

Protecting the rights of pupils with autism when meeting the challenge of behaviour

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Protecting the rights of pupils with autism when meeting the challenge of behaviour

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This paper is dedicated to the memory of Connor Sparrowhawk, LB.

Accessible Summary

- Pupils with autism are often physically handled in schools without teachers realising that this can be distressing for them.
- Many teachers do not know about the United Nations Convention on the Rights of Persons with Disabilities.
- Teachers need support with developing their understanding of how pupils experience being handled.
- It is important that the rights of disabled pupils are recognised and protected.

Summary

'Positive handling' has become a popular intervention within education and other services in England in the management of behaviours that challenge. This paper uses a vignette of an observation of the handling of children with autism as a starting point for consideration of whether this practice can ever really be experienced as positive or whether it is often little more than a mechanism of control that disregards the rights of disabled children and young people. All schools are mandated under the United Nations Convention on the Rights of Persons with Disabilities to protect the rights of disabled pupils but to date there has been very little engagement by teachers with this agenda. This paper identifies some of the rights of pupils that are negated through current practice and evaluates what support Prouty's principles of pre-therapy from the field of counselling might offer teachers with developing a rights based agenda.

Introduction

Many schools now respond to the challenge of behaviour through an embracement of approaches that include positive handling (Griggs, Walker & Hornby 2011; Hayden & Pike 2005). Positive handling is a phrase employed in England to categorise physical interventions that can range from 'least intrusive to more restrictive holds' (Team-Teach 2010:1). Although proponents of positive handling argue that the predominant focus within the intervention is on avoidance of physical engagement, many of the trainees come to see the application of restrictive practices as synonymous with the approach (Griggs, Walker & Hornby 2011; Hayden & Pike 2005). Moreover, following the introduction of training in positive handling into schools pupils can experience an increase in unwanted bodily contact and

restrictions on their personal freedoms (Baker & Allen 2012; Deveau & McDonnell 2009). This paper uses a vignette that depicts practice that I have observed whilst visiting a number of schools: the taking of a child's hand to lead him/her away from where the child wants to be to where the teacher desires the child to be. The purpose of the vignette is to support reflection on the relationship between positive handling, locations of the 'problem' of behaviour and the negation of the rights of disabled children and young people. Prouty's (1976) principles for pre-therapy from the field of counselling are then evaluated for their potential for supporting teachers with coming to more developed understandings of why behaviours might occur. Current responses to behaviours often infringe disabled people's rights under the United Nations Convention for the Rights of Persons with Disabilities (CRPD) (United Nations 2007). It is suggested here that the focus of Prouty's work on enabling emotional contact between teacher and pupil can help to remind teachers of a pupil's humanity. Sometimes disabled children become positioned as 'problems' and their personhood is then lost. Recognition of disabled pupils as children and young people with aspirations and fears is an essential element of a human rights agenda. Prouty's principles are little known outside of the field of counselling, and not even widely within it. It is argued here that greater consideration needs to be given to how teachers might be enabled to engage with these principles in order to protect the rights of disabled pupils whose behaviours are found to be challenging. Within this paper the term 'teacher' is used to refer to any member of school staff who has engagement with pupils. The focus is restricted here to children and schools to enable the flow of text. However, the principles discussed apply equally to disabled adults and to all settings.

