

Title: **RISK OF INJURY**

Adopted: October 2018

Reviewed:

Revised: October 2023

Authority:

Related: Policy 3007: Risk of Injury

**PURPOSE**

The purpose of this procedure is to provide information and guidance regarding preventative strategies and intervention strategies to be used in cases where students with special needs present behaviours as part of their disability that may pose a threat to the safety and security of self or others, and care must be undertaken by staff to ensure everyone’s safety.

**GUIDELINES**

1. The management of Risk of Injury (RI) takes into careful consideration all of the respective legislation that guides the actions of professionals working within an educational setting. The goal of RI management is the ongoing safety of students and staff, and respect for the physical, emotional and educational integrity of those involved.
2. PPM 140 provides a good overview of coordination and collaboration that is applicable to the management of RI behaviours:
* Educators and service providers collaborate and deliver services in a coordinated way.
* All staff involved in management of RI Behaviour contribute to achieving common outcomes and are clear in the objectives of service delivery.
* Effective linkages are established to meet the needs of students with RI Behaviour.
* A team approach is valued and involves parents/caregivers, educators, professional support staff and community partners.
* Regular communication needs to occur.
1. All KidsAbility School Authority staff will endeavour to use data collected from ABA and FBA procedures to create a learning environment which is safe but also attempts to reduce the probability of RI Behaviours.
2. The implementation of environmental, instructional, or Behavioural strategies which minimize the probability of RI Behaviours is consistent with the KidsAbility School Authority Safe School Procedures and the Ontario Code of Conduct. All KidsAbility School Authority staff are encouraged and trained to use prevention and alternative response strategies to limit the use of intrusive practices.
3. As an overall guideline, all prevention and interventions strategies should be used to their fullest capacity with students who demonstrate RI Behaviours. Use of intrusive or containment procedures should be done cautiously and judiciously, most often within a framework of programmed response as outlined within a BSP.
4. The Principal must keep in mind that all legislation with respect to student, family and staff confidentiality must be adhered to in all discussions, correspondence, case conferences, and program planning for any student, including those with exceptional needs and whose manifestation behaviours present a risk of injury. Care must be taken to obtain the required informed consent with respect to the sharing of pertinent medical, psychological, educational, employment and family information.
5. In exceptional circumstances where there is an imminent and significant risk of injury, disclosure of relevant safety information to specified school and Authority staff is permitted, as outlined in the following legislation:
6. **Personal Health Information Protection Act**:

Section 40. (1): *A health information custodian may disclose personal health information about an individual if the custodian believes on reasonable grounds that the disclosure* *is necessary for the purpose of eliminating or reducing a significant risk of serious bodily harm to a person or group of persons.*

1. **Occupational Health and Safety Act:**

Section 32.0.5 (1*) Duties re violence*

*Provision of Information*

*(3) An employer’s duty to provide information to a worker under clause 25(2) (a) and a supervisor’s duty to advise a worker under clause 27(2) (a) include the duty to provide information, including personal information, related to a risk of workplace violence from a person with a history of violent behaviour if,*

*- the worker can be expected to encounter that person in the course of ….. work; and*

*- the risk of workplace violence is likely to expose the worker to physical injury.*

 *Limit on disclosure*

*(4) No employer or supervisor shall disclose more personal information in the circumstances described in subsection (3) than is reasonably necessary to protect the worker from physical injury.*

