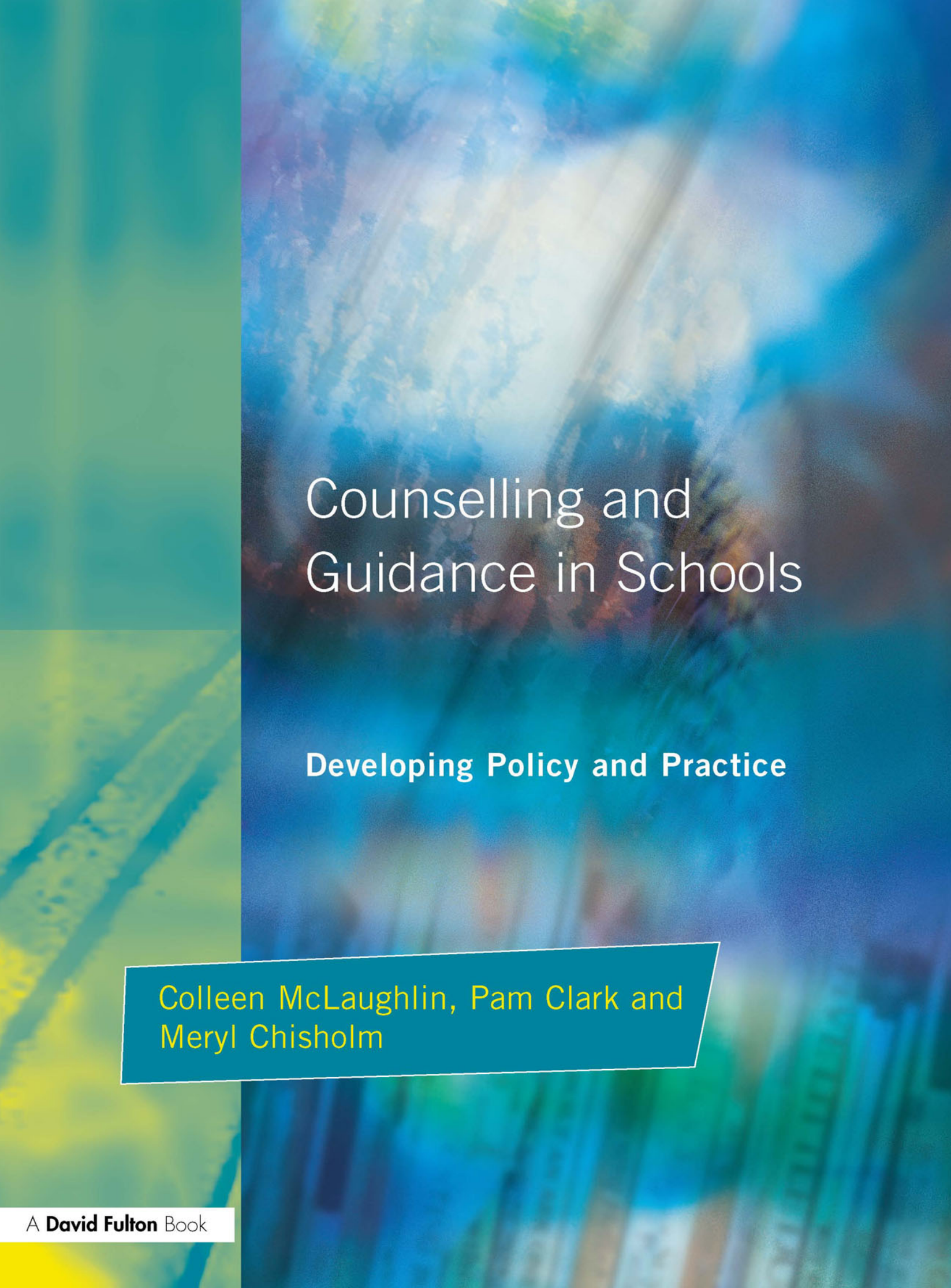
Counselling and Guidance in Schools
Developing Policy and Practice
Colleen McLaughlin, Pam Clark and Meryl Chisholm
A David Fulton Book

COUNSELLING AND GUIDANCE IN SCHOOLS

Developing Policy and Practice

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Dedication

For Joan McLaughlin

Acknowledgements

We express our deepest thanks to the governors, Head teacher, the staff and students at Ramsey Abbey School, Cambridgeshire, for allowing us to use the work they have done as part of this publication. It is a brave act to open up your practice for reflection and scrutiny. We would clearly not be able to write this without them and it has added to all our learning.

We would also like to thank Cambridgeshire Behaviour Support Service for their support and assistance with training.

Introduction

Aims of this book

This book aims to help teachers and others working in and with schools to explore the development of counselling and guidance. We have used our experience of development work in one school – Ramsey Abbey School, Cambridgeshire – as a basis for exploring the concerns and issues raised by teachers, students, and governors. The book aims to clarify some of the queries as well as report our findings.

The principles underlying our work

The work we did was based on two main principles. The first was what we have called a *supportive listening methodology*. We listened to what students, teachers, governors and some parents had to say and this formed the basis for work done in the school. The second was the principles of *action research*. Research using the first principle informed training and development. The work is rooted in the real concerns of teachers, students, governors and parents. We feel this makes this book distinctive.

The structure of the book

The first chapter is a general discussion of counselling and guidance in schools. It is also a summary of the main themes of the book. It takes the detail of all the chapters and summarises them. The map is then developed in the Chapter 4, Critical Issues in the Field. In Chapter 2, Meryl Chisholm details the process of development undertaken in Ramsey Abbey School and draws conclusions from it. Chapter 3, Viewpoints of Staff and Students, is where Pam Clark reports in detail the findings of her interviews with students and staff. The final chapter is a discussion of the issues raised in Chapter 1: it presents the legal position, discusses findings and has development activities.

