GUIDANCE

Restorative Practice in Schools

Paul Howard

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About the Author

Paul Howard has over thirty five years' experience in education, having been a youth worker, teacher, lecturer and headteacher of a behaviour support service, before establishing his current training and consultancy practice in 1999. Paul's long-standing commitment to inclusive education has led him to explore alternatives to traditional constructs of educational failure, learning difficulties and pupil behaviour. In this context, much of his work has focused on preferred learning styles, the creative curriculum and the relational aspects of behaviour, especially restorative practice in schools and communities. Paul has delivered training on restorative practice in schools and multi-agency partnerships throughout the UK and acted as the external consultant to the CfBT project in East Sussex.

The Project Team

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Acknowledgements

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Executive Summary

> *Unlike punitive approaches, in which a third party acts as judge, jury and executioner, restorative practice predicates upon ownership of behaviour and conflict resting with those directly involved, who also retain responsibility for resolution of the problem.*

Introduction

Although the use of restorative practice in schools is a recent development, it has deep historical roots. In many ancient societies, including the Sumerian and Babylonian, restitution was the cornerstone of the justice system. In more modern times, the application of the longstanding principles of restorative justice has been embraced by police forces in North America, Australasia and the UK, where the Thames Valley force has been at the forefront of this development. Restorative justice has been applied to a wide range of situations by the police, from fairly immediate responses on the beat to complex reparation of harm in the wake of very serious offences. In recent years restorative practice has not been confined to two-sided offending, but also been applied in the most complex political and community contexts. Restorative justice was the basis for the peacemaking process that ended the civil war of the 1990s in the Bougainville Region of Papua New Guinea. At around the same time in South Africa, Desmond Tutu's Truth & Reconciliation Commision, which sought to repair the rifts in South African society at the end of the Apartheid era, was informed and largely driven by restorative principles. Also in the mid-1990s, following the official ceasefire in Northern Ireland there was growing interest in developing non-violent, restorative community justice, as an alternative to the continuing use of punishment beatings and other acts of retribution. Despite the complexity and chronic nature of the conflicts, these large-scale attempts to effect restorative resolution had significant impact.

During the last few years, there has been significant interest in the application of restorative justice principles within schools. The restorative practices are based on the notion that, where conflict occurs, either or both parties and their relationship are harmed and it is this harm that needs to be addressed. Unlike punitive approaches, in which a third party acts as judge, jury and executioner, restorative practice predicates upon ownership of behaviour and conflict resting with those

directly involved, who also retain responsibility for resolution of the problem. This report on CfBT's project in East Sussex seeks to inform schools on the features of different models of practice and guide them in the development of restorative practice.

Key messages

The establishment of restorative practice is most effective when it is integrated within whole school development

Successful development of restorative practice not only entails the acquisition of new skills and techniques but also requires schools to reflect on their value base and culture. If restorative approaches are introduced without such reflection, they might still make a significant difference; however, that difference would lack sustainability. Schools that periodically revisit and reaffirm their core values are best placed to develop restorative practice. The inclusion of reflection on values within the process of developing restorative practice invariably acts as a reassurance that existing core values are largely consistent with the introduction of the new practice.

SLT support and involvement is fundamentally important

Given that restorative approaches challenge the existing assumptions and practice of at least some staff, the active involvement of the school's senior leaders is essential. The need for the approach to be championed by one or more influential champions has particular relevance to developments that call for radical change in policy, procedure and practice. Elements of SLT support that impact on the development of restorative practice include:

- **The headteacher's participation in whole school training.** This has the effect of endorsing development; even where leadership of the project is devolved to another colleague, the participation of the headteacher communicates his/her interest, support, commitment and models an openness to change.

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- **Participation of one or more members of the SLT in the specialist mediation training.** Although demanding of the time of already busy staff, this lends weight to the development of restorative practice and helps secure lines of communication.

- **SLT members' active involvement in the delivery of formal and informal restorative practice.** This involvement strengthens the capacity of the SLT to provide informed and empathic support to colleagues as well as creating opportunities to model best practice. Without the headteacher and other senior colleagues incorporating restorative approaches within everyday practice, the reinforcement of the development is likely to be diluted.

The success of restorative practice is affected significantly by the contextual conditions for its development

The capacity of the school to accommodate the development needs to be considered. As previously indicated, the introduction of restorative practice is at its most effective when integrated with other aspects of school development. Considerable upheaval is not in itself grounds for a school to eschew or defer development of restorative practice. There are scenarios, e.g. a post-inspection action plan, in which the development is an appropriate response to the upheaval.

Heterogeneous training groups bring additional benefits

The delivery of mediation to joint staff/student groups is almost unanimously experienced as beneficial and there are no apparent disadvantages. Not only does the participation of students add a realistic touch to the role plays it also creates an opportunity for an unusual professional dialogue between adults and young people and increases schools' options when it comes to deploying mediators.

In restorative practice, neutrality is essential, but can be difficult to sustain

One of the main obstacles to overcome in the development of restorative practice is to establish its neutrality. The challenge for mediators, both during and after training, is to suspend the reality of their being teachers, care staff, support staff or students. This can prove particularly difficult for staff, who sometimes revert to more directive, suggestive behaviours associated with their other roles. Although students are less affected by role confusion, they may also be susceptible to occasional lapses, which result in a shift from facilitator to director. During training, staff and students often express concern that others will not easily distinguish between the familiar roles of staff or students and their role as mediators. Generally, these concerns prove to be unfounded, so long as the mediators sustain their neutrality by preserving the integrity of the restorative process.