1. Consultation and pre-transitioning with parents/guardians will help the staff ensure that the classroom is a safe learning environment. It will help reassure parents that their child’s needs are recognized and understood, and that the interventions and resources available to the school are in place. Additionally, developing a comprehensive transition plan with school staff and parents will ensure that everyone is aware of the steps that will be taken if serious behaviours that threaten the safety of students and /or staff occur.
2. Parent/guardian involvement is always important in developing appropriate programming for pupils with special needs. Consultation with parents/guardians is mandatory under Reg. 181/98 in developing the IEP and Transition Plan. Early consultation and pre-transitioning is essential and absolutely critical in program planning for students with risk of injury behaviours.
3. Parents/guardians are usually the best source of information about the student’s behaviour. They can provide background on the diagnosed condition and its symptomatic behaviours along with the child’s strengths and needs. They can provide information about behaviour at home or in previous school settings and successful / unsuccessful intervention strategies. It is also important that parents have the opportunity to share their short and long-term expectations for their child.
4. The Principal has the ultimate responsibility for the IEP. However, a collaborative team approach is necessary, including the following members of the team:
* Principal
* Classroom Teachers
* Special Education Teacher
* Educational Assistant (s)
* Professional Staff
* Student (where appropriate)
* Parent/Guardian
1. Transition Plans work in conjunction with the student’s IEP to ensure that all due considerations are in place when a student is to undergo a transition from one environment to the next environment.
2. Progressive discipline requires that positive behaviour supports be used as an approach to working with challenging behaviours. Positive behaviour supports require that school staff:
* Understand and support the student in the behaviour change process
* Apply a scientific approach of observation and data collection (i.e., ABA, FBAs)
* Analyze the context in which the behaviour occurs
* Identify a relationship between the behaviour and the context to determine the motivation behind the behavior
* Design a behaviour support plan that is evidence based and that accommodates the motivation of the individual
* Reduce potential triggers for the individual in the environment in certain settings and during certain events
* Provide and train the individual in the use of alternative behaviours that are more socially acceptable
1. A Behaviour Log is an ongoing daily tracking form and an integral part of the Functional Behaviour Assessment process. It is an important tool in identifying patterns in the student’s behaviour, modifying or adjusting intervention strategies, and evaluating the success of the IEP and BSP. Since it details ongoing behaviour, it is also an important tool when communicating with parents/ guardians, community agency support services, school administration and KASA services in the Management of Risk of Injury process. An effective Behaviour Log is one in which entries can be made quickly, yet one that provides enough information for evaluation and improvement of the student’s program.
2. The Behaviour Log is essential where aggression includes behaviours that present safety concerns or risk of injury.
3. Under the Occupational Health and Safety Act (OHSA), the Authority is required to take every reasonable precaution for the protection of workers.

**PROCEDURES**

**Planning**

1. As part of the IEP for students with significant behaviour needs, a Behaviour Safety Plan must be developed in consultation with the parents with the assurance that the focus is on how to effectively create opportunities for the student to be successful at school. Prevention and intervention strategies should be thoroughly discussed and agreed upon. It is important that the parents have a clear understanding of expectations, strategies to be used and when and how consequences will occur.
2. For a student who has a diagnosis of a medical, neurological, or developmental condition, it is critical that the Principal obtain (with parental permission) all relevant information, including details of any manifestation behaviours, including those Risk of Injury behaviours which may create safety concerns for the student, classmates or staff within the school environment or other settings.
3. The Principal is responsible for ensuring that IEPs, Transition Plans, PSPs and BSPs are developed collaboratively by Authority board staff members and that parent/guardian/caregiver consultation is included in the process. The IEP should identify alternative curriculum expectations in the areas of behaviour management, social skills and communication along with appropriate strategies and evaluation methods. In addition, environmental accommodations may be considered, for example, alternative work space, strategic seating, proximity to staff, reduction of stimuli and quiet setting / calming room.
4. Principals must establish an appropriate level of communication with educational staff regarding the IEP, Transition Plan, PSP or BSP, particularly with respect to Risk of Injury behaviours.
5. Services and supports are implemented based upon evidence of their effectiveness; typically, this will involve the use of Applied Behaviour Analysis (ABA), Functional Behaviour Assessment (FBA) and non-violent crisis intervention strategies.
6. A detailed BSP must be developed in conjunction with the IEP for student whose behaviour presents a risk of injury to students or staff. The following staff should be involved in developing and or reviewing the BSP as necessary: teachers, educational assistants, the Principal. The full participation of the classroom teacher and Educational Assistant(s) is critical in the development of an appropriate and reasonable BSP; a successful BSP is not one that is imposed. While others may recommend or suggest, the teacher and Educational Assistant must implement the plan on a daily basis. Their support for the plan will be a major factor in the Principal’s decisions with respect to student attendance, staffing assignment and intervention strategies.
7. The BSP must detail the necessary PPE that must be in place for the staff before the student begins at the program /school.
8. The principal must ensure that an accurate and up-to-date behaviour log is kept for any child whose behaviour presents a risk of injury.
9. The behaviour log contains basic information, such as the date and time of the incident, what happened before the incident (antecedent), a brief description of the behaviour, the duration of the behaviour, the intervention used, and what occurred immediately after the behaviour (consequences of behaviour).
10. The Principal is responsible for ensuring that appropriate staffing is in place to support students with RI behaviours.