The authors

We had worked together in various contexts and came together to contribute to the work on the development of the policy and guidelines in Ramsey Abbey. Meryl Chisholm is a senior teacher in Ramsey Abbey School and she brought us all together. Pam Clark was at that time a member of Cambridgeshire's Behaviour Support Team. She was working in Ramsey Abbey School and studying for her M.Ed. Colleen McLaughlin is a tutor at the University of Cambridge Institute of Education, where she runs courses on counselling and personal and social education.

Meryl Chisholm
Pam Clark
Colleen McLaughlin
Cambridge, 1996

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CHAPTER 1

Counselling and Guidance in Schools – A Map of the Territory

Colleen McLaughlin

This chapter contains: a definition of terms; an exploration of the place and importance of counselling and guidance in schools; a discussion about the need to consider teachers' and students' views; an outline of what the terrain may look like to anyone engaged in developing counselling and guidance in schools; and the issues that may arise. This overview will be developed in Chapter 4, 'Critical Issues in the Field', where the issues will be explored in more depth.

What is meant by counselling and guidance?

There has been much discussion about the role and nature of counselling and guidance in schools (for example cf. Hamblin, 1993; Bovair and Mc Laughlin, 1993; HMI/DES 1990). I have argued elsewhere (Bovair and McLaughlin, 1993) that counselling has three aspects: an educative element, a reflective element and a welfare element. These elements were defined thus:

> Schools have a responsibility to develop students personally and socially, so there is an educative function. However, personal and social development do not take place in isolation. Our personal development and sense of identity are learned in our interactions with others. We learn who we are in the context of a community and those in it. Therefore, there is also the responsibility to explore the impact of the school or college on the personal and social development of the students there. This reflective or evaluative function involves exploring the possible impact of and contribution to personal and social development of practices in the classroom and other aspects of the school community. This generally incorporates interactions between students and teachers as well as between students and students. It also includes wider issues of teaching and learning styles, classroom and school climate. In addition, there is the welfare function: the responsibility to plan for and react to issues which impact on students' welfare and development.
> (McLaughlin, 1993, p.40)

In this work we are focusing on the *welfare* and *reflective* aspects of counselling and guidance in schools.

The welfare and reflective elements require more explanation. The objectives in this area are, as Hamblin (1974) states:

- to aid students in decision making and problem-solving
- to support students in a constructive manner at times of difficulty
- to monitor and detect students who are at risk or under pressure
- to react in an appropriate fashion
- to co-ordinate work within and outside the school.

Activities will include counselling when it is sought by students, more focused guidance activities such as that involved in decision making of a predictable kind; counselling to react to a crisis, problems and transitions; and more specialist counselling. It also involves liaising with outside agencies and parents. There is an assumption that *all* teachers are involved in the use of counselling skills and this will be discussed further in this section.

We are primarily concerned in this work with the one-to-one interactions between student and teacher as well as the processes and structures in schools that support or interfere with that. This necessitates an involvement in the processes of teacher and system development, e.g. evaluation and research, teacher support and training, consultation and negotiation.

Why explore this territory?

Counselling skills for all

The history of counselling in schools is one of a transition from an expert model to a skills model. Previously there were specialist counsellors in schools, many of whom had received specialist training. This is still the case, but to a very limited extent. Now it is seen that counselling skills are a necessary part of every teacher's repertoire. Hamblin wrote in 1974 'Counselling is a necessity, but counsellors are not.' In 1993 he added, 'Counselling skills are vital,... they are an integral part of many roles.' He went on to argue that, 'counselling is only effective when it is part of the everyday life of the school' (Hamblin, 1993). Therefore, this is an aspect of whole school policy and development. All teachers are engaged in using counselling skills and so this is a key area to focus on in schools. There has been much writing about this field and much advocacy. However, systematic attempts to explore the difficulties for and views of teachers and students are less visible. The work undertaken in one school has shown that it is important and productive to do so. We would argue that there is a need to look at the reality of counselling in schools and to explore the views of teachers and students as we did.

Teachers' concerns

The development of counselling from an expert to a counselling skills for all model raises many complexities for teachers. HMI (DES, 1990) in their survey of guidance in schools found that 'schools and colleges had a variety of approaches to guidance'. This is not unwelcome or necessarily problematic; however, these differences were often symptomatic of confusion about the role, purposes and management of counselling in schools and colleges: 'This could easily be related to the absence of explicit aims, of clearly identified elements of guidance provision and of evaluation outcomes' (DES, 1990). This signals the complexity of working in this field and there are many confusions in the mind of teachers. Our research, which is reported more fully in Chapter 3, shows that teachers are confused and

concerned about many aspects of working one-to-one with students and I shall detail the main concerns of those involved in a later section of this chapter.

Some of the fears of the teachers arise from the recent political debate in this field. Counselling pupils and certain aspects of pastoral work and sex education have become controversial. Teachers are frightened of 'doing the wrong thing' and many have real but unfounded fears of what can happen to them if they 'do the wrong thing'. Our research showed that teachers' confidence regarding counselling and advising students had been damaged. This is a recent development and is a result of the controversies and debate regarding what teachers should do. Many were reluctant to intervene because they feared the consequences. Many were very unclear about their roles and the limits of their activities. There is a tension between the concerns of many teachers – to deal professionally and humanely with the issues students bring to them as effectively as possible – and the concerns of some policy makers, who appear to want to limit the activities of teachers or push for a particular model of helping or personal and social development. Circulars from the Department for Education on Sex Education have been hotly debated. The *Times Educational Supplement* on 28 October, 1994, in an article entitled 'Sex secrets advice disputed', shows the tone of recent debates that have fuelled teachers' fears. The article was referring to Circular 5/94 (DfE, 1994). The *TES* article says:

> Controversial advice that teachers who are told a pupil is having under-age sex must inform parents or the head teacher, has been questioned by a leading barrister....Particular fears were expressed over sections suggesting that pupils should not be given individual contraceptive advice, and that pupil confidences must be relayed to the head teacher or parents.