About the research

The project provided three schools in East Sussex (one secondary, one primary and one special) with the opportunity to establish restorative practice in a systematic way. Although each school was encouraged to pursue its own development path, the project included a number of common core features:

- briefing for heads and senior leaders

- a model of whole school training in informal restorative practice

- formal mediation training for identified staff and pupils

- consultancy support during the project.

Introduction

> *During the last few years, there has been significant interest in the application of restorative justice principles within schools.*

Pupil behaviour is cited consistently by staff, parents and young people as one of the leading problems in schools. Many of the responses to unacceptable behaviour can be described as punitive. Indeed, it is common for 'punishment' to be regarded as a synonym for 'consequences of behaviour'.

The impact of punitive approaches is open to question. For example, significant levels of recidivist behaviour suggest that at least some sanctions have little influence over the subsequent behaviour of 'offenders'. Similarly, those schools that make extensive use of sanctions often continue to do so over time, which suggests that punishment has limited value as a deterrent for other pupils. Overall, sanctions-led approaches do little to promote among children and young people a genuine sense of responsibility for their own behaviour.

The restorative alternative is based on the notion that, where conflict occurs, either or both parties and their relationship are harmed and it is this harm that needs to be addressed. Unlike punitive approaches, in which a third party acts as judge, jury and executioner, restorative practice predicates upon ownership of behaviour and conflict resting with those directly involved, who also retain responsibility for resolution of the problem.

The origins of restorative practice in schools can be traced to the response to offending of certain traditional societies, e.g. the Maori of New Zealand. A strong sense of community underpins this response, in which the offender is exposed to the thoughts and feelings of those affected by their actions. Typically, this takes place in a large meeting space and a collective view of what the offender needs to do to restore his/her relationship with the community is constructed. In the process, the responsibilities of both the individual and the community are refreshed. Although most commonly associated with geographically distant societies, features of this approach have also been identified within pre-Norman models of justice in Britain.

In the modern age, the application of these longstanding principles of restorative justice has been embraced by police forces in North America, Australasia and the UK. Restorative justice has been applied to a wide range of situations by the police, from fairly immediate responses on the beat to complex reparation of harm in the wake of very serious offences.

During the last few years, there has been significant interest in the application of restorative justice principles within schools. Despite the fact that central government's encouragement in this area has not been unequivocal – there is scarcely any mention of restorative approaches in the Steer report (DCSF 2009) – there is a growing body of research evidence on the impact of such approaches (YJB 2004, Allen 2006, Kane *et al* 2006).

This report on CfBT's project in East Sussex seeks to add to that evidence base and to shed light on the features of different models of practice.

About this report

This report is based on a research and development project in three schools in East Sussex (one secondary, one primary and one special). The purpose of the project was to shed light on the effective establishment of restorative practice in schools. Each school was given the opportunity to develop restorative practice in a systematic way. Although each school was encouraged to follow its own route on the development journey, a number of features of the project were common to all three: training in restorative practice, support and challenge from a consultant, the gathering of data (on process, perceptions and impact). Preparatory work, including briefings for heads and senior leaders, took place during the autumn term 2007, training was delivered between January and May 2008 and consultants made regular visits to their allocated schools throughout 2008.

The data that was produced by these three schools has been analysed and presented in this report in order to inform and guide other schools considering adopting a restorative approach to behaviour. The report is presented in two parts, firstly there is a discussion of the 'core principles' to be considered when adopting restorative practice in schools. Secondly there are descriptions of the three school case studies. In addition, an abstract of training materials is provided as an appendix to this report.

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Part 1: Core principles

Even where leadership of the development is devolved to another colleague, the participation of the headteacher vitally communicates his/ her interest, support, commitment and openness to change.

1.1 The establishment of restorative practice is most effective when it is integrated within whole school development

Successful development of restorative practice not only entails the acquisition of new skills and techniques but also requires schools to reflect on their value base and culture. If restorative approaches are introduced without such reflection, they might still make a significant difference; however, that difference would lack sustainability. Schools that periodically revisit and reaffirm their core values are best placed to develop restorative practice. The inclusion of reflection on values within the process of developing restorative practice invariably acts as a reassurance that existing core values are largely consistent with the introduction of the new practice (see Case Study below).

1.2 SLT support and involvement is fundamentally important

While this observation is certainly not unique to restorative practice, it has particular relevance to a development which might challenge existing assumptions about how to respond to conflict and misbehaviour, which prompts a depth of reflection on relationships within the school and which may necessitate change in policy and procedures. Given these complexities, there is a need for one or more champions, who have the status to be able to affect significant change.

Notwithstanding the legitimacy of diverse development paths, there is evidence from within the project that the pace and strength of development is directly affected by the extent of the involvement of the SLT, especially the headteacher. This involvement can be translated into a number of specific factors (see Case Study below).

1.2.1 The headteacher's presence during whole school training

Even where leadership of the development is devolved to another colleague, the participation of the headteacher vitally communicates his/her interest, support, commitment and openness to change. Otherwise, staff may infer that the development is not important. The absence of the head from key milestone events inadvertently can undermine the position of the senior colleague to whom leadership of restorative practice is devolved.

Case Study Example	Integrating restorative practice within whole school development
	In collaboration with key staff and the project consultant, the Head of Willingdon County Primary School drew up a detailed action plan for the project including its integration within existing structures, policies and procedures (see appendix 2). The action plan became the cornerstone of the school's project implementation and proved invaluable, not only in articulating specific development steps but also in predicting the indicators of success.

Case Study Example	SLT support and involvement
	While she devolved leadership on aspects of the project to other staff, the headteacher of Willingdon County Primary School provided sustained leadership for the development as a whole. This helped ensure the integration of project activity within existing policies, procedures and practice and provided a strong basis for enquiry.