**Training**

1. Safety training programs such as BMS do not fully meet the needs of staff working with students whose symptomatic behaviours pose a significant risk of serious injury to staff and students due to the student’s size and strength. Regardless of the level of training and staff experience, Principals and staff must call 911 for police and/or medical assistance when safe intervention by school staff is not possible. The circumstances that require a call to 911 should be outlined in the student’s Behaviour Safety Plan.
2. In addition to the requirements under the OHSA, it is a KidsAbility School Authority practice that the Principal ensures that all employees who have regular contact with a student who has special needs with a current history of aggressive behaviour in school are informed of the risk of injury when interacting with these students. Employees include: teachers, educational assistants, custodial and clerical staff, bus drivers and monitors, and anyone else who has regular contact with the student. This may also include professional services support staff working with the student on a one-to-one basis from time to time or those who are occasional workers (teachers and educational assistants) who will encounter the student when called in to replace the regular staff.
3. This precautionary notification is necessary for all staff and is of particular importance for staff members who have regular contact with the small number of students with special needs who lack the ability to control their behaviour and to understand the consequences of their behaviour. Staff members involved who provide instruction and support to the student have the right to know what behaviour can be expected and through experience, qualifications, and training, how to apply the appropriate strategies to attend to the student.
4. Accordingly, the Principal will document that all employees who have regular contact with students with special needs and who demonstrate risk of injury behaviours, are informed of the risk of injury and related information. The Principal must share, in confidence, information from the student’s IEP, Transition Plan and Behaviour Safety Plan related to aggressive behaviour. The BSP for the student must also be reviewed with staff. This information will include, but is not limited to, the following:
* Specific strategies in place to prevent occurrences of aggressive behavior
* The nature and frequency of possible violent aggressive behavior
* Predisposing and/or precipitating factors
* Expected employee responses and safety procedures to be followed (BSP)
* Procedures for notifying parents/ guardians
* Possible disciplinary consequences for the student
* Reporting procedures for incident and/or injury

After meeting with staff members, the Principal will complete the appropriate form. This form will be kept in the Principal’s office and is considered confidential.

1. The Principal must also ensure that when an occasional/temporary employee is brought in, either the occasional/temporary employee has the qualifications, skills, and/or experience to meet the demands of the assignment working with a student who presents with RI or that the remaining staff members in the classroom can safely supervise the student.
2. The Principal must develop contingency plans with staff and parents/guardians/caregivers for those situations in which occasional/temporary employees are not available, or do not have the qualifications, skills or experience required to meet the demands of the student. This plan should be developed along with the development of the BSP before the student begins a program.
3. The Principal needs to evaluate the staff requirements for training in *Behaviour Management Systems* (BMS). Non-violent crisis intervention is mandatory for staff working directly or indirectly with students with RI Behaviours; as well, re-certification in such training is required annually. Such training should be referenced in both the IEP and the BSP.
4. It is important that the environments within which both the student and staff are working are considered safe and free from potential risk of harm. This requirement is especially important for students with RI behaviours. Toward this end, the Principal, with input from the staff, must conduct an audit of the classroom, school or bus environments to ensure that appropriate safety precautions are undertaken.

1. The Principal and educational staff may need to consult with the KidsAbility School Authority Health and Safety Department and/or Special Education Resource Staff to ensure that all precautions in relation to the physical layout of the work area have been considered.

**PPE**

1. For students who demonstrate RI Behaviours, assessment may indicate the need for Personal Protective Equipment (PPE) for staff. PPE includes equipment, devices or clothing that is used to protect staff members or students from injury in the course of their daily activities. Examples include: protective jackets; arm, hand and shin guards and communication devices such as walkie talkies.
2. Any required PPE must be obtained prior to the student beginning the school program and must be worn by the staff working with the student as outlined in the BSP.
3. PPE is utilized to reduce or eliminate effects of RI Behaviour and should be monitored closely for its capacity to do so. Ongoing behaviour assessment can indicate the necessity of current equipment or the need to utilize additional equipment or methods to reduce risk of injury. When required, the use of PPE must be indicated in both the IEP and the BSP.
4. Consultation with appropriate professional support staff to determine need and/or effectiveness of PPE is required, e.g., Psychological Services, Instructional Facilitators, Health and Safety staff, Occupational Therapist.