There is much current debate about the rights of parents, the rights of students and the rights of teacher. These different rights are not always in harmony with each other. The lack of clarity about the teacher's role in this field is not new. The Elton Report, *Discipline in Schools* (DES, 1989) commented on the lack of definition of terms such as '*in loco parentis*'.

Teachers in our study lacked confidence in this sphere of operations and welcomed the opportunities to clarify their concerns. There was clear evidence to show that opportunities for discussion, gaining information and other training activities helped the teachers to feel more confident. This is now an area of work in which teachers and governors feel ambiguous and often fearful.

The need to listen to students

There is a large amount of evidence that listening to the voice of students in schools is meaningful, productive and is not done enough. Paul Cooper studied a group of boys placed in residential settings. He focused on the school experience as perceived by these students. Cooper's aim was to understand the mechanisms operating in schools which created and exacerbated problem behaviour. He concluded:

> One of the great sources of knowledge about schools is to be found in pupil accounts of their experience...in isolation from pupils staff can set up systems and procedures; they can develop measures to assess outcomes, but they cannot explore what it feels like to be on the receiving end of their actions. Only pupils

> can provide this expert testimony.
> (Cooper, 1993, p.247)

OFSTED have also acknowledged this by including discussions with pupils in the data collection process for inspections (OFSTED, 1995). A recent report by Schreuders and Bell (1993) reported the findings of asking a group of seven students to put together their own report with recommendations for a better school system. At the top of their recommendations to improve the experience of schooling they placed more respect from and communication with teachers. This they felt would improve teacher/pupil relationships at all levels. Second, they wanted more opportunity for pupils to discuss their views with each other and teachers in order for changes to benefit them. Third came the request for counselling to be made available to all to meet their needs for advice and support, separate from the processes of discipline and monitoring academic progress.

This small-scale study mirrored the findings of Charlton and David's (1990) summary of the key factors identified through research on what it is in schools that makes a difference to outcomes related to pupil disaffection. The conclusion is that there is a need for schools to create an ethos which acknowledges the worth of each student as an individual, by respecting their opinion and encouraging their involvement. It is the interaction between the students, teachers and the system which makes for effective schooling. In Pam Clark's study of students' views in two schools (Clark, 1995) she found that students wanted teachers to help them with inschool issues not, as the teachers thought, only to focus on out-of-school issues. There is a fuller discussion of this in Chapter 3.

Jean Rudduck's study also reflects these themes (Rudduck *et al.*, 1995). She and her colleagues argue that their interviews with students demonstrate that students have a contribution to make to school improvement. She details the lack of research into the students' perspective on schools *per se*. She reflects on current studies and concludes:

> Some take into account the inferred experience of pupils and represent it in the researcher's construction of the situation: others provide commentaries which are the direct and deliberate result of consulting pupils about their experiences and seek to bring their authentic voices into the discourse of strategic planning.

From the interviews Rudduck *et al.* conducted they conclude:

> Our broad summary of what pupils have told us in interview is that while teachers are for the most part supportive, stimulating and selfless in the hours they put in to help young people, the *conditions of learning* that are common across secondary schools do not adequately take account of the social maturity of young people, nor of the tensions and pressures they feel as they struggle to reconcile the demands of their social and personal lives with the development of their identity as learners.
> (Rudduck *et al.*, 1995)

Students' concerns

There is also much evidence to show that students desire to talk to teachers but are also unclear about the boundaries, especially the limits of confidentiality. White (1995) summarises various recent studies in the field of confidentiality:

- 'Eighty four per cent of 13–15 year olds would find it helpful to talk to a teacher but only 31% would do so if it were not confidential' (Allen, 1991).
- 'Boys are significantly less likely than girls to have talked to a parent about matters such as pregnancy and contraception' (Balding, 1993).
- 'Research has shown that almost 75% of patients under 16 and 50% of 16–19 year olds interviewed feared that their GP could not or would not preserve confidentiality regarding requests for contraceptive services' (BMRB, 1994).
- 'Surveys of young people have shown that although they believe that their parents should be their main source of information about sexual matters, in practice they are more likely to turn to their friends' (Balding, 1993; Rudat *et al.*, 1992).
- 'In 1992, 7,300 young women under 16 became pregnant, 51% of whom had abortions' (OPCS, 1992).
  (All cited in White, 1995)

Young people today and mental health

Rutter and Smith (1995) undertook a major study of the psycho-social disorders in young people since 1945. These disorders include: delinquency, substance abuse, depressive disorders, suicide and suicidal behaviours. Their research indicates that these problems have increased for people in the 12 to 24 age range to a much greater extent than they have for older generations of people. In the study they also explored the impact of social changes on young people today and argued that the possible causes may include:

- the increased isolation of youth culture;
- the increased encouragement to be self-determining;
- a decrease in the availability of contact with adult generations to enable them to learn how to be self-determining;
- increased demands to perform within rigid parameters;
- a loss of traditional support and security structures (e.g., family and community breakdown; changed career prospects).

These findings have clear implications for us as adults. As teachers we have the opportunity to be available and in contact with the students in our schools. The research would also suggest that the demands on teachers are likely to increase and that this is an area of our work with students which is not going to brook ignoring.

A Map of the Territory

This section will look at the areas which need to be explored when aiming to develop practice in counselling and guidance. This map has been constructed from research and development in one school and draws on existing research and writing in the field. It is a summary of the two other main sections of this book: Chapters 2 and 3.