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> *Relationships around the school seem better. There are fewer occasions on which staff say 'a student has done this or that and I want them excluded.'* (Senior Leader)

1.2.2 The participation of one or more members of the SLT in the specialist, mediation training

Although demanding of the time of already busy staff, this participation lends weight to the development of restorative practice and secures lines of communication between the SLT and those involved in delivery of the mediation service. It also provides an informed champion for the development, i.e. someone who can lead and support the network of trained mediators, who can represent restorative practice in decision-making circles and who can influence the development of policy and procedures.

Although not essential, there may be an added premium in terms of a coherent approach and mutual confidence when the nominated member(s) of SLT are trained at the same time as their colleagues. In each of the three project schools, the lead member of the SLT received mediation training and, while not discounting other, contextual factors, project leadership clearly was stronger in those schools where the training was accessed alongside others involved in the project (see Case Study below).

1.2.3 The active involvement of at least one member of SLT in the delivery of formal restorative practice

As an extension of the idea of an *informed* champion, there are clear benefits in the senior leader for restorative practice development

being a practising mediator in her/his own right and thus having insight into the complexities of the process.

1.2.4 The active modelling by SLT members of informal restorative practice

Whether or not it is possible for a member of the SLT to commit time to training in formal mediation, it is of fundamental importance that the headteacher and other members of the SLT are routine users of informal restorative techniques. This cannot be taken as read, on the strength of a decision to pilot or develop restorative practice and requires a conscious effort on the leadership team's part, as they might experience a degree of role conflict, especially in the early stages of development.

1.2.5 Continuing SLT involvement in the organisation of restorative practice

Some elements in this continuing activity may be grounded in the role of champion, i.e. upholding the profile of restorative practice and ensuring that it is adequately resourced. Detailed action planning, as demonstrated by one of the project schools, is recommended as a medium for securing practice over time (see Case Study below).

Case Study Example	Participation of SLT in the specialist mediation training
	At Ratton School an assistant head led on the project and he was joined by five members of the Care and Guidance team and five students on specialist mediation training… It was decided not to opt for whole school training in the early stages of the project, a decision that was prompted in part by the recent delivery of training in a broadly similar field and, more significantly, by the assistant headteacher's interest in seeing whether practice could be grown and attitudes shifted as a result of exposure to the formal aspects of restorative practice, i.e. mediation.

Case Study Example	Continuous SLT involvement
	St Mary's School identified the basis of a policy and set of protocols needed in order to implement mediation by both staff and pupils (see appendix 3).

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1.3 The success of restorative practice is affected significantly by the contextual conditions for its development

Whereas mediation has a high success rate and informal restorative practice is widely reported as having a positive impact, there are a number of contextual factors which influence the quality of the process and outcomes of both formal and informal approaches.

1.3.1 The stability of the school

Considerable upheaval is not in itself grounds for a school to eschew or defer development of restorative practice. There are scenarios, e.g. a post-inspection action plan, in which the development is an appropriate response to the upheaval. However, where change is required or under way on a broad front, unless restorative practice has been identified as an integral part of that development, it may not be the most appropriate and effective time to introduce it. Restorative practice may be highly appropriate to the needs of the school, but unless it is integrated within the broader school development and improvement agenda, it risks being piece-meal and unsustainable (see Case Study below.)

1.3.2 The school's value base

Schools which periodically revisit and reaffirm their core values tend to be particularly well-placed to develop restorative practice. The inclusion of reflection on values within the process of developing restorative practice invariably acts as a reassurance that existing core values are largely consistent with the introduction of the new practice.

1.3.3 The extent of understanding of restorative techniques and what underpins them

Where training and professional development is limited to the small minority who are going to be delivering formal mediation, there is a risk of that practice becoming divorced from general experience of how issues and incidents are being addressed. Whole school staff training does not bring a guarantee that behaviours and attitudes to conflict will shift, but without it, it is difficult for formal restorative practice to take root and become a sustainable feature of school life (see Case Study below).

The most effective training in this field is not only practical, including hands-on opportunities to try out the techniques, but also incorporates theoretical understanding of relationships, interactions and conflict. The practical and theoretical do not exist as separate elements, but need to be presented and experienced as interrelated.

Although there are undoubted benefits in grounding specialist mediation training in a broader programme of whole staff development, it does not follow that the whole school development of restorative practice

Case Study Example	School stability
	During the recruitment phase of the project, St Mary's Special School was considering federation with another, successful and established school for pupils with emotional and behavioural needs. Notwithstanding the level of upheaval at the school, it was felt that the introduction of restorative practice would help cement a positive culture.

Case Study Example	Understanding of restorative techniques
	The deputy headteacher leading the project at Ratton School has concluded that an important factor… is the fact that the core activities, especially mediation, were not imposed on staff. Their engagement has grown organically and, in a way that is wholly consistent with the principles of mediation, has been voluntary. Overall, there is a growing body of anecdotal evidence of improving relationships (staff/student and student/student).

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"Children are much more empowered to deal with issues themselves. As a result, many of the problems do not even reach Teaching Assistants/Midday Supervisors, let alone teachers (Headteacher)

necessitates the creation of a mediation capacity, as demonstrated by the primary school in the project, which has rarely needed to call on its trained mediators in a formal way.

Where the establishment of a mediation service *is* the intention, there appear to be obvious benefits in preceding this with whole staff training in informal techniques. However, as illustrated by the project secondary school, the possibility of formal mediation practice being the starting point for the development of a restorative culture cannot be discounted.

