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**Remedy Tutors**

**BEHAVIOUR & ANTI BULLYING POLICY**

**Policy Statement**

Remedy Tutors recognise that children and young people may at times present challenging violent or aggressive behaviours which need to be fully documented in the student’s personal education plan.

For the purposes of this policy, challenging behaviours include: self-harm, self-neglect, self-abuse or harm to others.

If challenging behaviour, violent or aggressive tendencies are present then a risk assessment must be undertaken in order to protect not just the young people, but the staff as well.

**Remedy Tutors aim is to:**

- encourage all children to develop positive self esteem

- develop the child within a moral, spiritual and cultural context

- have a ‘moral code’ which considers the basic values of honesty, fairness and politeness

- actively promote respect for each other through good behaviour and anti-bullying

 - respect for our environment and our resources

- provide a happy, secure environment, where children are encouraged to develop social skills to help them be accepted and welcome in society as they grow up

We will set these boundaries in a way, which helps the child to develop a sense of the

significance of their own behaviour, both on their own environment and those around them.

**Strategies to promote appropriate behaviour include:**

- sanctions applied in the case of inappropriate behaviour must take into account the age

and stage of development of the child, be relevant to the action or actions and be fair

- appropriate strategies, depending on the age, developmental stage and individual needs

of the child

- providing positive attention by, listening and talking to the child

- providing activities and learning experiences that help children to develop safe ways of

dealing with anger and other strong feelings

- explaining and maintaining clear, reasonable, and consistent limits so that children can feel

safe and secure in their play and other activities

- reducing incidents of frustration and conflict by allowing flexibility in routines so that the child can pursue their interests

- affirming and praising positive behaviour and using praise to show that we value the child as it helps to build their self-esteem and self-confidence

- ignoring inappropriate behaviour if it is not harming them, others or property

- using distraction techniques, to encourage positive behaviour

- sharing information with parents and/or carers to ensure a consistent approach which benefits the child

- taking a consistent approach to challenging behaviour (such as hitting or punching)

- challenging the behaviour, not the child

-manage how a behaviour is handled will depend on the child and the circumstances. It may involve the child being asked to talk and think about what he/she has done. If the resulting behaviour means that another child has been hurt, then the child will also be asked to see if the child/person who was hurt is injured and to demonstrate that they are sorry

- Children who behave inappropriately by physically abusing another child or adult or by verbally bullying may be removed from the group

-The child who is upset will be comforted and the adult will confirm that the other child’s behaviour is not acceptable. It is important to acknowledge that a child is feeling angry or upset and that it is the behaviour we are rejecting, not the child

- In extreme cases the child will be removed from the room until he/she has calmed down and had time to reflect on his/her behaviour

- Children need to develop non-aggressive strategies to enable them to stand up for themselves so that adults and children listen to them. They need to be given opportunities to release their feelings more creatively

- Children need their own time and space. It is not always appropriate to expect a child to share and it is important to acknowledge children’s feelings and to help them understand how others might be feeling

Remedy Tutors will manage behaviour according to clear, consistent and positive strategies. Parents/carers are encouraged to contribute to these strategies, raising any concerns or suggestions.

**STAFF**

- Staff should be aware of potentially dangerous situations and prevent these by explaining quietly and calmly to the child or group of children the effects of their actions

- Staff should help children to learn and understand how to manage their feelings, by supporting their emotions and feelings. When children know that their feelings are acknowledged they learn to express them, confident that we will help them with how they are feeling.

- Staff will help children to understand how to behave inside and outside by talking about personal safety, risks and the safety of others.

- Staff will intervene if comments/behaviour is racist, sexist or in any way offensive, unsafe, violent, intimidating or of a bullying nature

- Staff should be a positive role model, as children learn values and behaviour from adults

- Remedy Tutors want children to recognise that certain actions are right and that others are wrong. By positively promoting good behaviour, valuing co-operation and a caring attitude we hope to ensure that children will develop as responsible members of society

- Children must be encouraged to recognise that bullying, fighting, hurting and racist comments are not acceptable behaviour. We want children to recognise that certain actions are right and that others are wrong. In this way children will begin to understand what is and is not acceptable and take responsibility for their own actions.