The section has been divided into four main areas: issues related to students; issues related to teachers; issues related to parents and governors; and the issues related to development and research in schools. The concerns

of those involved and the areas for review are included and discussed. It is the framework for Chapter 4 where these themes are explored in detail. The discussion in the Chapter 4 includes relevant legal information.

Issues related to students

The issues here are:

1. Gaining the views of students on the nature of support they require and what is perceived as helpful and unhelpful

As I have already stated, researching the views of students are essential if we wish to know the reality of how support is given to students in schools. The main concern of students is likely to be related to trust. Students will want to know who they can talk to, how they will be received and what will happen to any information or confidences shared. Our research showed that the perceptions of how we think the system works is not often matched by student perceptions.

2. The information students have in advance of the systems for support and the principles on which they are based

This should include the personal boundaries of in-school support and the roles and responsibilities of teachers and other adults who work in the school.

As has already been shown, counselling and guidance in school is important to students. They are also concerned about the limits of confidentiality and need to know these in advance of talking to a teacher. If they do not know in advance the previously quoted research (BMRB, 1994) suggests they may not seek help. It is important to give students the information about the limits of confidentiality. The distinction between the position of students who are below 16 and those above 16 also needs to be spelled out.

3. What the systems of referral are and how they work

Students also need to be informed about the sources of support open to them in school and outside of school, and the roles and responsibilities of teachers in the school. Many students in rural schools are very dependent on the school for support and information other than that given by parents and friends. Other organisations which support young people may have different principles and procedures relating to important issues such as confidentiality. For example, many young people's counselling and information services offer total confidentiality, something teachers cannot do. Students are often unaware of how internal systems within the school work. They do not have real understandings of the roles that teachers have, such as Head of Year. This information can form part of the school's induction programme or be part of tutorial or personal and social education courses.

Issues for teachers

Our evidence suggests that the issues for teachers are:

1. General principles

Teachers need and want to know the principles on which they are working. Sharing and discussing principles such as respect for student's privacy and the right to trust need to be debated. The key question here is, what are the core principles and values on which we operate? Sharing and discussing these can establish confidence and a clearer sense of purpose for teachers.

2. The legal and ethical position of the teachers when working one-to-one or in group settings with students

Teachers and other adults, such as learning support assistants and school nurses, want and need to know the following:

- What is the law regarding confidentiality, counselling and advice giving? This will include child protection procedures.
- What is the law regarding disclosures about issues such as illegal acts or drug taking? These were areas of particular concern.
- What is the difference between pre-16 and post-16 students?
- What is the difference between giving advice, giving information and counselling?

3. Parents' rights

- What are the rights of parents?
- What has to be disclosed to a parent or carer and what does not?
- What are the principles which the teachers wish to establish when working with parents?

4. Issues to do with talking and listening to students

This was the area of greatest concern. The teachers' concerns were:

- The boundaries of the teacher's role.
- Concerns about student disclosures and truth.
- Issues about confidentiality.
- How we can help and maintain students' trust in us as teachers.
- How to manage limited time.
- Providing privacy for students, such as having access to private spaces in schools.
- Levels of trust amongst colleagues. These were concerns related to passing information on to colleagues and not being sure of how colleagues might handle this.
- Accountability. This related to feelings of uncertainty about what teachers were and were not accountable for, what they were not and what the consequences of various actions might be.
- Support and supervision. Teachers were concerned about their own support while working in this field. They wanted to know where they could go to discuss difficult issues that arose. In the field of counselling this is seen as part of good practice and much emphasis is placed on the support and supervision of practitioners.
- Training and development. Teachers wanted opportunities for training and activities to discuss their practice and concerns.

5. Referral systems and procedures within and outside the school

Questions and concerns which arose here were:

- What is the referral system in school?
- Fears of over-reaction by the person that the information is given to.
- Fear of losing control or involvement over information given to you by a student.
- Who will the information be given to if it is disclosed?
- What will happen once the information is passed on?
- When to refer and on what basis should referrals be made?
- Parents' rights in relation to referrals in and out of school.
- Differences in the position of pre-16 and post-16 students.

6. The recording of information

- What should be put in official school records?
- What should be the nature of school records?
- What access do other adults have to records, e.g. OFSTED inspectors, other professionals, parents?
- What access do students have to records?
- What is the status of personal notes made by a member of staff about a student?

7. Sources and structures of support and training

- Where can staff go for information and what are the limits of confidentiality in this setting?
- Who do staff turn to for help to make a decision?
- What are the implications for training?

8. School policy and guidelines

- Other school policies that are important and interlinked in this area are policies on sex education, child protection, drugs and health education. Links need to be explored and examined.
- There needs to be a policy on counselling and guidance, which could be part of a pastoral care policy. This should include discussion of confidentiality.

Issues for Parents and Governors

- The legal position.
- School policies.
- Communication and information about rights, boundaries and systems.

Issues related to the Development of Policy, Practice and Research in Schools

- Principles of working and teachers' learning.
- Systems for and the management of development.

CHAPTER 2

The Process of Developing Practice and Policy in a School

Meryl Chisholm

This chapter contains: a case study of the process of developing policy and practice in one particular school; an examination of the groups involved in the process and the relationship between them; a model of the process and an analysis of the role and functions of the different elements within it; and a summary of the factors which appear to be determining the success of this initiative. Throughout this chapter there is a range of development activities which explore different parts of the process.

