



Report of the Chair of Education & Skills Service Transformation Committee

Cabinet – 10 April 2025

Respect, Rights and Relationships Policy for Schools (Draft Behaviour Policy)

Purpose:	This report presents a draft local authority behaviour policy setting out expectations and responsibilities for rights-based respectful relationships across schools as part of a revised strategy for improving pupil behaviour.
Policy Framework:	Education Act 1998 Education and Inspection Act 2006 United Nations Convention on Rights of the Child Wellbeing of Future Generations Equality Act 2010
Consultation:	Access to Services, Finance, Legal.
Recommendation(s):	It is recommended that: 1) The draft policy is approved.
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1. Introduction

1.1 The Vulnerable Learners Service Inclusion Strategy was agreed by Cabinet in May 2023 and aims to bring together the key priorities across all areas of the Vulnerable Learners Service which will support us to meet the needs of vulnerable learners to achieve the aims of the Education Directorate and Swansea Council. These priorities are:

- promoting attendance;
- promoting inclusion;

- embedding effective universal (whole school) provision while supporting sufficient specialist places;
 - embedding a shared inclusion ethos; and
 - a whole school approach to emotional health and psychological wellbeing (EHPW).
- 1.2 Within the priority of inclusion there is a current workstream focusing on developing a pupil behaviour strategy and local authority policy for Swansea schools. The strategic steps also include developing a model policy for schools, based on the local authority's policy This work is being considered as part on the Education Service Transformation Committee and regular updates have been provided to the committee, with committee members providing input, engagement and guidance to the policy development process.
- 1.3 This report details the work undertaken and the final output which is a strategy and draft local authority policy for consideration for approval.

2. Local and national context

- 2.1 It is reported nationally that behaviour in schools is becoming more challenging and this is reflected in Swansea schools. During the 2023-2024 academic year school leaders and trade unions identified the changing behaviour landscape in schools as a major priority requiring new approaches and swift action.
- 2.2 National data indicates an increasing trend in both fixed term and permanent exclusions from schools. While Swansea data compares favourably in comparison with national data the increasing trajectory of exclusions is mirrored in Swansea and we consider that every exclusion is potentially a reduced life chance for a learner. This view is supported by research.
- 2.3 The increasing trends around exclusions also indicate that current approaches are insufficient and change is needed.
- 2.4 Societal and demographic changes have been identified by researchers and these include (although are not limited to):
- the impact of the pandemic;
 - poverty and cost of living crisis;
 - social media;
 - substance use;
 - increase in violent crimes;
 - recruitment challenges in schools; and
 - challenging budget positions.
- 2.5 We also know there is an increase in learners with Additional Learning Needs and an increase in Neuro Diverse learners who require different approaches from those that may have been traditionally offered.

2.6 Our internal intelligence identifies that there are a few inconsistencies in ethos and approaches across schools in Swansea. We want a consistent approach across the whole of Swansea.

3. Policy and legal context

3.1 The local authority has a Duty to Promote High Standards of Education in accordance with Education Act 1998.

3.2 Schools and governing bodies have to meet their obligations, including those specified under the Education and Inspection Act 2006.

3.3 Both of the pieces of legislation outline responsibilities of education stakeholders and it is important to establish and differentiate where roles, responsibilities and expectations lie in relation to legislative requirements. Part of the intention of the policy is to clarify responsibilities.

3.4 In addition to legal requirements, we also have responsibilities in relation to the United Nations Convention on Rights of the Child and the Wellbeing of Future Generations. These important commitments aid establishing our vision and ethos in relation to inclusion and help develop a shared set of values.

3.5 Finally, the Equality Act 2010 protects people, including children, from discrimination due to protected characteristics and this has also informed our policy development.

4. Developing the policy – stakeholder engagement

4.1 A critical principle of this policy development work was stakeholder engagement and co-design. The following activity has been undertaken to capture the voice, views and input of as many stakeholders and delivery partners as possible:

4.1.1 Four multi agency stakeholder workshops have taken place between June 2024 and January 2025. These have been attended by representatives from:

- school (headteachers, senior leaders, middle leaders, additional learning needs co-ordinators and pastoral leads);
- trades unions;
- the Welsh Government;
- third sector organisations;
- school based counselling services;
- Child and Adolescent Mental Health Services (CAMHS);
- Local Health Board;
- Swansea Parent Carer Forum;
- Child and Family Services;

- Youth Justice Services;
- Police;
- Education Psychology Team;
- Education Officers and specialist teachers, including Behaviour Support Team;
- Governors; and
- Members of the Service Transformation Committee

4.1.2 In addition to this, standalone sessions have taken place with:

- Headteachers
- Chairs of Governors
- Children and Young People

4.1.3 The input from children and young people was gathered at the Big Voice event 28th January 2025 at the National Waterfront Museum and included representatives from both primary and secondary schools. This work was supported by the Participation and Children's Rights Team.