1.4 Additional benefits appear to be derived from heterogeneous training groups

The delivery of mediation to joint staff/ student groups is almost unanimously experienced as beneficial and there are no apparent disadvantages. Not only does the participation of students add a realistic touch to the role plays (some adults are prone to hamming up their portrayal of students in conflict), it also creates an opportunity for an unusual professional dialogue between adults and young people and has increased the schools' options when it comes to deploying mediators, a small number of sessions having been facilitated by a joint staff/student team. Where a school is planning the training of staff and pupils/students as mediators, it is recommended that opportunities for joint training be explored.

1.5 In restorative practice, especially mediation, neutrality is essential, but can be difficult to sustain

One of the main obstacles to overcome in the development of restorative practice is to establish its neutrality. The challenge for mediators, both during and after training, is to suspend the reality of their being teachers, care staff, support staff or students and assume a different mantle when operating as restorative practitioners. This can prove particularly difficult for staff, who sometimes revert to more directive, suggestive behaviours associated with their other roles. Although students are less affected by role confusion, they may also be susceptible to occasional lapses, which result in a shift from facilitator to director. During training, staff and students often express concern that others will not easily distinguish between the familiar roles of staff or students and their role as mediators. Generally, these concerns prove to be unfounded, so long as the mediators sustain their neutrality by preserving the integrity of the restorative process (see Case Study below).

Case Study Example	Neutrality can be difficult to sustain
	Whereas it had been the intention to establish a student mediation response at Ratton School, this proved difficult to implement for a number of reasons, including a lack of self-referral and the tendency of staff to field situations rather than refer on to student mediators.

Part 2: Case Studies

> *The school's culture can be described as positive and child-centred, with a strong emphasis on emotional literacy, personal responsibility and pupil voice.*

2.1 Willingdon County Primary School

Willingdon County Primary School used the opportunities presented by the project to build on its existing, longstanding commitment to professional and curriculum development to support positive language and behaviour. The school's culture can be described as positive and child-centred, with a strong emphasis on emotional literacy, personal responsibility and pupil voice. Much of the school's established practice was consistent with a restorative approach, without formally having been described in those terms.

While she devolved leadership on aspects of the project to other staff, the headteacher provided sustained leadership for the development as a whole. This helped ensure the integration of project activity within existing policies, procedures and practice and provided a strong basis for enquiry. In consultation with colleagues, the head was able to articulate a set of questions that could be explored through the project. Of particular interest were the possibilities for restorative approaches to be adopted in Key Stage 1 and the impact of restorative practice on lunch time behaviour.

All teachers and support staff received training and this had the effect of affirming existing practice within a restorative rationale and adding understanding and techniques. This training was adapted and cascaded to the school's mid-day supervisory assistants (MDSAs) and a small group of staff also undertook specialist mediation training. In addition, the school's allocated project consultant held a briefing session for interested parents/carers. Sixteen pupils (Years 3–6) were also trained in peer mediation.

In collaboration with key staff and the project consultant, the head drew up a detailed action plan for the project including its integration within existing structures, policies and procedures. The action plan became the cornerstone of the school's project implementation and proved invaluable, not only in articulating specific development steps but also in predicting the indicators of successful development.

A small number of mediations were conducted, the scale of this activity reflecting the extent to which informal restorative practice was implemented. For example, the adoption of restorative scripts was widespread and all staff received laminated prompt cards to support the roll-out of this activity. The deputy headteacher, who was one of the trained mediators, gave additional support and guidance to MDSAs in use of restorative language in the playground.

From the point of her acceptance of the invitation to participate in the project, the headteacher sought to integrate it within established policy and practice. By way of illustration of the degree of integration, the use of Circle Time was refreshed, the school's behaviour policy updated to include specific reference to restorative practice and the Governing Body kept abreast of development.

A handful of formal mediations between pupils have been carried out and, without exception, they have had positive outcomes in terms of enduring agreement. The fact that so few formal resolutions have been facilitated is not viewed as a problem by the school, the link consultant or the project manager, for the low level of activity is a direct result of the extent to which informal restorative approaches have been incorporated into everyday practice.

During the school's engagement with restorative practice, the headteacher has charted significant improvements in behaviour management, although it is not possible to attribute all of this to participation in the project. Positive changes in the practice of the school's support staff (Teaching Assistants & Mid-day Supervisory Assistants) have been pivotal and has been illustrated at a number of levels:

- the restorative practice training being cited as the best course ever attended

- staff apologising to children for not handling a situation well, or not listening carefully

- radically different ways of initiating difficult conversations with children (from 'I am not happy with you' to 'Let's go and talk about this.')

- fewer issues from lunch times carrying over into classrooms and, therefore, less lost teacher time

- a stronger contribution by TAs and stronger relationships within class/year teams

- improved relationships between children and support staff.

The project has consolidated the school's existing commitment to personal responsibility, encouraging and empowering children to address issues for themselves. Consequently, many conflicts and difficult conversations are managed without reference to support staff, let alone teachers.

2.2 Ratton School

The latest inspection report of the Ratton secondary school had been positive, albeit with behaviour issues highlighted among areas for action and it has had a relatively high exclusion rate. Although, in the year prior to the project, there had been a significant investment of time in professional development on positive language, this development had yet to be consolidated to the extent that it represented the characteristic culture of the school.

An assistant head led on the project and he was joined by five members of the Care & Guidance team and five students on specialist mediation training. The school had previously brought in training to help establish peer mentoring and 'buddying' schemes and to train a group of students in conflict resolution, which provided both a basis for further development and a challenge in terms of integrating different forms of practice. It was decided not to opt for whole school training in the early stages of the project, a decision that was prompted in part by the recent delivery of training in a broadly similar field and, more significantly, by the assistant headteacher's interest in seeing whether practice could be grown and attitudes shifted as a result of exposure to the formal aspects of restorative practice, i.e. mediation.