- Staff should always avoid shouting or raising their voice

- Staff and children will work together to establish a clear set of ‘ground rules’ governing all behaviour to encourage unity and consistency- this will be shared with parents/carers

- ‘Ground rules’ will apply equally to all children, staff and parent/ carers

- ‘Ground rules’ will be put on display in view of the children, staff and parent/carers

- Positive behaviour will be reinforced with praise and encouragement

- Challenging behaviour will be addressed in a calm but assertive manner. In the first instance, staff will try to re-direct children’s energies by offering them alternative and positive options. Staff will be open in stating and explaining non-negotiable issues

- When dealing with challenging behaviour, staff will always communicate in a clear, calm and positive manner. For those children who need support in order to behave in an appropriate manner, staff will investigate strategies and offer consistent care

- Staff and parent/ carers will make every effort to set a positive example to children by behaving in a friendly and tolerant manner themselves, promoting an atmosphere where children and adults respect and value one another

- Staff and parent/ carers will avoid shouting, unless it is required to stop unsafe, unwanted behaviour immediately

- Staff will facilitate regular and open discussions with children about their behaviour. This will help them to understand the inappropriate aspects of their behaviour and enable them to have their say and be helped to think through the causes and effects of their actions

- Staff will work as a team by discussing incidents and resolving to act collectively and consistently

- Staff will try to discuss concerns confidentially with parents/carers at the earliest possible opportunity to help identify the causes of inappropriate behaviour and share strategies for dealing with it.

- Children who experience bullying, racism or other unacceptable behaviour will be given the confidence to speak out

- Staff will encourage and facilitate mediation between children to try to resolve conflicts by discussion and negotiation.

**PARENTS/CARERS**

- We will ensure that the parents/carers are fully informed about and support the actions being taken to modify the child’s unacceptable behaviour. However, it may be necessary to use restraining action in an emergency to prevent personal injury or serious damage to property.

- Parents will be informed if their child is persistently displaying inappropriate behaviour towards others or if their child has been upset. Parents may be asked to meet with staff to discuss their child’s behaviour, so that if there are any difficulties, we can work together to ensure consistency between home and Remedy Tutors.

- In some cases, we may request additional advice and support from other professionals, along with focused observations on the child.

Remedy Tutors ‘behaviour & anti bullying policy’ is aimed at creating an open dialogue between all parties involved. We welcome parents/carers to discuss any concerns they may have, and all matters will be treated in confidence. Parents/carers need to be alerted to potential cases of bullying and the appropriate support that has been put in place by Remedy Tutors or by handing this over to other agencies where appropriate to do so. For children that have special needs relating to behaviour problems, we will adopt procedures from the ‘SEN Code of Practice’ working closely with parents, and any other relevant outside agencies. Parents will be given copy of our policy and strategies for dealing with behaviour which emphasises the positive aspects of the child rather than focusing on the negative.

**Physical intervention**

Definition of physical intervention:

‘Physical restraint is the positive application of force with the intention of controlling the child behaviour in order to protect him/her from harming themselves or others or seriously damaging property’

Physical intervention must only be used as a last resort when other strategies have failed. It must serve to de-escalate or prevent a violent or potentially violent situation. Re4medy Tutors adopts the London borough of Enfield policy for schools, nurseries, and Children’s centres on the use of physical intervention

A dialogue will always be maintained with the child or children, so that the member of staff can explain what they are doing and why they are doing it. Staff will make every effort to avoid the use of physical interventions if they are alone with the child or children. Only the minimum force necessary to prevent injury or damage should be applied. For example, by diverting a child or children by leading them away by a hand or by an arm around their shoulders.