4.1.4 Questionnaires were also circulated to all schools and 23 responses were received.

4.1.5 Four practitioners were recruited via an expression of interest process to undertake research in relation to the themes and principles which emerged from the engagement work to ensure there was a triangulated approach supported by empirical evidence. These practitioners include:

4.1.6 Primary school headteacher, primary deputy headteacher, secondary school assistant headteacher and secondary pastoral leader. They were supported by a Lead Behaviour Support Teacher and Educational Psychologist.

4.1.7 The draft policy was informed by the feedback and input from all of these engagement activities and the sessions included opportunities for stakeholders to reflect on the development and moderate progress.

4.1.8 Finally, a workshop was undertaken to share the draft policy for refinement.

4.1.9 Regular reports have been made to the Education Service Transformation Committee who have also been valuable contributors to the workstream.

4.1.10 In total over 200 participants have taken part in the stakeholder development activity.

5. Findings from the engagement period

5.1 The engagement findings first identified the key issues which were being experienced in schools and these were themed and defined as:

- Dysregulation and emotional responses
- Increased physicality
- Gap between home and school expectations
- Insufficient resource for LA to provide support
- Children with 'complex' needs and ALN
- Issues of respect

5.2 Stakeholders considered what responses were needed to address these challenges and again, their responses were themed and the themes emerged as follows:

- Early intervention and support
- Training and development
- Parental involvement and support
- Consistent policies and procedures
- Positive reinforcement and relationships
- Funding and resources
- Specialist support and training
- Parental and community engagement
- Support from external agencies
- Consistent and clear guidelines

5.3 All of the stakeholder feedback from within these broader themes has been collated, analysed and moderated and used to inform the policy development and also any additional actions which may be needed to support policy implementation.

5.4 It is important to note that the policy has been constructed directly from stakeholder feedback. The themes have also been triangulated with research to ensure validity. The research links are available separately and will form part of a toolkit which is being developed to support policy implementation.

6. The continuum of views

6.1 It should be noted that there was a broad continuum of view points and approaches shared throughout the engagement activity. A key principle of the work was that it should be stakeholder led and it is considered that this has broadly been achieved. It is important to note however, that there were some elements of feedback that could not be incorporated because they did not align within existing legal frameworks or policies. Where this has been the case the feedback has not been ignored, rather consideration has been given to alternative approaches to addressing the issues raised. These will be reflected on an implementation plan which is being drafted to support the implementation of the draft policy and accompanying actions.

6.2 The three main examples of this are:

6.2.1 The role of **school admissions** and suggestions that some assessment of children's profile combined with consideration to current cohorts in schools should be undertaken pre offer of a school place. It is important to note that this would place the Local Authority in an unlawful position and so is not achievable however, it is also noted that Swansea is an area with high pupil mobility and so an action to be taken forward from this work will be to work with schools to consider how best to support pupil mobility in Swansea. This will be added to an implementation action plan relating to the behaviour policy.

6.2.2 There were also strong and conflicting views around the **use of restraint in mainstream schools** with a request from some stakeholders that mainstream school staff should receive training in the use of restraint. The Local Authority have a clear position on this which is that we operate in line with the Welsh Government guidance on reducing restrictive practices. We provide de-escalation training for all school staff and do not consider the use of restraint is appropriate in mainstream schools. We recognise that there are rare occasions where proportionate physical intervention is needed in emergency situations and this is outlined in the WG guidance below:

<https://www.gov.wales/safe-and-effective-intervention-guidance-schools-and-local-authorities>

<https://www.gov.wales/reducing-restrictive-practices-framework-html>

6.2.3 The Reducing Restrictive Practices Framework is non statutory, but gives a steer away from all restrictive practices which includes physical restraint. The Framework recognises that restrictive practices have a negative impact on the well-being of those people subject to these practices, as well as those who implement and witness them and should only ever be used as a last resort for examples, where there is a real possibility of harm to the individual or to others. Any physical restraint in schools should be in the context of the European Convention on Human Rights and in line with the principles described in the Human Rights Framework on Restraint produced by the Equality and Human Rights Commission. School staff need to be aware that any physical restraint could trigger a legal response.

6.3 The local training offer from the Swansea Council Behaviour Support Team (BST) includes a range of trauma informed responses to understand and work with children displaying heightened behaviours. They also provide universal de-escalation training for all school staff.

6.4 However, given the issue is still causing concern for some stakeholders we will be revising our position statement to more clearly articulate the position and review our de-escalation training offer to schools to help

alleviate remaining concerns. We will be providing a series of input at key future meetings with school stakeholders directly in relation to this matter and to ensure that access to appropriate training is in place to allow for proportionate responses and to support the concerns of some school based staff.