Vignette

I was recently at a special school for primary (generally age four to eleven in schools in England) children with the labels of autism. All the children were brought in to a confined space for a whole school event that included families and other guests. The purpose of everyone coming together was to celebrate a public festival. I noticed one child leave the group that he came in with; he crossed the hall and stood appearing to look at something intently. A teacher bustled over, looking behind her, talking to another member of staff as she did so. She grabbed the boy's hand and tried to manoeuvre him back to the group. No comment was made to him and no acknowledgement given that he was being physically directed away from something that had captivated his interest. The boy resisted slightly, his feet staying fixed to the spot. Perhaps his body had not yet registered the physical contact or had not processed the intent behind it. He might not have anticipated being moved and so not prepared his body for motion. The teacher moved back towards the group but the boy remained still. A jerking of the arms ensued with the boy's arm pulled one way and then, like a bungee rope, the adult's arm was pulled back towards the boy. I was concerned that either of the parties might have incurred an injury. But they just then moved together towards the group and all seemed fine. For me the moving of this child away from his chosen activity, without acknowledgement or negotiation infringed his right to '[r]espect for inherent dignity, individual autonomy including the freedom to make one's own choices, and independence of persons' (CRPD Article 3 (a)). I wondered also whether the moving of the child across the room would be recorded as an incident of positive handling. I considered that a physical intervention had occurred but nothing suggested to me that this was conceptualised as such by the teacher who did not appear to pay the incident the level of attention required for

such a report. If the physical direction of a child by taking his or her hand was generally considered to be an act of 'positive handling' then the teacher would have been obliged to try other non-physical strategies first within a model of positive behaviour support (Baker & Allen 2012). The casual nature of this act of handling suggested to me however that the teacher did not consider this to be an act of handling, an application of 'reasonable force' to control a child for which recording is required. This is unsurprising as it is indeed unclear whether this type of physical redirection of a child would fall within the current English government's guidance for schools on the use of reasonable force (DfE 2013) . The guidance does state that 'force' can include 'guiding a pupil to safety by the arm' (DfE 2013: 4) but the teacher may have perceived her intervention as merely 'holding the hand of the child at the front/back of the line when going to assembly or when walking together around the school' (DfE 2013: 8). This is not defined as force as it is deemed to be 'proper and necessary' physical contact (DfE 2013: 8). It is not known which of these definitions the pupil would have applied to his experience of this act of handling. Perhaps the pupil's view on this was not even considered by the teacher in this instance. Nor as this incident took place within a special school is it clear whether the guidelines on the use of force apply at all. Although they are stated within the document to be for all schools elsewhere they are held to be applicable only to mainstream provision (Royal College of Nursing 2013); a somewhat worrying development of applying different levels of protection to children dependent upon their educational setting. What is important here about this discussion of force is that the vignette illustrates an example of handling that was not recognised as a restrictive physical intervention. I have seen such examples on many occasions in a range of educational settings. It is practice that in my time as a teacher I executed as well as observed. I frequently

directed children physically through taking them by the hand. At the time I did not think of this as an act of 'handling' either. This action therefore might just have appeared to the teacher in the vignette to be an unremarkable and expected engagement with a primary aged disabled pupil and not the potential disregard of government policy and infringement of the child's right to liberty (CRPD, Article 14) that others might hold it to be. It is argued here therefore that these seemingly innocuous physical interventions warrant more critical attention. It is essential that teachers do not just associate handling with behaviour that is severely challenging. Teachers need to become mindful of all engagements with pupils that involve physical contact for these are always significant acts of interference for the pupil being controlled. Currently there is a dearth of literature that considers the impact and potential meanings of this level of physical intervention; as practices they are left largely unproblematised and unchallenged. It will be interesting to see whether such practices will be considered within the guidance on restrictive practices with children and young people in health settings, and potentially special schools: at the time of writing this is anticipated as forthcoming in 2014 (Social Care, Local Government and Care Partnerships Directorate 2014). Whether this happens or not within this article I call for schools to look more critically at all incidents in which a child's rights and freedoms are curtailed through physical direction of any kind. In doing so teachers may then come to question the very notion of handling as a 'positive' act.