**Emergency Response Procedures:**

1. There is a continuum of emergency response procedures that staff must proactively consider and rehearse in order to effectively manage aggressive incidents when they occur.

1. Less intrusive options include:
2. **Verbal De-escalation -** Verbal de-escalation is the first step in the continuum of behaviour intervention for students with RI behaviours. A clear understanding of the verbal escalation continuum, as outlined in BMS training, is essential to assist staff in matching their verbal response to the level of escalated behaviour demonstrated by the student.
3. **Guided Assistance:** More typically known as a physical prompt, Guided Assistance involves physically touching the student on a designated spot, e.g., arm, shoulder, to guide and redirect the student from one location to another. The use of Guided Assistance is based upon assessment and is structured within the IEP or the BSP as a programmed response.
4. More Intrusive Options include:
5. **Special Equipment:** Physiotherapeutic equipment or devises such as safety vests, helmets and special equipment may be used to move students with physical challenges and/or sensory needs; at times, this equipment may be used to decrease the probability of RI behaviour. Specific types of equipment are professionally authorized and approved for use by parents/caregivers. They are specified on the student’s IEP and BSP.
6. **Containment:** School staff may need to use reasonable force to restrict a student’s behaviour if an injury to the student or others is imminent. ‘Containment’ refers to a specific set of actions used in a crisis situation wherein the student poses an immediate risk to self or others; specific training is required by staff to use such procedures, i.e., BMS Training. Containments should be used only with reasonable force to secure student and staff safety, with the intention of avoiding harm or injury; they are stopped immediately when there is no longer a clear and imminent risk to the student or others. Caregivers must be informed of the use of containment under these circumstances as outlined in the IEP and BSP; appropriate documentation must be completed by staff when the use of containments occur.
7. **SPECIAL NOTE: Programmed Holds**

Holding procedures, e.g., holding hands or arms, may only be used to prevent the student from engaging in self-injurious behaviour; such procedures are never to be used to secure compliance. Programmed Holds are used only rarely and under prescribed circumstances of highly imminent risk. Staff using such techniques should use them judiciously, only as specified within an IEP or BSP and with thorough documentation regarding their use, including frequent and regular team review meetings. Additional assessment through ABA and FBAs would be considered necessary to mitigate the frequency with which Programmed Holds are used. Unlike the BSP, parent/guardian consent *must* be secured before the use of Programmed Holds.

1. All staff involved with students who demonstrate RI Behaviour must be qualified and have the knowledge about effective strategies or have the opportunities to acquire this knowledge.
2. Ongoing and regular evaluation of practices and procedures to address RI Behaviours must occur with parents/caregivers, educators, professional support staff and community partners.

**Debriefing RI Incidents:**

1. Each time a student demonstrates RI behaviour, and particularly if there is a staff / student injury or when containment is required, the Principal must meet with all staff involved in the situation, to debrief the occurrence. The purpose of the debriefing is to determine the triggers that led to the event, what can be done in the future to prevent an RI incident and the need for additional training or personal protective equipment.
2. During the debriefing the IEP, Transition Plan and Behaviour Safety Plan must be reviewed and revised as necessary.
3. Where a student’s behaviour continues to pose a significant safety concern and/or risk of injury, the following will be reviewed as part of the school action plan:
* IEP and BSP (including updated intervention and prevention strategies)
* Current behaviours that continue to present a risk of injury
* Parental/guardian/caregiver intervention and prevention strategies
* Current safety audit of the classroom and school environment
* Staff training/in-service and possible protective equipment needs
* Alternative measures and contingency plans in case of staff absence
* Re-entry plan and timelines
1. In those situations where physical interventions for a student are frequent and on-going, it is the expectation that regular meetings will take place to discuss strategies to decrease the frequency of physical interventions.
2. Where there are genuine safety concerns for the student with RI behaviours, other students, and staff members, as per Section 265 (1) (m) of the Education Act, the Principal can exclude the student from attending the class/program for safety reasons until the debriefing has occurred and the BSP has been altered in order to address the safety needs stemming from RI behaviour(s).

**Reporting and Record Keeping:**

1. A number of reporting and record keeping procedures related to student behaviour currently are required by the Ministry of Education and within the KidsAbility School Authority; the Transition Plan and the BSP is part of the student’s IEP. This information is kept in the student’s OSR.