- 6.5 There were some strong views that the Local Authority should provide definitive guidance on **when to exclude** however, the local authority is not in a position to instruct schools over which incidents may or may not warrant an exclusion from school as these decisions clearly rest with the headteacher and ultimately the governing body of a school. This is provided for in legislation and cannot be changed however, the local authority can provide clear guidance and establish expectations which will help aid consistency in decision making at school level.
- 6.6 We propose to undertake a supplementary piece of work to form part of the toolkit to aim to achieve better consistency in exclusion decisions however, we will always be clear that individual situations, context, circumstances, motivations and mitigations must always be taken into account in any exclusion decision.
- 6.7 Other than these main areas the remaining feedback was collated and evaluated resulting in the following principles which guided the policy development.
- Wellbeing of whole school
 - Engagement, belonging and relationships
 - High quality training
 - Early intervention
 - Multi agency working
 - Inclusive curriculum
 - Back to basics approach
 - Behaviour toolkit
 - Specialist provision
 - Graduated responses
 - Reasonable adjustments
 - Sharing good practice
- 6.8 These principles were broadly inline with the approaches advocated by the local authority with the exception of 'back to basics approaches' where some of the comments and feedback contradicted some of the key principles of inclusion which underpin the Local Authority's guidance and approaches which in turn are underpinned by key legislation and national policy.
- 6.9 For this reason, we spent time in the two final workshops exploring these contexts in greater detail and depth. It was clear that there was also a difference in the views of workshop participants. While many favoured a 'back to basics' approach which focused on fundamental principles of building good relationships and setting clear and consistent expectations

others favoured a more punitive, zero tolerance approaches. The new behaviour policy has to be underpinned by legislation and also supported by the principles of the Vulnerable Learners Inclusion Strategy if it is to be advocated by the Local Authority. For this reason we have supporting the stakeholder agreed definition of 'back to basics' as an approach to building good relationships while setting clear boundaries and expectations. This is outlined in the draft policy. We will also be using the toolkit and training opportunities to support this approach and ensuring that approaches are centred around all learners to ensure the most effective learning environments for all.

- 6.10 Many workshop participants emphasised a need to refresh and reintroduce restorative approaches to behaviour management. These approaches align well with principles of inclusion and the aim to support the health, safety and wellbeing of the whole school community. We are committed to developing a training offer for all schools in relation to restorative conversations and have already begun to link with relevant agencies to facilitate this offer.

7. Draft policy

- 7.1 The draft policy is attached in Appendix A for consideration by Cabinet.

8. Implementation plan and school based policy.

- 8.1 Following agreement by the Service Transformation Committee the next steps is to develop a school exemplar policy which can be adopted and personalised by schools to suit their individual contexts.
- 8.2 This policy will mirror the local authority policy but include additional detail such as links to key documents and policies to support implementation of the school policy. These will include, but are not limited to guidance on exclusions, mobile phone use, social media, bullying and anti racism, sample parental agreements, documents to support self evaluation / checklist and information on admissions
- 8.3 An implementation plan will also be developed to ensure that key strategic actions such as those detailed in section 5 can be captured and delivery can be planned effectively.

9. Integrated Assessment Implications

- 9.1 The Council is subject to the Equality Act (Public Sector Equality Duty and the socio-economic duty), the Well-being of Future Generations (Wales) Act 2015 and the Welsh Language (Wales) Measure, and must in the exercise of their functions, have due regard to the need to:
- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Acts.
 - Advance equality of opportunity between people who share a protected characteristic and those who do not.

- Foster good relations between people who share a protected characteristic and those who do not.
- Deliver better outcomes for those people who experience socio-economic disadvantage.
- Consider opportunities for people to use the Welsh language.
- Treat the Welsh language no less favourably than English.
- Ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs.

9.1.1 The Well-being of Future Generations (Wales) Act 2015 mandates that public bodies in Wales must carry out sustainable development. Sustainable development means the process of improving the economic, social, environmental and cultural well-being of Wales by taking action, in accordance with the sustainable development principle, aimed at achieving the 'well-being goals'.

9.1.2 Our Integrated Impact Assessment (IIA) process ensures we have paid due regard to the above. It also takes into account other key issues and priorities, such as poverty and social exclusion, community cohesion, carers, the United Nations Convention on the Rights of the Child (UNCRC) and Welsh language.

9.1.3 As this report recommends a consultation with the relevant group of stakeholders, an IIA Screening Form (Appendix B) has been completed with the agreed outcome that a full IIA report was not required due to the positive impact for learners and wider school stakeholders.

10. Financial Implications

10.1 There are no financial implications associated with this report.

11. Legal Implications

11.1 There are no legal implications associated with this report.

Background Papers: None

Appendices:

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| Appendix A | Draft Respect, Rights and Responsibility Local Authority Policy |
| Appendix B | IIA Screening Form |