Under the previous English government specific policy guidance on restrictive behaviour was issued in 2002 with a focus on learning disability and/or autism (DfES & DH 2002). This positioned the problem of behaviour as being located within environments rather than individuals. To reduce the need for physical interventions

the guidance advised 'creating opportunities for children and pupils to engage in meaningful activities which include opportunities for choice and a sense of achievement' (p. 14). However as these guidelines are in the process of revision they now only have the status of 'useful reference' documents and so carry little authority (Social Care, Local Government and Care Partnerships Directorate 2014: 12) It has been declared that the new guidance will identify the protection and honouring of human rights as a key principle but it is not known which of the other principles of practice identified within the 2002 guidance will be retained (Social Care, Local Government and Care Partnerships Directorate 2014:12). The incident described within the vignette took place within a celebratory event for the school, when many people came together in a relatively confined space and in doing so created a chaotic environment. The 2002 autism and/or learning disability guidance placed a duty on schools to help 'children and pupils to avoid situations which are known to provoke violent or aggressive behaviour, for example, settings where there are few options for individualised activities' (DfES & DH 2002: 14). On this occasion I noticed a number of pupils being 'positively handled' to keep them contained or to escort them from the situation when they had become too distressed to remain. If such a stressful situation had not been initiated then these physical interventions would not have been necessary. Article 7 (2) of the CRPD states that the best interests of the child must always be a primary consideration. I wondered how this event could be in the best interests of those pupils who were overwhelmed by what was happening and for whom this occasion was really being staged. These pupils appeared distressed, the parents/carers disturbed by witnessing their children being subdued and controlled and the teachers put at risk from injuring pupils or being injured themselves.

This vignette is not included within this paper as a criticism of these teachers. I know from having taught in such environments that it is challenging to operate schools in ways that are very different to how we have traditionally experienced them. The provision of whole school community events feels obligatory whether or not we feel these are in the best interests of the pupils. Rather the purpose of this vignette is to engage with what Titchkosky (2011) calls 'the politics of wonder': 'pausing in the face of what is...to uncover the sensibility and the meaning that lie there' (p.x). The politics of wonder acts as a reminder of the need to be reflective, to look again at what we have come to accept and to question the meanings that we attribute to the familiar. The presentation of this vignette is one tool through which the politics of wonder is enabled. The vignette illustrates an example from practice that will be recognised by many teachers. It puts a spotlight on the everyday and provides a space for reflection on what the act of taking a child by the hand might reveal about how the challenge of behaviour is currently conceptualised and responded to within schools. Alexander (2006) argues that, '(w)e understand and create meaning out of experience, in other words through examples communicated in narratives, allegories and parables' (p.126). This vignette provides an observation of how we engage with the behaviour of disabled children. In doing so it reveals how difficult we can find it to notice and then to make an informed reading of the behaviours of others, especially when we are caught up in the very practice of caring. Within a politics of wonder it is essential that we are always mindful of and reflective about our actions so that we remain available to 'new horizons of possibility' (Titchkosky 2011: x). This will include conceptualising different ways of engaging with pupils that will enable where we currently disable. This is especially critical when we control others physically, negate their choices and curtail their freedoms. We are so habituated to the physical

manoeuvring of disabled children that we no longer think of such actions as force and control. Any protests from pupils that are expressed through behaviour are usually constructed 'as problems of the mind or the body' (Nunkoosing & Haydon-Laurelut 2012: 203) and attributed to a pupil's identified impairment rather than interpreted as a commentary on the actions of a teacher. The vignette provides just one example of the infringement of a child's rights. Many more occur daily in schools. It is hoped that this paper might provide a stimulus for teachers to reflect upon the practices within their schools to identify other instances. Learning comes within a politics of wonder from the questions that practitioners ask about their own practice rather than answers provided by others (Hodge and Chantler 2010).

The move towards a social justice and social inclusion agenda with a focus on human rights and entitlements (Department of Economic and Social Affairs, United Nations 2007) obligates schools and other learning organisations to reflect on how their practices are experienced by pupils and to identify which rights are being infringed. However, currently most schools have little experience of how to do this in practice (Doody 2009). It is customary to do things to disabled children rather than with or directed by them (Campbell 2009). Adults reporting on their experiences as disabled children have done much '[t]o nurture receptiveness to the rights of persons with disabilities' (CRPD, preamble). These authors assert that disabled children do have emotional responses to what is happening to them and preferences for how they should be engaged with (Baggs 2007; Grandin & Scariano 1986; Williams 1994). Also the more overt practices of control of disabled pupils are now prevented in England by legislation and a change in perspective on what constitutes good practice. However as can be seen from the vignette teachers without any apparent