For the project lead, the main lines of enquiry concerned the impact of restorative practice on relationships in general and conflicts between staff and students in particular. He also wanted to explore the links between the evolving use of restorative practice and levels of exclusion.

The principal output from the project was the incorporation of mediation within the resolution of conflicts that result in students being placed in the school's internal exclusion provision. Nearly forty mediation sessions were facilitated in response to these situations. Whereas it had been the intention to establish a student mediation response, this proved difficult to implement for a number of reasons, including a lack of self-referral and the tendency of staff to field situations rather than refer on to student mediators. Consequently, only a handful of formal mediations was conducted by students. During the implementation phase the staff who had been trained as mediators experienced some difficulty in developing their role as mediators as distinct from their established practice. While much of this was grounded in conflict resolution, it tended to be more directive than mediation, for instance, requiring students to meet with members of staff with an expectation that an apology would be given for unacceptable behaviour. In response, the project lead clarified the distinctions between the two interventions, referring to the above practice as 'resolution meetings' and excluding these from the project evidence.

In the event, whole school training, which the school's project lead had intended to be delivered during the second half of the project, did not take place, owing to pressures on the training calendar. This appears to raise questions about the level of understanding and commitment to the broader implications of the project.

Quantitative data on the outcome of mediation, in terms of (a) sessions resulting in agreement between the parties involved and (b) those agreements holding over time, were in line with or exceeded the findings of other studies of the effectiveness of mediation (See Table 1):

Table 1: Quantitative data on the outcome of mediation at Ratton School							
Nature of Conflict n=43							
Pupil/Pupil Outcomes		**Pupil/Staff Outcomes**		**Staff/Staff Outcomes**		**Parent/Child Outcomes**	
Positive	**Negative**	**Positive**	**Negative**	**Positive**	**Negative**	**Positive**	**Negative**
19	1	21	0	0	1	1	0
Agreement sustained? N=41							
17	2	21	0	0	0	1	0

Positive outcomes (agreements) were reached in 41 of 43 mediations (95.3%) during the period in which data were gathered. Moreover, in all instances of a mediated resolution, there has been no repeat conflict between the parties involved, which indicates significant impact on enduring relationships. However, the benefits of resolution are not automatically transferred and generalised and in some cases of mediated resolution one or other of the parties subsequently has been in conflict within a different relationship. The school's project lead does not see this as problematic, but a reflection of the fact that mediation is situation specific. He anticipates that as restorative practice becomes more fully embedded, a process reckoned to take three years, the probability of transferred and generalised resolution will increase.

In structural and cultural terms, the project has strengthened the school's commitment to a range of peer support (not only peer mediation, but mentoring and befriending). The lack of whole school training and the under-use of student mediators might be deemed as weaknesses in the development; however, they have been offset by the gains that have been attributed to the project. The deputy head cites improved emotional literacy among staff, especially those who have been involved in mediated resolution of conflict with students. Some 30% of teachers have had the option of formal mediation as a means to address conflict with individual students. Although one or two teachers have been intransigent, either refusing or evidently avoiding the process, the overwhelming majority have positive views of the process. Among the significant features of their recounting of the mediation experience

are (a) their empathetic appreciation of the student's point of view and (b) reflection on their previous assumptions about the rightness of their view of the conflict situation. Albeit the number of formal mediations has been quite low, the reported impact of these shifts in perception has been amplified by teachers' use of their exposure to mediation to shape their subsequent thoughts and behaviours. The deputy headteacher leading the project has concluded that an important factor in these changes is the fact that the core activities, especially mediation, were not imposed on staff. Their engagement has grown organically and, in a way that is wholly consistent with the principles of mediation, has been voluntary. Overall, there is a growing body of anecdotal evidence of improving relationships (staff/student and student/student).

The level of staff engagement described above has provided a foundation for future development, which started to take shape towards the end of the project period. Having established a body of quantitative and qualitative evidence of the impact, the school's project lead and consultant facilitated a training session with senior and middle leaders with a view to their trialling, modelling and evaluating restorative practice. Plans are in place for rolling this out to the whole staff in Autumn 2009.

It is worth noting that the project has had no attributable impact on levels of exclusion from school. Whereas the project lead selected this as a focus, it was not formally adopted as an objective by the headteacher and SLT as a whole and this may have been a factor in the lack of direct impact. This helped the project lead throw light on the relationship

between restorative practice and mediation. While it might be reasonable to assume that the evolution of a restorative culture would gradually reduce the reliance on exclusions and other sanctions, the process is not one of simple osmosis. On the contrary, the project experience suggests that the impact of mediation on levels of exclusion depends on a conscious choice to exclude less frequently and on the selection of mediation as one alternative to exclusion.

2.3 St Mary's Special School

The decision to include a special school (St Mary's) for pupils with social, emotional and behavioural development needs (11–16 years) challenged the widely held assumption that pupils with this SEN profile would not be able to grasp the restorative rationale. The school had recently gone through a change of focus, from Moderate Learning Difficulties (MLD), which was unsettling for some teaching and care staff, a number of whom had been at the school for several years. During the recruitment phase of the project, federation with another, successful and established school for pupils with emotional and behavioural needs was under consideration. Notwithstanding the level of upheaval at the school, it was felt that the introduction of restorative practice would help cement a positive culture.

One of the two members of staff already trained in mediation, the acting deputy headteacher, was identified as the project lead. The

combined (education and care) staff received training in the foundations of restorative practice and in the use of restorative language. Four members of support staff (two from education and two from care) were joined by four students in specialist mediation training.

Within a general interest in improving relationships (among students and between staff and students), the allocated consultant and deputy headteacher identified reductions in the number of incidents and in the number of physical interventions by staff as specific areas of impact for the project.

