

The SENAD Group

Section 5 The Use of Consequences (Sanctions and Control)

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SENAD POLICY on the Use of Consequences (Sanctions and Control)

There is an expectation that our work with children, young people and adults will always be positive with the implementation of appropriate boundaries around behaviour. This '*ready to learn*' in education and '*living a productive life*' in a residential setting is not always achievable due to the complex challenges that people who use our service face.

It is acknowledged that there will be times when behaviours become unacceptable, there may be a need for a consequence.

Typically unacceptable behaviours include actions which:

1. Spiralling anxiety/aggression behaviours which if unchecked, could result in dangerous '*out of control*' behaviour
2. Endanger self and/or others
3. Could lead to arrest and/or criminal sanctions
4. Damage property to an extent that cannot be condoned
5. Are bullying of others
6. Exposes the individual to harm on the internet or mobile device

It will also be necessary from time to time to take action, in the best interest of the person's safety & welfare, which limits choice due to the consequence of behaviour. This consequence by its nature is viewed as a sanction.

We will manage classroom behaviour within the guidelines set by the DfE (England) and WAG (Wales) and we will not restrain a young person to keep them in a classroom¹.

We will avoid the use of consequences as far as possible and when used, keep them to the minimum in terms of frequency, scale and duration. Any consequence that is applied as a sanction or control used must be:

- Compatible with what is recognised as good practice in the care of the individual
- Related to the individual's care plan, age and circumstances
- reasonable
- Realistic and sensitive
- Enforceable
- Consistent

¹ Where there is a clear behaviour management plan that is designed to use structured environment, language and support for a young person, this will be clearly documented in their behaviour management plan. Any consequences/sanctions will be clearly documented in this plan.

The consequences which are applied as sanctions that may be considered are as follows²:

- Reparation (the act or process of making amends)
- Restitution (the act of giving back something that has been stolen)
- Time out (giving space and privacy when it is safe to give the young person time to calm down and think things through) or a cooling off period.
- Removal of objects or equipment from the individual's room (e.g. removal of TV/Mobile devices at certain times to encourage healthy sleep patterns)
- Delaying treats including access to pocket money³
- Increased supervision
- Extra tasks within the school/home
- Fixed term exclusion from education day [See SENAD Policy 704.0 – School exclusions]

Acceptable sanctions should be relevant, used sparingly and follow the unacceptable behaviour as quickly as possible.

- Outing may only be cancelled based on a risk assessment which demonstrates it is unsafe for the person to be taken out.

Sanctions we will NOT use

Sanctions which are **unacceptable** and in some cases, **may be a criminal** offence include:

- 1) Those that intentionally or unintentionally humiliate an individual, cause them to be ridiculed, or which have been experienced previously under different circumstances, for example in their previous home(s)
- 2) Corporal punishment
- 3) Deprivation of food or drink
- 4) Restriction of visits to or by any person, or any restriction or delay in agreed levels of communication by telephone or post with:
 - a) a parent/guardian
 - b) any person who is not a parent but who has parental responsibility
 - c) relatives or friends (there may be exceptions with peers, for example when interactions are having a detrimental effect)

² though there is no implication that staff should be using sanctions nor that this list is exhaustive

³ The delay in pocket money does not mean the confiscation of part of it to pay for damages

- d) any social worker assigned to the individual by a responsible authority
- e) a guardian or advocate for the person
- f) any solicitor acting for the person
- 5) use of, or withholding of medication, medical or dental treatment
- 6) use of accommodation to physically restrict the liberty of any person – except in situations when the child/young person is in danger
- 7) the use of a wheelchair, high chair, buggy, playpen, cot or safety gate as a punishment. Some children/young people with disabilities are strapped in to equipment for their own safety and this is not the same as a punishment
- 8) intentional deprivation of sleep
- 9) imposition of fines or permanent withholding of pocket money or savings
- 10) intimate physical examination of the person
- 11) no individual must be kept in any form of isolation as a consequence of his/her behaviour
- 12) no use of sending a person to bed early as a punishment

Recording the use of consequences/sanctions

Consequences/sanctions that have been used must be recorded.

The record should indicate the nature of the sanction, why it was used, and the person's reaction.

All sanctions should be monitored as to their usefulness and effectiveness.

Where significant sanctions are used which have not been previously agreed, or sanctions are being used frequently for an individual or in a particular setting or context **a senior manager should undertake a review of the practice.**

If it is thought that an inappropriate sanction has been used the manager should talk this through with the staff and look at alternative, positive strategies which might be used.

Where the use of **inappropriate sanctions**, whether used as a consequence or not of behaviour, **places a person at harm or risk of harm** it **will** be **referred to the Designated Person for Safeguarding** as it *may* be deemed to be a child/adult protection issue. [See SENAD Safeguarding Policies Site Specific 506C.1***]