Staff will use physical intervention as an act of care and control and never punishment. Physical interventions will not be used purely to force a child to do what they have been told and when there is no immediate risk to people or property. As soon as it is safe, the physical intervention should be gradually relaxed to allow the child/children to regain self-control. The force of the physical intervention will be always appropriate to the age, size and strength of the child or children involved.

If staff are not confident about their ability to contain a particular situation or type of behaviour, consideration will be given to calling the supervisor or, in extreme cases, the police.

Where a member of staff has had to intervene physically to restrain a child, the supervisor will be notified and the incident recorded in the Incident Record Book. The incident will be discussed with the parent/carer at the earliest possible opportunity.

If a staff member commits any act of violence or abuse towards a child at the Club, serious disciplinary action will be implemented, according to the provisions of the Staff Disciplinary Procedures Policy

Remedy Tutors is aware of the borough’s anti bullying policy

**BULLYING AND HARASSMENT**

"Behaviour that makes someone feel intimidated or offended”

*Harassment is unlawful under the ‘Equality Act 2010’*

Harassment and bullying both involve behaviour which harms, intimidates, threatens, victimises, offends, degrades, humiliates or undermines dignity at work. Harassment tends to focus on gender, race, ethnic background, colour, religion or belief, sexual orientation or disability. Harassment may be a single incident or a series of incidents. Bullying is repeated inappropriate behaviour, direct or indirect and by one or more persons which undermines an individual’s right to dignity.

Bullying is an offensive or intimidating behaviour or an abuse or misuse of power which undermines or humiliates an employee.

An employee unlawfully harasses another employee if they engage in:

1) unwanted conduct related to a protected characteristic; or unwanted conduct of a sexual nature; and the conduct has the purpose or effect of violating the other employee’s dignity, or creating an intimidating, hostile, degrading, humiliating or offensive.

**Policy Statement**

This organisation believes in a zero-tolerance attitude toward bullying and harassment in the work place. This in practice requires that all staff are treated with dignity and respect whilst undertaking their duties in a working environment in which the dignity of all employees is respected and where employees feel able and encouraged to reach their full potential and effectiveness.

**Harassment as defined in the ‘Equality Act 2010’ is:**

‘Unwanted conduct related to relevant protected characteristic, which has the purpose or effect of violating an individual´s dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual.’

Bullying may be characterised as: Offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means that undermine, humiliate, denigrate, or injure the recipient.

**The Policy**

The recipient’s view is crucial because what one person may find acceptable another may not. Any form of harassment or inappropriate behaviour which causes offence, whether intentional or not, will be treated very seriously and where appropriate will lead to disciplinary action, which could include dismissal, being taken.

**Examples of unacceptable behaviour:**

- Spreading malicious rumours or insulting someone

- Offensive language, swearing

- Copying memos/emails that are critical about someone, to those who do not need to know

- Ridiculing or demeaning someone – setting them up to fall or fail

- Exclusion or victimisation

- Unfair treatment

- Overbearing supervision

- Sexual harassment – unwelcome remarks such as jokes, innuendos, touching, standing too close, display of offensive materials

- Racial harassment

- Religious discrimination

- Disability discrimination

- Age discrimination

- Offensive material that is displayed publicly

- Verbal abuse or comments that belittle people

- Unwelcome and hurtful jokes

- Direct or subtle threats

- Offensive gestures

- Ignoring, isolating or segregating a person

- Staring or leering in a sexual way

- Unwanted physical contact of a sexual nature

- Aggressive physical behaviour

- Repeated behaviour which a person has previously objected to

**Harassment does not mean:**

- Mutually acceptable friendship

- Enjoying a joke at work providing that it is not at someone else’s expense

- Enjoying a joke at work if no-one shows they are offended

- Normal operational management of staff in the conduct of their duties

**Keeping perspective:**

If you are in an environment and are uncomfortable about jokes or banter in the environment, it is your responsibility to raise concerns early so they can be dealt with.