The project consultant worked with the deputy head and head of care to clarify how mediation would be organised and accessed and as a result produced a staff briefing paper/protocol for delivery (appendix 4). This established a clear basis, including criteria, for referral and self-referral, addressed logistical considerations (the timing and location of mediation practice) and provided the means to cement restorative practice in both individual and collective consciousness.

While the federation of the school with another had major repercussions for the project, e.g. through the need for senior staff to focus on other development priorities, by this point the project had helped lay the foundations for restorative practice. This was evidenced from the albeit small number of successful mediations that were conducted and individuals' qualitative feedback on reflective practice and improved relationships.

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Appendices

Appendix 1: References and Further Reading

Allen (2007) *From Punishment to Problem-Solving*, Centre for Crime Studies, London

DCSF (2009) *The Steer Report, Lesson Learned: a Review of Behaviour Standards & Practice in our Schools*, London

Kane, J., Lloyd, G., McCluskey, G., Riddell, S., Stead, J. & Weedon, E. (2006). *Restorative Practices in Three Scottish Councils* (an evaluation funded by the Scottish Executive Education Department. Final report). Edinburgh: SEED.

YJB (2004) *National Evaluation of Restorative Justice in Schools*, London

Amstutz, L. (2006) *The Little Book of Restorative Discipline for Schools*, Good Books

Barrow, G., Bradshaw, E. & Newton, T. (2001) *Improving Behaviour & Raising Self-esteem in the Classroom: A Practical Guide to Using Transactional Analysis*, London: David Fulton

Hopkins, B. (2004) *Just Schools: A Whole School Approach to Restorative Justice*, London: Jessica Kingsley

Tyrrell, J. (2002) *Peer Mediation: A Process for Primary Schools*, London: Souvenir Press

Wallis, P. & Tudor, B. *The Pocket Guide to Restorative Justice*

Appendix 2: Abstract of Training

> **DISCLAIMER**
>
> **The following abstract of materials illustrates the type of training in which project schools engaged. It is NOT intended as a basis for others to replicate the training.**

Contracting

A course contract was established for both general (whole school) and specialist (mediators) training within the project, as illustrated in Diagram 1 below and explained overleaf.
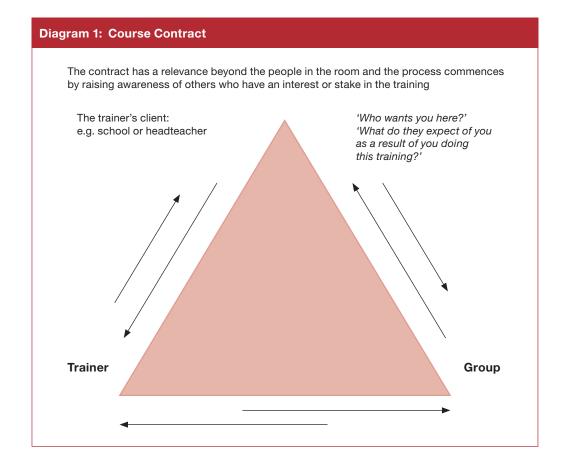
For the base of the triangle, three questions are posed, one at a time, giving the group a minute or so to discuss each question in pairs, after their feedback is recorded.

(1) How will we know that we've been a **great course** and you have been a **great group**?

(2) What do you **need** to get the most out of this course?

(3) What can any of us do to **sabotage** the success of the group? This is a two-part question. Firstly what can the trainer do to sabotage things, then what can any of the group do to sabotage things?

(Here 'sabotage' is not describing deliberate acts of destruction, but behaviours which, without us realising, can spoil things for others or the group as a whole.)

The answers to these questions form the basis of the contract. Once they are all recorded, the trainer recaps along these lines:

 'So, we know what we are trying to achieve, what will show that we have been a great group.

Diagram 1: Course Contract

The contract has a relevance beyond the people in the room and the process commences by raising awareness of others who have an interest or stake in the training

The trainer's client:
e.g. school or headteacher

'Who wants you here?'
'What do they expect of you as a result of you doing this training?'

Trainer

Group

We also know what is needed to get the most out of the training and, finally, we know what any of us can do to sabotage/ spoil our progress.'

A poster version of the contract is displayed and is a visual reminder to everyone. It is also a reference point when people are off track in terms of being a great group, when needs are being overlooked or when sabotages occur. This tends to empower all members of the group to challenge each other, or articulate unmet needs.

At the end of the session/course, the contract is revisited and progress against the success criteria, needs and sabotages assessed by the group as a whole.

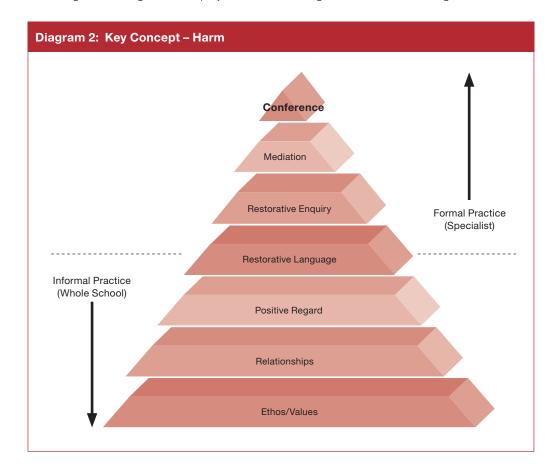### The structure of Restorative Practice in Schools

Diagram 2 below, which provides an overview of restorative practice, was used at all levels of briefing and training within the project.

Whether or not a school embarks upon the delivery of formal mediation, restorative practice is founded upon a strong value base, clear understandings about what engenders positive relationships, the place of positive regard, and the everyday application of restorative behaviour and language.