The following documentation must be completed:

* **IEP / Transition Plan / BSP -** Completed by the school team and reviewed regularly for each student who demonstrates risk of injury behaviours
* **Behaviour Log -** Completed by the teacher/educational assistant each time a student demonstrates RI behaviours in order to gather data about the triggers, behaviour and effectiveness of strategies.
* **Physical Containment Report Form -** Completed by the Principal for each time containment is required. A copy of each Physical Containment form is to be sent to the Special Education Officer.
* **Incident Reporting -** Completed by the teacher/educational assistant after the incident.
* **Employee Violent Incident Report Form -** Completed by the Principal when a student has exhibited aggressive behaviours, including not only the exertion of physical force that causes injury but also a behaviour that could have caused injury to an employee or a verbal threat to exercise physical force against the employee.
* **Supervisor Accident Investigation Report Form** - Completed by the Principal when a staff member is injured.

**Transfer of students with special needs whose behaviour poses a risk of injury to the student, staff and/or others:**

1. The KidsAbility School Authority recognizes the importance of communicating information about students who may present a danger to themselves, staff, students or others. A transition plan, must be communicated when students transfer from one class to another or to another school.
2. When transferring or placing a student with special needs whose RI behaviour may pose a threat to the student and/or staff and others in the school to which the student is being sent, it is crucial that the Principal of the sending school alert the Principal of the receiving school before the student arrives at the community school.



**BEHAVIOUR LOG CHECK LIST**

Student’s Name \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_ Observer \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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| Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_Time:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_Target Behaviour:\_\_\_\_\_\_\_\_\_\_\_\_Location:\_\_\_\_\_\_\_\_\_\_\_\_\_Activity:\_\_\_\_\_\_\_\_\_\_\_\_\_\_Other Information: | * Transition
* Environmental Change
* Someone in space
* Object taken away
* Asked to do a task
* Change in routine
* Interaction with peer
* Interaction with staff
* Other
 | * Ignored staff
* Inappropriate response
* Scream/yell
* Walk away
* Running away
* Physical Aggression
* Destruction of environment
* Flopping
* Tantrum
* Duration:\_\_\_\_\_\_\_\_\_\_\_
* Other
 | * Removed child
* Ignored
* Redirected
* Changed activity
* Note to student
* Showed picture
* Offered choice
* Time out
* Signaled/cued student
* Other
 | * Attention
* Escape
* Sensory
* Tangible
* Multiple
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| Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_Time:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_Target Behaviour:\_\_\_\_\_\_\_\_\_\_\_\_Location:\_\_\_\_\_\_\_\_\_\_\_\_\_Activity:\_\_\_\_\_\_\_\_\_\_\_\_\_\_Other Information: | * Transition
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**Behaviour Support / Safety Plan**

Student Name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ OEN: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

D.O.B.: \_\_\_\_\_\_\_\_\_\_\_\_\_\_ Parent/Guardian: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

School: KidsAbility School \_\_\_\_\_\_\_\_\_\_\_\_\_Cambridge \_\_\_\_\_\_\_\_\_\_Waterloo

Created by: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Safety Plan Statement: A safety plan is the individual crisis-response plan that is implemented by staff in situations where prevention and intervention strategies detailed in the student’s IEP have been unsuccessful in preventing behaviour that presents an immediate risk of injury. The IEP will outline appropriate accommodations and modifications to the curriculum, alternative expectations, and specific strategies and supports required to maintain safe behaviour of the student. Each Safety Plan is unique and is specific to the needs of the individual student. The Safety Plan details the specific actions for staff to minimize or prevent injury. Involvement of the parent(s)/guardian(s) in the development of the Safety Plan is critical and parental/guardian support for any use of physical intervention on an ongoing basis is mandatory.

Reason for Plan:

Key Understanding about Student:

Risk of Injury (please describe)

□ Physical Aggression \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

□ Self Harm\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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□ Destructive \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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Triggers – Known factors that increase the probability of challenging behaviour.

Strategies for Prevention/ Proactive Strategies:

Indicators of Escalation in Behaviour:

Response Plan:

Follow-Up:

Communication:

Behaviour support/safety plans have been shared with the parent/guardian.

Principals are required to ensure that safety plans are shared with relevant staff.

Team Member Signatures:

Name Role Signature Date

|  |  |  |  |
| --- | --- | --- | --- |
|  | Principal |  |  |
|  | Teacher |  |  |
|  | Educational Assistant |  |  |
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Review Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_