realisation continue to disregard even the most basic of rights of pupils such as deciding when, how and by whom they want to be touched. The National Institute for Health and Care Excellence (NICE 2011) identifies children and young people with autism as demonstrating '(r)educed or absent social interest in others' (Appendix C) and as being 'unusually intolerant of people entering their personal space' (Appendix C). So the label of autism categorises people as such and yet instead of affording them more protection from handling it seems within this vignette to embody the teacher with greater freedom to intervene physically. The pupil's personal space was invaded without the teacher even considering the notion of consent. Introductory training for teachers about human rights does not lead to changes in practice unless this is supported by other personalised interventions that are able to change attitudes and develop deeper understandings (Redman *et al.* 2011). Approaches such as positive handling are to be commended for problematizing physical contact and for adopting a focus on proactive non-physical strategies (Team-Teach 2010). Nonetheless even by name alone these approaches still promote the notion of handling as a supportive and positive act. Furthermore teachers who are trained in these approaches are often keen to practise them. They become more confident in intervening physically and this can then lead to an actual increase in physical interventions rather than the desired reduction (Baker & Shephard 2005; Deveau & McDonnell 2009).

Knowing how to handle people safely with the minimum of intervention is of course essential for when dangerous behaviour occurs and all other methods of support have been exhausted. But if we are to be committed to the principle of last resort then we need to enable teachers to develop deeper knowledge and understanding of

other approaches that can be utilised before the stage of physical intervention (Redman *et al.* 2011). Teachers also require support with reflection on what it might mean to individuals to experience physical control by others. Hewett (1998) highlights the importance of meaningful relationships between all parties engaged with challenging behaviour with each needing to understand and/or trust the other. Duff *et al.* (2006) however note that motivation and staff morale is a major concern in relation to those caring for people who demonstrate challenging behaviour as many teachers manage the difficulties of their situation by adopting a type of emotional shutdown. If we are to recognise and then protect the rights of others it will be critical for us to reconnect with our emotional selves so that we might learn to 'read' the messages of behaviour to access how the event is being experienced by pupils. One framework that might aid this process can currently be found within the world of counselling: Prouty's (1976) principles of pre-therapy. These have the potential to enable teachers to develop the skills recommended by a number of the popular approaches that have a focus on enabling relationship building with people with learning difficulties. These include learning to communicate, as in Intensive Interaction (Nind & Hewett 2001), learning to listen (Lovett 1996) and learning to accept and appreciate in accordance with the principles of Gentle Teaching (McGee *et al.* 1987). Pre-therapy could be argued to offer little that is different from these other approaches. However, beginning relationship building is often intimidating and teachers can be unsure of where or how to start. Quickly people become disillusioned, afraid perhaps of making overtures of contact that may be ignored or rebuffed. I suggest that the clear and concise principles of pre-therapy give teachers a place to start, a way into developing an understanding and appreciation of the pupil's world. The notion of therapy is problematic in relation to disability as it usually

locates the 'problem' and the site of repair within the client (Hodge 2013). In the context of schools therefore it is more useful to reframe the principles of pre-therapy as 'contact work'. Brookes & Paterson (2010) define contact work as activity 'where the aim may be to increase a person's interaction, communication and quality of life' (p.162). Contact work is advocated here as a useful structure for enabling the development of understandings between people who have significantly different experiences of being. The problem of behaviour is sited here not within the disabled pupil but within the relationship between pupil, teacher and the learning environment. New understandings developed through contact work can then inform the creation of more respectful and enabling strategies of support that will help to protect the rights of pupils.