**Our responsibilities and actions as a company**

- We promote and environment where no-one is harassed or victimised.

- All management employees are aware of this policy and aim to ensure that all employees are treated fairly and that no one is harassed or victimised.

- To be observant and alert to the kind of behaviour which might indicate a problem, i.e. where one employee is always critical of another or where an employee is left out of social interaction.

- To deal with any form of harassment or intimidation at an early stage, this may be done informally at first, as the accused may not be aware their behaviour is causing offence. If this approach is not successful, then written statements will be taken from the complainant and the accused and an investigation will be undertaken seeking advice from senior management or outside agencies as deemed necessary. Where possible, steps will be taken to ensure the two parties are not placed in a situation where the matter can be aggravated. If the outcome of the investigation shows that there is a reasonable belief of bullying and harassment it is within the realm of the employer to take disciplinary action against that employee.

- To offer support for the victims of harassment or bullying

**Responsibilities of the Employee**

- All employees must comply with this policy

- Employees must be aware that it is their personal responsibility not to harass, bully or intimidate another employee

If an employee becomes aware that a colleague is experiencing harassment or bullying it is part of their duty of care not to allow it to continue by reporting all incidents to a manager

**How to report an allegation of bullying and harassment**

Very often people are not aware that their behaviour is unwelcome or misunderstood and an informal discussion can sometimes help to solve the problem. However, if you feel you are being bullied or harassed, we realise that the situation may be sensitive and may make you feel vulnerable or in fear of reprisal and therefore, may make it difficult for you to make on allegation. We therefore suggest you consider discussing matters informally with your manager, in confidence, who will then be able to support you with the matter. If you feel able to do so, you should then raise the matter informally with the perpetrator, with your manager to support you. If this does not solve the problem, or if the matter is more serious, (or if you do not feel able to do so,) you should report the matter to the manager as a formal written grievance.

**Reporting complaints**

All allegations of harassment, bullying or intimidation will be dealt with seriously, confidentially, and speedily. Remedy Tutors will not ignore or treat lightly any grievances or complaints of harassment from employees.

While Remedy Tutors encourages employees who believe they are being harassed or bullied to notify the offender (by words or by conduct) that his or her behaviour is unwelcome, we also recognise that actual or perceived power and status disparities may make such confrontation impractical. If such informal direct communication is either ineffective or impractical, or the situation is too serious to be dealt with informally, you should follow the procedure set out below.

**If you wish to make a complaint of harassment, bullying or intimidation, whether against a fellow employee or a third party, such as a client, customer, contractor, or supplier, you should follow the following steps:**

1. Report the incident of harassment to your supervisor. If you do not wish to speak to your supervisor, you can instead speak to an alternative senior member of staff.

2. Such reports should be made promptly so that an investigation may proceed, and any action taken without delay.

3. All allegations of harassment will be taken seriously. The allegation will be promptly investigated and as part of the investigatory process you will be interviewed and asked to provide a written witness statement setting out the details of your complaint. Confidentiality will be maintained during the investigatory process to the extent that this is practical and appropriate in the circumstances. However, to effectively investigate an allegation, the Remedy Tutors must be able to determine the scope of the investigation and the individuals who should be informed or interviewed about the allegation.

For example, the identity of the complainant and the nature of the allegations must be revealed to the alleged harasser so that he or she is able to fairly respond to the allegations. Remedy Tutors reserves the right to arrange for another supervisor to conduct the investigation other than the supervisor with whom you raised the matter.

4. Once the investigation has been completed, you will be informed in writing of the outcome and Remedy Tutors’ conclusions and decision as soon as possible. Remedy Tutors is committed to taking appropriate action with respect to all complaints of harassment which are upheld. If appropriate, disciplinary proceedings will be brought against the alleged harasser.

5. You will not be penalised for raising a complaint, even if it is not upheld, unless your complaint was both untrue and made in bad faith.