Case study of the development of policy and practice in Ramsey Abbey School

The need for a fresh approach

Ramsey Abbey School is a 14–18 comprehensive school in Cambridgeshire with 700 students and 48 staff. In the 12 months prior to this initiative a small number of staff had become increasingly involved in one-to-one support work with students. There were a number of reasons for this:

- There were an increasing number of students who were in need of such support. Many students appeared not to want to be referred to sources of help outside school. In the close-knit communities of Ramsey and the surrounding villages, students feared a loss of anonymity and being labelled as 'a problem'.
- The staff concerned wanted to be more directly involved in the welfare of students. Students were approaching them for help but staff lacked training in counselling skills and did not always have sufficient time or a private space to talk.
- The school has a largely rural catchment (Ramsey is a small town of approximately 6000) and transport to larger centres of population – e.g. Huntingdon, St Ives, Cambridge or Peterborough – is limited. This means that students find it physically difficult to access alternative sources of support.
- The school has always received valuable assistance in this area from Hartford Student Support Centre (HSSC). The Behaviour Support teacher attached to the school (until July 1995) was Pam Clark. She encouraged staff to become more involved and was prepared to support and work with them.

Identification of need

There was a feeling that if students could be helped to articulate their difficulties more effectively, then the school might respond more appropriately. This type of supportive listening work, however, has no strict code of ethics and the lack of clarity in working practice led to a growing concern amongst staff. Those working in depth felt that there was little in the way of clearly stated policy and few guidelines to follow and that both were necessary if they were to achieve consistency in working methods. The absence of a clear framework coupled with the uncertainty that staff felt when handling situations meant that they did not always feel confident that they were taking the most appropriate course of action. Outside agencies were trying to operate within a framework which frequently needed precise definition. There was a tendency to react to situations as they arose and, because staff were unsure of their role and responsibilities, this often resulted in frequent discussions with senior management, particularly the Head teacher, because there was a need to refer and/or check to make most decisions. This was not only time consuming but also put people under pressure to respond quickly. There will be a much fuller discussion of these concerns in Chapters 3 and 4.

The question of confidentiality and information exchange seemed to be the fundamental issue. The school could continue to react to situations as they occurred or it could create the systems and structures which would allow staff to work with greater confidence and a consistency of approach. The complexity of the area, however, made it difficult to know where to begin.

Setting up the Working Group

There was already a group of staff who discussed matters together on an informal basis, however it was clear that there would need to be a more formal forum for discussion within school. Ultimately the policy or guidelines which emerged would involve staff, students, parents and governors and it was felt that existing structures in school could not take this work on board. Therefore a separate group, the Counselling and Guidance Working Group, was set up.

The composition of the Working Group

To a large extent this group selected itself. There were people who had expressed an interest in being part of such a group. They included the Behaviour Support teacher from HSSC, the Head and Deputy Head of Sixth Form, the Head of Year 11 (also the Child Protection Co-ordinator), a Group Tutor and the SENCO. It was felt that the Head teacher should be part of the Group since so much would depend on his thinking. Governor representation was important and additions to the group were a parent-governor and a teacher-governor who was both a group tutor and INSET co-ordinator. Although the Working Group comprised only eight people there were a considerable range of standpoints represented. It was accepted that the composition of the Working Group might need to change in the future but it was decided to keep the Group small initially to facilitate discussion.

Initial input

As a school we had identified the need but found it difficult to find a way forward and it was felt that an initial input from outside the school community might help people to focus on the issues more objectively. The school had to reflect on its own practice, agree on the direction in which it would proceed and try to anticipate some of the problems that might be encountered. Colleen McLaughlin from the Institute of Education in Cambridge provided the initial impetus and came to talk to the Working Group on confidentiality and information exchange in schools. She covered general principles, possible aims of a policy or guidelines and areas that might need clarifying. She emphasised that the school needed to go at its own pace and that has indeed proved to be true.

The sequence of events

Initially it was decided to focus much of the work on staff as they had identified the need. It was essential that Governors were also involved from the outset as any policy or guidelines would need to be referred to them. It was recognised that the needs of students and parents would have to be addressed at a later date. Table 2.1 shows the sequence of events in Ramsey Abbey School and shows which areas of work have been tackled so far. It also demonstrates the points at which research and training (asterisked) have been carried out. There have been three strands of activity, that of the Working Group, the Support Group and that involving the Target Groups (staff, governors, parents and students) which has developed as a result of the work done by the Working and Support Groups. These strands have been woven together to achieve a co-ordinated approach. The Support Group consisted of the three authors of this book.

Table 2.1 Time sequence of events in Ramsey Abbey School

Month and Year	Working Group Activity	Target Group Activity	Support Group Activity
February 1994	Input from the Institute of Education, Cambridge. First meeting: confidentiality.	Start of informal discussions with staff and governors.	
March 1994	Second meeting: confidentiality document. Legal Issues.	Staff meeting: staff made aware of the Working Group.	
April 1994			
May 1994	Third meeting: systems of referral. Preparation for the staff meeting in June.		Liaison. Planning for staff meeting and sixth form girls' group.

June 1994		Staff meeting: raising awareness of the issues.	
July 1994: Cycle 1 ends Cycle 2 begins	Fourth meeting: feedback from the staff meeting. Creation of a private space.	Governors' meeting: governors made aware of the Working Group.	
September 1994			First meeting of the Support Group.
October 1994	Fifth meeting: analysis of staff meeting. Discussion of the training day. Levels of confidentiality.	Annual Parent / Governors' Meeting: the activity of the Working Group was discussed with parents.	Second meeting of the Support Group. The sixth form girls' group started to meet.
November 1994		Interviews with ex-students.*	Third meeting of the Support Group
December 1994	Sixth meeting: analysis from the staff meeting. Training day.		Research with sixth form girls group.*
January 1995		Interviews with students.*	Organisation of the training day.
February 1995	Seventh meeting: training day. Booklet for staff. Levels of confidentiality.		Fourth meeting of the Support Group with trainers.
March 1995	Eighth meeting: training day. Levels of confidentiality.	Interviews with staff.*	Fifth, sixth and seventh meeting of the Support Group (one with trainers)
April 1995		Training day: handling sensitive issues.*	
May 1995		Staff Meeting: feedback from the training day.	Eighth meeting of the Support Group. Sixth form girls' group ended.
June 1995	Feedback of research with staff and students. Comments on the staff meeting.		