Prouty's principles of pre-therapy

Prouty's principles of pre-therapy are a development of client-centred therapy the operation of which is dependent upon the establishment of psychological contact between client and counsellor. Rogers (1957), the founder of person-centred counselling defined psychological contact as being two people who 'are to some degree in contact, that each makes some perceived difference in the experiential field of the other' (p.96). So this is a shared responsibility: both counsellor and client need to be aware of and, have some understanding of each other. Prouty was concerned that this placed outside of therapy those who did not yet have an apparent developed awareness of others. Prouty, therefore devised a set of what he termed 'pre-therapy principles' as a means of establishing initial psychological

contact with clients whom he described as being 'low functioning' (Prouty 2001: 31). Once contact had been enabled, Prouty argued, clients would be ready for therapy.

Prouty's work was informed by his experiences of living with his brother who had a diagnosis of autism and with whom the family experienced difficulties developing communicative relationships (Clarke 2005). Within pre-therapy the counsellor is seen as always having a more developed sense of empathy, awareness of him/herself and social flexibility than the client. It is therefore the counsellor's role to nurture psychological contact (Joseph 2004). The counsellor is obligated to have 'unconditional positive regard for the client' and 'an empathic understanding of the client's internal frame of reference' (Rogers 1957: 96). Pre-therapy places human appreciation, understanding and contact at the centre of service provision. These principles are designed to enable contact with people who appear profoundly isolated and withdrawn from others. Nonetheless, the focus on positive regard and empathic understanding of another mean that the principles serve to remind us of what should underpin all of our engagements with pupils, whatever the nature and level of their ability. Within a politics of wonder it should be critical to our teaching to know who our pupils are as people and what meanings they are making of their learning environment.

Pre-therapy in action

Pre-therapy is operated through 'contact reflections'. These encompass five types of reflections: situational, facial, word- for-word, body and reiterative. All of these are designed to bring the client and counsellor together within the moment. Although these terms are utilised here to reflect that pre-therapy is currently situated within

counselling, 'client' and 'counsellor' can be substituted for pupil and teacher. The starting point for the contact is whatever the client is attending to, or is at least engaged with, at that time. The counsellor responds to this using one of the five reflections. Situational reflections focus on what the 'client' is doing e.g. "You are pushing the ball" or "You are looking at the floor" (p.32). These might be expanded to include the location of the action, e.g. 'you are in the soft play room and you are rolling'. Facial reflections capture what appears to be articulated within the client's face. Prouty (2001) claims that many clients who have 'histories of psycho-social isolation, institutionalization, and over- medication (Reiss, 1994)' (p.32) carry unexpressed emotions within their faces; emotions that may not yet be understood by the client or even registered consciously as 'felt'. Facial reflections express these to the client e.g. "There are tears in your eyes"...You look scared...Your eyes are wide" (p.32). Prouty argues that such reflections help to 'develop affective contact in the client' (p.32), they enable the client then to feel the emotion that is being expressed within her/his face. The teaching of emotions to children is common practice within autism interventions (Almon-Morris & Diakite 2007) but what is really important here is that the counsellor, or teacher, is focusing to this degree on how the client or pupil is reacting and potentially feeling to what is happening. This requires the teacher to remain mindful that the pupil is a feeling being who reacts to her/his environment and to try and evaluate what is happening from the pupil's perspective. The questions that the teacher asks might be, 'If I were this pupil and experienced the world as he/she does then how might this event make me feel. How might I then react to that feeling if I were her/him? What would I want to happen in this situation?'

Word-for-word reflections are also utilised: these include the echoing of a client's words and/or sounds by the counsellor to 'give the client the experience of being *received* as a human communicator' (p.33). Body reflections are used to help the client keep embodied within the contact. A therapist might comment on what the client's body is doing or use her/his own body to reflect back the client's movement or position. This is a reiterative process with reflections that secure responses being repeated at the time or later to re-establish contact. Prouty argues that this process of reflecting reinforces the client's being in the world and enables affective and communicative contact. It helps both the client and the counsellor to access and understand what the client is feeling and experiencing. It happens at the 'cognitive level of the client' (p.33) enabling access to shared relationship building and incorporates the client-centred therapy principles 'of non-directivity, unconditional positive regard, and empathy' (p.33). Contact reflections do not just capture what happens but the nature and style of its happening, the tempo and spatial closeness. What is critical to pre-therapy is that a client's communication is valued and respected (Clarke 2005). The requirement of person-centred therapy, that the therapist must experience unconditional positive regard towards the client (Rogers 1957) is at the centre of pre-therapy. This is also an essential attribute when seeking to foster '[r]espect for the evolving capacities of children with disabilities and respect for the right of children with disabilities to preserve their identities' (CRPD, Article 3 (h)).