6. If your complaint is upheld and the harasser remains in our employment, Remedy Tutors will take all reasonable steps to ensure that you do not have to continue working alongside him or her if you do not wish to do so. We will discuss the options with you.

7. If your complaint is not upheld, arrangements will be made for you and the alleged harasser to continue or resume working and to repair working relationships. Alternatively, you may, if you wish, use the Remedy Tutors’ grievance procedure to make a complaint of harassment.

**Grievance**

We endeavour to manage grievances in a timely and confidential manner via an investigation to establish full details of what happened. Your name and the name of the alleged harasser will not be divulged other than on a "need to know" basis to those individuals involved in the investigation. At the outset, someone with no prior involvement in the complaint will be appointed. The investigation will be impartial and objective and will be carried out sensitively and with due respect for the rights of all parties concerned.

Consideration will be given to whether the alleged harasser or bully should be redeployed temporarily or suspended on contractual pay or other managerial arrangements should be altered pending the outcome of the investigation.

As part of the investigation, the investigating officer will meet with you to hear your account of the events leading to your grievance. You have the right to be accompanied by a colleague of your choice. The investigating officer will also meet with the alleged harasser or bully who may also be accompanied by a colleague. It may also be necessary to interview witnesses to any of the incidents mentioned in your grievance. Where it is necessary to interview witnesses, the importance of confidentiality will be emphasised to them.

At the conclusion of the investigation, the outcome of the findings will be notified to both you and the alleged harasser usually within two weeks of your complaint first being reported. If the conclusion is that harassment or bullying has occurred, prompt action will be taken to stop the harassment or bullying immediately and prevent its recurrence.

The findings will be dealt with under the disciplinary procedure. Consideration will be given to whether the harasser or bully should be dismissed and, if not, whether he or she should remain in his or her current post or be transferred. Where a grievance is not upheld, (for example, where evidence is inconclusive), consideration will be given to how the on-going working relationship between you and the alleged harasser or bully should be managed. This may involve arranging some form of mediation or counselling or a change in the duties or reporting lines of either party. Should the investigation show that there may be a case, the organisations disciplinary procedure will be used against the alleged perpetrator.

**Confidentiality**

At all times throughout the process and after, all parties involved, including the alleged perpetrator, the victim, the manager, and any witnesses will need to give due consideration to confidentiality. As such, all parties will be reminded that they should not breach confidentiality and should not discuss the matter with anyone outside of the procedure. Details of the investigation and any subsequent disciplinary procedure which may take place will be kept on the employees personnel file.

**False claims**

Whilst we will support all parties during and after a thorough and objective investigation into the allegation as appropriate, if through the course of the investigation and subsequent disciplinary meetings there is evidence that demonstrates that the allegation has been made maliciously, or for personal gain, then the individual making the complaint will be subject to Disciplinary proceedings as outlined in the Remedy Tutors’ Disciplinary Policy.

**Appeals**

If you are not satisfied with the outcome of the investigation, you have the right to appeal the decision within 7 calendar days of being notified of the outcome. You should submit your full written grounds of appeal to Dean Pomeroy. The person hearing your appeal will meet with you to discuss your appeal. You may be accompanied by a colleague or Trade Union Official. You will normally be notified of the outcome of the appeal within fourteen days of this meeting. This is the final stage of the formal procedure.

Further Guidance and advice is available from ACAS:

<https://www.gov.uk/workplace-bullying-and-harassment>

**Policies written with reference to:**

Special educational needs and disability code of practice: 0 to 25 years January 2015

<https://www.gov.uk/government/publications/send-code-of-practice-0-to-25>

Use of reasonable force, Advice for headteachers, staff and governing bodies July 2013

<https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/444051/Use_of_reasonable_force_advice_Reviewed_July_2015.pdf>

Behaviour and discipline in schools, Advice for headteachers and school staff, January 2016

<https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/488034/Behaviour_and_Discipline_in_Schools_-_A_guide_for_headteachers_and_School_Staff.pdf>