July 1995: Cycle 2 ends. Cycle 3 begins.		Governors' meeting: presentation of the guidelines.	
September 1995	Change in the composition of the Working Group.		
October 1995	Tenth meeting: discussion of the research and how to move forward.		
November 1995	Eleventh meeting: drugs issue. Moscow conference.		Meetings of the Support Group about the publication.
December 1995			Discussions regarding the organisation of student support.

Development Activity 1:
STARTING UP THE PROCESS

The following points need to be considered:

Establishing

- Existing structures in school. Are they suitable? Do you need a separate group? If so, how will it relate to existing structures in the school?
- Representation of interests. Which ones? Do members have a variety of interests and do they wear more than one hat? (The latter is essential if the group is to be small but representative.)
- The size of the group. How many members do you wish to have? (8–10 seems to be a reasonable size.)

Identifying

- What are you trying to achieve in broad terms?
- How do you propose to do carry out the work? Do you need to inform, guide or train?
- What do you need to help you, e.g. INSET?
- Which target group is the work aimed at (staff, students, parents, governors)?
- Have you got support from within school for the work?
  (The Head's view is particularly important.)

Outside experts

Explore the possibilities in your own area. They are very important as a source of advice, support and may even help with training.

Key elements in the process

There are a number of key elements in the process which emerge when the work carried out in school is analysed. These elements can be grouped into two:

1. The groups of people involved.
2. The pattern of activities in which they have been engaged.

The process has proved to be a complex one but it is possible to draw some general conclusions from the work so far and to put forward a model of the process. Firstly, I will examine the role and functions of the differing groups of people and demonstrate the links between them. Secondly, I will suggest that a cyclical pattern of activity develops and will comment on the part that individual elements of the cycle play in the process.

The roles and functions of the differing groups

The relationship between the groups is highly significant as it determines the efficiency of channels of communication and, therefore, how effectively the ideas will eventually be spread. To understand the relationship between the groups, the role and functions of the Working Group and the Support Group first need to be clearly defined.

The Working Group

Such a group needs to:

- Act as a melting pot for ideas which are generated and be an open forum for discussion.
- Clarify the ground and establish a clearer framework in which all concerned can operate with practical guidelines for people to follow.
- Plan the way forward in broad terms by responding to the needs identified as a result of consultation and feedback.
- Aim to inform, guide and train.
- Monitor what is happening at all stages in the process.
- Be prepared to adopt a flexible approach.

This group is the initiator of the changes but it is essential that it is not seen as an isolated group whose thinking and ideas are radically different.

The Support Group

This is a smaller group whose role is to provide support for the Working Group. Its functions are:

- To develop the ideas of the Working Group and to give feedback to that group.
- To provide clarification of the ground for the Working Group.
- To carry out detailed research, e.g. with staff and students.
- To plan the necessary training and organise the running of such events.

The overriding contribution that this group makes to the process is that it keeps things moving. It prevents the Working Group from being overwhelmed by the volume of material which must be covered or being

bogged down by detail or by the organisation of specific tasks.

Relationships between the Groups

It can be seen that the relationship between the Working Group and the Support Group is a close one and is very much a two-way process. As the initiative progresses it is essential that the target groups become involved in a similar relationship both with the Working and Support Groups and with each other. Figure 2.1 demonstrates the extent to which the links have been developed at Ramsey Abbey after 2 years of work. The pattern of activity can be likened to a vehicle in motion. The Working Group is the engine and without it progress would not be possible. The Support Group acts as the lubricant in the process. It is essential for the smooth running of the Working Group through which it also reaches the target groups. Staff, governors, parents and students represent the wheels and these are the different audiences that the Working Group need to focus on. The aim is to connect the wheels to the vehicle so that everything runs smoothly together. The Cambridge Institute of Education provided the 'tuition' and back-up for the internal driver of the vehicle.