Conclusion

The vignette provided within this paper illustrates how readily responses to the behaviour of pupils with autism can involve non-consensual physical handling and that this is often far from the strategy of last resort. Positive handling is a potentially dangerous misnomer that can lead to a negation of the rights of disabled pupils. Although within positive handling there is a focus on non-physical intervention the vignette illustrates that this message is not always sufficiently understood and practised. It has been argued within this paper that focusing on a rights based agenda rather than managing behaviour is a necessary step for schools to enable recognition of when a pupil's personal freedoms are being restricted. Handling is not currently reserved only for reactive management of incidents of severely challenging behaviour: In the guise of support, encouragement and guidance (DfES & DH 2003) disabled pupils are being subjected to undesired and often unnecessary physical interference. Critical to helping teachers to find enabling modes of practice that foster 'an attitude of respect for the rights of persons with disabilities' (CRPD, Article 8 (b)) is working within a politics of wonder to achieve more developed understandings of pupil experience. Accessing different forms of knowing that are distinct from one's own is a challenging process (Haydon-Laurel & Wilson 2011; Mackenzie & Leach Scully 2007). It is suggested here that Prouty's principles of pre-therapy in the form of 'contact work' might have the potential to provide a useful and relatively accessible framework to help teachers with coming to know the meanings that pupils are making of their experience. Some guidelines are provided below to support teachers with making a start with contact work. However, further research is required to establish how useful contact work might be within school settings and to establish effective methods of support for teachers with the development of these skills.

Nevertheless it would certainly seem time to release the principles of pre-therapy from the counselling room and to explore their application in the field of education.

Starting contact work

This section provides some examples of how Prouty's principles may be used in practice. Contact can be worked on even in the busiest classroom and for the shortest period of time so long as staff can focus fully for those moments on the particular pupil. The only criteria required are i) that staff need to be motivated to make contact with pupils and ii) staff are open to developing a greater understanding of what it means to be that particular pupil in that specific setting. It is important that all overtures of contact are made respectfully and with affection. The activities below are not sequential and they do not all need to be worked on. They are only a guide from which a teacher would select whatever might be suited to the pupil.

1. **Making a connection** - Focus on what is of interest to the pupil at that specific moment. Comment on a key element of this using language at a level that is accessible to the pupil. Emphasise key words. This can be kept to a single word if necessary or extended if this is meaningful for a pupil. For example, 'bricks, bricks, you are building with bricks. You are building with bricks on the floor'.
2. **Mirror words or sounds** – Establish contact with a pupil by repeating words or sounds that he/she is making. Try to match the pitch, tone and length of the utterance. Later this might develop into a turn taking activity where each

mirrors the other. Initially though the focus should be on the sounds that the pupil is making.

3. **Mirror movements** – As with mirroring words and sounds but with moving your body in a way that mirrors what the pupil is doing with hers/his.
4. **Identifying emotions** – Use what you know about a pupil, what he/she enjoys and feels challenged by and what the pupil's body language and facial expressions are revealing to you to evaluate what she/he might be feeling within a situation. Express for the pupil the physical signs that informed you. For example, 'Scared, you are scared: your legs are shaking'. Again the level of complexity of language will depend upon what is required to make the concepts accessible for the pupil.
5. **Repeat what works** – if a mode of reaching out makes a connection and the pupil responds, try this again. As this becomes established as a connecting activity then try and extend it in a way that maintains the interest of the pupil.

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