intensive 'in class' support in particular cases, resource bases in a few identified schools (statemented provision), reducing need for off-site support. 16

26. We propose that the LEA aims towards all pupils in separate provision for EBD (or non- Statemented behaviour problems) at the end of KS2 starting KS3 at a mainstream secondary school unless there are extreme and exceptional reasons why they should not. 17

27. We propose that at Key Stage 3 medium term aims for the development of provision should include: Maximum integration, Provision of key support worker, all

pupils having named mainstream secondary school at transfer, development of 'three level approach' for maximum effect at secondary level, clear access to support services, availability of intensive 'in class' support in particular cases, resource bases for 'emotional difficulties' in a few identified schools (statemented provision), parity of expectation of mainstream schools in their making statemented provision on-site, development of support for re-integration where necessary, development of approaches for reducing need for off-site support. 17

28. We suggest that 'fresh start' schemes at KS3 should be developed and that issues such as funding arrangements should be examined in order to facilitate them. 18

29. We propose that Framework for Intervention three level approach 'environmental change' principles is continued in mainstream schools at KS4, but that there is also; more emphasis on individual programmes geared towards vocational/pre-vocational plans, mainstream with support, pre-vocational off site projects- more local provision, PRUs including statemented children as appropriate, joint provision agreements with other services, work experience schemes, continued use of colleges, and reduction of need for 'traditional' special schools. 18

30. We further propose that provision for pupils with behaviour difficulties or who are 'disaffected' at KS4 be the subject of a specific enquiry with a view to establishing a developmental programme to coordinate and extend the range and scope of current provision across the city. 19

31. We propose that, as part of its development of the Behaviour Support Plan, the LEA produces guidance for schools and others on the circumstances and operation of 'dual registration' arrangements 19

### **Maintaining, innovating and developing: Management Issues**

32. We propose that the LEA forms a standing group to coordinate developments in all behaviour policy and provision, perhaps based upon the pattern of membership of the New Outlooks core group with the addition of a member from the School Support Services. 20

33. We propose a new post to be created at a senior level to lead the standing group on behaviour, perhaps entitled 'Behaviour in Education Co-ordinator' or 'Head of Developments in Behaviour'. 20

### **Main proposals: development plan**

34. We therefore propose the production of 'rolling' development plans for behaviour covering the areas above, and that these be part of the LEA Education Development Plan. 24

### **SEN Issues**

35. We propose that, at present, no substantial change is made in the published Criteria for Statutory Assessment with relation to children with EBD. 26

36. We propose that any differential funding for problems of EBD at Stages 2-3 of the SEN Code of Practice is made on the basis of 'proxy' indicators rather than on an 'audit' basis. 26

37. We propose that it is an aim to increase the extent to which the support of the Behaviour Support Service with all pupils exhibiting difficulties in behaviour is deemed appropriate whether they have Statements of Special Educational Need or not. 27

38. We propose that special schools are encouraged and supported in adapting the principles of Framework for Intervention to their own situations. 27

### **Children with Emotional Difficulties**

39. We advise that further research should be carried out into 'optimal emotional environments' in schools to determine whether and how the procedures in the 'three level approach' can be adapted to incorporate emotional problems. 30

### **Joint Action Plans**

40. We propose that the recommendation in the Framework; "The LEA should provide a detailed framework for the development of a system of joint action plans where schools may share the responsibility and provision for children with significant and complex and intransigent behavioural difficulties with the LEA, and, if indicated, with the social services department, health services, the housing department, and others such as voluntary agencies, probation services etc."; be a target of the LEA's behaviour support plan. 30

### **Proposals relating to the national environment**

41. We suggest that the Framework for Intervention is considered as a basis for national guidance for behaviour in schools along the lines of the Code of Practice for the Assessment and Identification of Special Educational Needs. 31

42. We suggest that 'Stage 1' of the Code of Practice for the Assessment and Identification of Special Educational Needs is re- examined to determine whether it should reflect a more 'environmental' approach similar to Level 1 of the Framework for Intervention. 31

43. We suggest that the inclusion of 'Emotional and Behavioural Difficulties' as a Special Educational Need and as a basis for Statementing be re-examined to determine whether a clearer unitary and supportive approach to behaviour difficulties might be developed. 31



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