Relational aspects of training and Restorative Practice

Relationships are at the heart of both formal and informal restorative practice in schools and formed a common element across all the training delivered through the project. This entailed going beyond notions of good/ positive or bad/negative relationships to understandings of how relationships 'work'. The chosen route to this understanding involved an exploration of Ego States, one of the key concepts in Transactional Analysis (TA).

An ego state is a set of related thoughts, feelings and behaviours through which our

Diagram 2: Key Concept – Harm

Conference

Mediation

Restorative Enquiry

Restorative Language

Positive Regard

Relationships

Ethos/Values

Formal Practice (Specialist)

Informal Practice (Whole School)

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personality is manifested at a given time. On our life's journey, we internalise associations with the thoughts, feelings and behaviours of our parents and other parent figures, with whom we come into contact. These internalised associations inform our Parent Ego State and throughout our lives we replay these *out of our awareness*.

As we grow and develop, we also internalise associations with the thoughts, feelings and behaviours of childhood and or own experience of it. These associations inform our Child Ego State, which we also replay throughout our lives *out of or awareness*.

When we behave, think and feel in response to what is going on around us using all the resources available to us as grown-ups, we are in our Adult Ego State. Unlike the Parent and Child Ego States, the Adult entails *conscious* responses in the here and now, enabling us to draw on the positive associations within the other states.

When someone initiates interaction from a Parent or Child ego state, (s)he subconsciously invites the other party to respond from one or more of the Parent or Child ego states. Acceptance of the invitation draws the second person into a 'game', in which the interactions and behaviours can become set or stuck. In these circumstances, conflicts and tensions are likely to remain unresolved.

However, if the second person responds in the conscious, Adult ego state, (s)he refuses the invitation and avoids the game. In Adult ego state we tend to reflect inwardly and outwardly on the situation and use this reflection to help seek resolution.

The role of the restorative practitioner is firmly grounded in Adult ego state responses and encourages Adult ego state responses from others.

Distinctions between Restorative and Non-Restorative Practice

In both the general and specific training, participants' awareness of restorative approaches was approached through

reflection on the various ways in which adults respond to conflicts in schools, e.g.:

- two pupils fighting
- one pupil bullying another
- one pupil stealing from another
- a pupil being rude to a member of staff in class.

Although there was some variation between training groups in terms of the range of answers, in all schools, responses fell into two broad groups: those with restorative qualities, those without. The groups were not wholly mutually exclusive. For instance, 'talk to both parties' may cover a spectrum of adult behaviour from telling them both off, telling them what to do, blaming one party and reassuring the other, or, at the restorative end of the spectrum, explaining that those involved will have a chance to find a resolution.

Many of the reported ways of dealing with conflict in schools involve interventions in which a third party (usually an adult) directs those in conflict to a largely pre-determined set of outcomes.

However well intentioned and however understandable in terms of the pressures that professionals work under, outcomes from these responses may tend to be flawed in the following ways:

- **The conflict is stolen**
  Ownership of the conflict is taken away from those directly involved and now belongs to the adult who has intervened.

- **Responsibility is reduced**
  If we take the example of bullying, the bully has no need to accept responsibility to hear and respond to the victim's point of view. Instead (s)he is dealt with by the third party. Similarly, the victim is not helped to accept responsibility for sharing his/her feelings or his/her needs in terms of bringing the bullying to an end.

- **A sticking plaster is applied to the problem**
  If you fall over and suffer a cut, you don't just get a plaster and stick it on the wound because of the risk of infection. In the same

way if adults 'deal' with a conflict they might seal in the harm within the relationship and although the problem has been addressed superficially, it may keep festering away underneath.

- **The focus is almost exclusively on broken rules and judgments of wrongdoing**
  This is not to say that rules are unimportant, but that their breach may not be the main issue when there are conflicts.

  If we punish X because (s)he has hurt Y, our main concern has been that a rule has been broken. If that's all we do, it is unlikely that the relationship between X and Y will be restored let alone enhanced. Moreover, the principal lesson learned may be that age brings with it the power to punish others.

Everyday use of Restorative Language

The main media for exploring the distinction between restorative and punitive responses during the training are demonstration and role play. Through this process, participants are introduced to a restorative script that can be applied in a variety of informal situations.

There are numerous such situations in schools, where a restorative response is possible, without recourse to full-blown mediation sessions, e.g. a pupil miserably standing outside a classroom, a young person angrily reacting in a group to a stimulus that the adult has not seen, a colleague looking fed up in the staffroom.

Although it is open to adaptation, for example, when addressing very young children, the core script is as follows:

- I can see you're… (angry, upset, sad, etc.)
- What's happened?
- What were you thinking?
- How were you feeling?
- Who else has been affected?
- What can we do to move it forward?

The opening acknowledgement of how the person appears to be feeling often acts as a key

to unlocking communication at a time when (s)he might otherwise not be very communicative.

The brief interview is conducted in a calm manner with non-threatening body language and the use of open questions helps communicate that the person will be listened to.

As with formal mediation, the approach aims to facilitate reflection on actions, thoughts, feelings needs and possibilities. The question about who else has been affected is intended to raise awareness that none of our actions take place in a vacuum.

Reframing

Reframing is an invaluable tool within restorative practice. Its purpose is to keep the focus on the effective parts of what is being expressed by someone in a situation of charged emotions. It helps:

- To show the speaker that you are listening
- To give the speaker a chance to clarify things
- To take the sting out of the language

By concentrating on the speaker's key points, we are able to help him/her shift towards a constructive focus.

Presented	Reframed
Blame and Accusation	Neutrality
Abuse	Emotions
Exaggeration	Clarity
Insult	Summary

Example:

'That teacher is a real cow because she is always picking on my Kylie. She makes me so angry because she is not being bloody fair.'