Figure 2.1 Wheels in motion

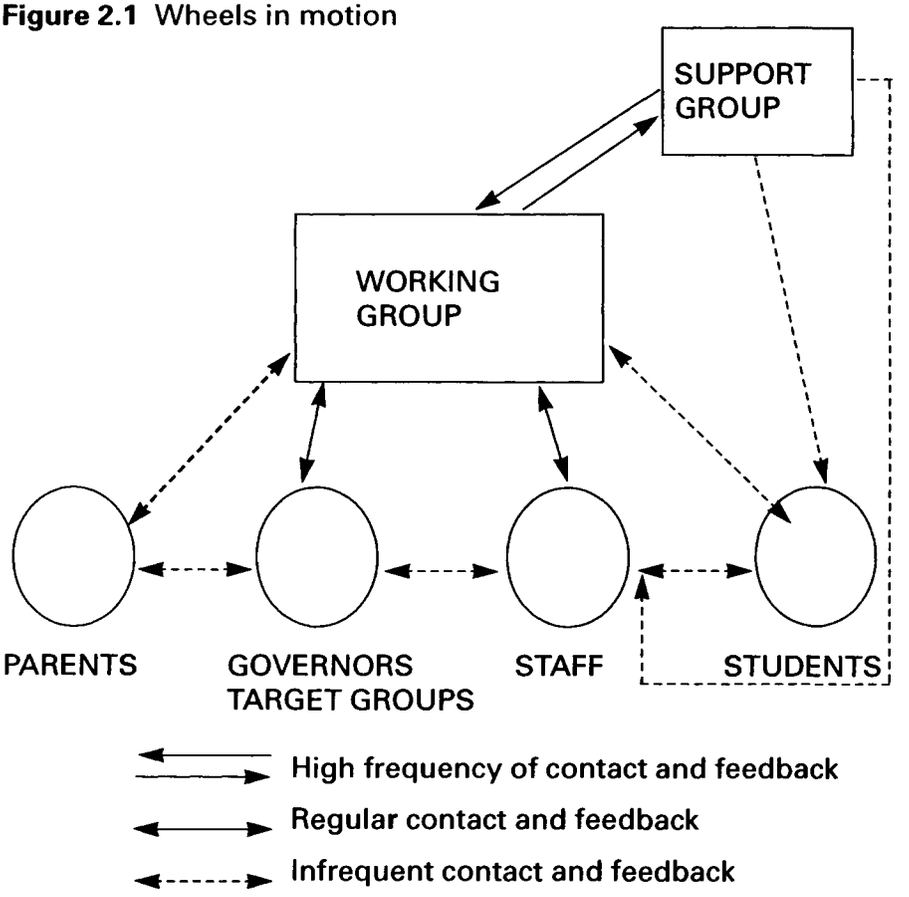


Figure 2.1 shows that relationships between the Groups take a considerable time to develop. It is not possible to work effectively with all the target groups at once and choices must be made. However, there is

almost bound to be a cascade effect whichever target group is chosen. As one group changes the others are bound to feel the effects as the activities of one are inextricably linked with the others. It should be stressed that the relationships demonstrated in Figure 2.1 only apply to this particular initiative and are not representative of other relationships within school.

The relationships are established as the Working and Support Groups move work forward. They can be built upon in a variety of ways; with staff it can be through staff meetings, year group meetings, pastoral committees and professional training days; with governors through full governors' Meetings or sub-committees of the governing body. Annual parent/governors' meetings are a way of opening up discussions with parents. The channel of communication that is chosen will ultimately depend on both the object of the exercise and which route is most appropriate to the task.

A model of the process

The Abbey Model

Table 2.1 clearly shows that there is a cyclical nature to the sequence of events. Work carried out in school suggests that there are three distinct cycles of activity:

- Cycle 1 – Raising awareness.
- Cycle 2 – Identifying needs.
- Cycle 3 – Addressing needs.

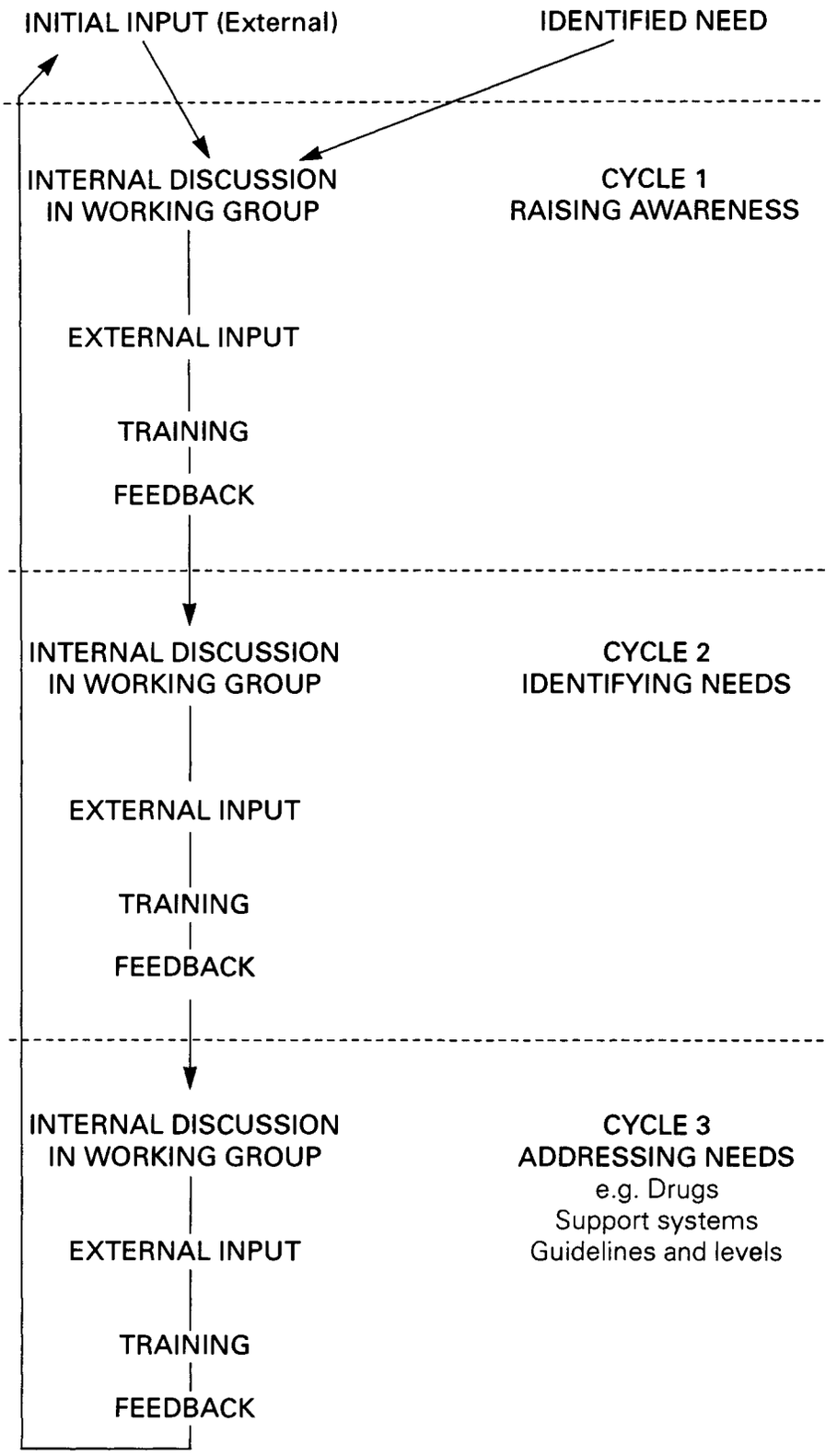
The first cycle aims to raise awareness of the issues and to allow staff to express their concerns. The second cycle focuses on identifying the needs of staff and begins to make an initial response to those needs through training. Once needs have been identified it is a question of determining priorities. The third cycle of activity starts to address some of the major areas of concern. As a result of activity in Cycle 3 the pattern of cycles may be used again with a more specific purpose, e.g. the formulation of a drugs policy.