'So when Ms X tells Kylie off, you get angry because you don't feel that she is being treated fairly.'

Appendix 3: Willingdon Primary School Restorative Practice Action Plan 2008

In response to the mediation training we will:

- Train SMLT as mediators and start the formal process where and when necessary;
- Cascade practice, principles and process to all staff;
- Strengthen the practice of Circle Time throughout the School;
- Link Drama with RP throughout the school;
- Update any polices necessary;
- Complete the research project;
- Network with other schools;
- Help children take on responsibility for their actions;
- Adopt the use of 'reframing' in school.

In order to achieve this, we will take these steps:

- Look at the mediation book/folder and decide on the format (SMLT meetings);
- Feedback to teachers and other staff and teams in team meetings;
- Discuss reframing in team meetings;
- Feedback to TAs through meetings;
- Feedback to MDSA's through meetings;
- Revise and cascade the first day of Restorative Practice training;
- Remind staff about RP in staff meetings and feed forward good examples;
- Ensure circle time practice in all years;
- Revisit ideas and practice in staff meetings in liaison with PSHE Co-ordinator and in line with PSHE Action Plan;
- Discuss and encourage role play during circle time and other lessons;
- Update the behaviour Policy and inform staff of the changes directing them to the intranet;
- Feed forward to Governors;
- Visit primary school in Bexhill to see the success of the language of RP in KS1;
- Decide Project headings, discuss peer mediation, involve and feed forward during SMLT meetings;
- Identify difficulties with our natural practice of teaching children behaviours and empathy towards others and feelings as opposed to impartial techniques during mediation;
- Cascade RP by modelling behaviours during the school day.

We will need the following support:

- Letter or newsletter sent home informing parents about RP (to include reply slip stating if they want to know more);
- SMLT to have the opportunity to attend follow up twilight sessions on mediation;
- Discussion in SMLT meetings re: language used for mediation and especially for the younger children;
- Links with Ratton School;
- Invite project consultant to SMLT meeting to discuss the structure of the project, the outcomes and expectations and the timescales involved;
- Team leaders to audit at regular intervals;
- Team leaders (who have taken part in mediation training) to support teams;
- Support from parents, pupils, MDSAs, governors.

We will know if we have achieved our goals if:

- Restorative Practice becomes part of day to day practice and is adopted by all staff;
- The principles, processes and practice are adopted by staff;
- Children take on responsibility for their actions and increasingly take responsibility for sanctions;
- Mediation is a tool to aid RP amongst the children;
- Children resolve their own conflicts without the blame approach;
- Staff will understand open ended questioning and formal processes for mediation (e.g. 'Who?', 'What?' , 'When?'…..never 'Why?')
- Difficulties with the formal language in mediation are overcome;
- RP becomes everyday practice during lunchtimes;
- Reframing becomes commonplace when resolving conflicts.

Appendix 4: Mediation at St Mary's School: Policy and Protocols

What is Mediation?
• Mediation is a means by which students and adults at the school can resolve conflict and relationship difficulties through the support of trained mediators. • Mediation is available for everyone in the school community. It is a means of resolving conflicts and difficulties between students, between adults and students and between adults. • The aim of mediation is to support the continuing development of a calm and friendly school where relationships are positive and supportive; where the inevitable difficulties that can occur between people are resolved in an adult manner. • The role of the mediator is to facilitate and support others to resolve their difficulties. • Mediation does not replace other measures the school may take to resolve problems but it is an option available to everyone in the school.

Referral:
• Mediation can be accessed on a self-referral basis. Typically this would be because of unresolved disputes between people, issues of bullying, and breakdown of friendships. Any social events that cause significant unhappiness or distress. • Mediation can be suggested as an option when major incidents are being dealt with by SMT. • Mediation can be suggested by any member of staff as an appropriate option for resolving conflict and incidents. • It is essential that the school identify a 'gatekeeper' through which all requests for mediation can be filtered.

Criteria for Referral:
Mediation can be offered when: • Conflicts or distressing incidents occur between students. • Conflicts between staff and students are unresolved. • There is conflict between any stakeholder at school. • Where bullying may be the primary concern. • A sanction has been served, but the underlying conflict has not been resolved.

Where will mediation take place?
• There needs to be a suitable place for mediation. It is a private event, and one where there this privacy can be assured. • The 'house' could be appropriate; the room where the training took place could be appropriate. • Ideally there would be a designated place that provided a comfortable, safe and secure environment.

When can mediation take place?
• A mediation session should take no longer than half an hour – but this may not always be the case – a session may need to run on longer. • Mediation, if agreed, should take place within two days of the incident or request. • Lunchtimes may be the best time for mediation to take place.

Who are the mediators?
• John and Alan, as trained mediators, will have oversight of the newly trained team. • Newly trained mediators may well initially work with John or Alan as joint mediators in order to develop their confidence and skills. • It is anticipated that mediators will work in pairs. • Jake and Dalton will work in partnership with Brenda, Ros, Debbie and Sarah to form a pair when mediation between students takes place. • Jake and Dalton could themselves be a pair when mediation is needed between younger students, typically year 7 students.

Publicising Mediation and communication to the whole school:
It is essential that everyone in the school is clearly aware of the availability of mediation. (This document may provide the basis for clarifying all aspects of mediation). There are a number of ways in which this can be communicated to the school community: • Through assemblies, either whole school or year assemblies. • Through a notice board display – posters may need to be designed. • A leaflet, professionally produced, that outlines the key themes identified in this document – in particular it should include a definition of what mediation IS and what mediation ISN'T. • Through key workers promoting this approach.