Within each cycle there is a similar pattern of activity which reflects the principles of action research. The pattern (as demonstrated by Figure 2.2) has been to have a period of internal discussion followed by some form of external input. This leads to training followed by detailed feedback which becomes the focus for the next cycle. Thus the pattern within the cycles has a spiralling effect on the process as the next cycle is driven by the previous one. I shall discuss this pattern in depth later in this section.

The cycles may take varying lengths of time to complete, but the time that the process takes is not a major issue. The key concern is to give a distinct focus to the work being carried out so that people are clear about the objectives and to progress at a rate which is comfortable for all involved. It is not always easy to judge the pace correctly but as developments make themselves felt, so do forces resisting them, and it is vital that a Working Group does not rush things through nor be seen to drag its feet.

I shall now examine the role that each component of the individual cycles has in the process.

Figure 2.2 The Abbey model



Internal discussion

Any attempt made to develop policy and practice in the field of counselling and guidance will inevitably generate a great deal of discussion within the institution concerned. The discussions can take place in a formal way, e.g. through a Working Group, or on an informal basis as issues are raised elsewhere which relate to the development. Wider changes in education, e.g. the Special Needs Code of Practice, may also precipitate the dialogue.

Operating principles

If much of the discussion is taking place in a formal forum, such as a Working Group, it is very important that time is taken early on in the process to establish the general principles by which the group will operate. The following principles were accepted by the Working Group at Ramsey Abbey:

- There would be no constraints placed on the issues which could be discussed.
- Everyone was free to express their opinion without judgement or criticism.
- Change would not be presented as a *fait accompli*. There would need to be full consultation with the target groups if people were to have ownership of the process and develop a common way of working.
- Consultation, feedback and research would identify needs that would require a response. The emphasis would be on supportive listening and this is referred to in greater depth in Chapter 3.
- To take part in the process was as important as the production of guidelines or policy. The Group was not pre-occupied with producing pieces of paper.
- There was a need to keep within the law and existing school policy.

The dilemmas

There are a number of dilemmas that can present themselves to those trying to grapple with the complexities of confidentiality and the exchange of information.

- How to find a starting point when the law is often vague, sometimes contradictory, and when there are numerous pieces of legislation that relate to this area.
- How to identify the concerns of the Target Groups, listen in a supportive way and be able to respond to the needs when it may be difficult realistically to do so.
- How to create guidelines or policy which can be implemented and accepted by all but still keep the flexibility to deal with what are often highly individual situations.

As people try to resolve these dilemmas much time will be spent clarifying their own thinking on the issues. The issue of confidentiality and the exchange of information is central to much of the work in the area of school counselling and guidance and this type of work may ultimately lead an institution fundamentally to re-examine what it is trying to achieve and to

question its own priorities.

The areas of work covered through internal discussion in Ramsey Abbey are shown in detail in Table 2.1. A significant amount of time has been devoted to preparing the ground for the consultation process; the preparation of documents, the organisation and content of training and the analysis of feedback. Two of the documents require more detailed comment. The current guidance to staff on confidentiality and information exchange is set out below. It contains the guidelines and a table that relates to the process of handling confidential information and is designed to be used in conjunction with the guidelines.

Guidelines on confidentiality

The guidelines on confidentiality set out the school's position and the intended audience is staff and governors. They are designed to be a broad frame of reference and leave scope for staff to make their own decisions in individual situations. It was neither practical nor desirable to cover every possible situation that could arise and define what the response should be. A major concern for the Working Group was the impression that might be conveyed if the term 'breaking confidentiality' was used. They felt that it might imply a complete loss of the confidential status of the information and wished to stress that on occasions when information was exchanged it would be done on a 'need to know' basis. Therefore the document refers to the principle of 'extending confidentiality' rather than 'breaking" it. Discussions about the content and interpretation of the guidelines generated a number of other concerns but these will be dealt with more fully in Chapter 3.

Levels of confidentiality

It was clear from reaction to the guidelines that there needed to be further clarification of the process and the Working Group responded to that. It was apparent that the term 'confidentiality' was being interpreted in a variety of ways. The levels of confidentiality document (see Table 2.2) tries to clarify the term by looking at the transfer of information as a process. The Working Group tried to identify the potential sources of the information and then looked at the factors in the decision-making process that would determine the status of the information and the route that would be used to pass the information. The identification of either the area of difficulty or the difficult behaviour is an important first stage although the full facts may not present themselves immediately. Some of the evidence for the existence of a problem, which might result in the handling of confidential information, lies in the behaviour of the student and is an expression of disaffection which needs to be heard and requires a response. The issues involved here will be explored in depth in Chapter 3. The second stage is concerned with staff asking the right questions and realising that they may need support to make a decision. Stage 3 is an attempt to classify information so that terms with known meanings can be used in the school context in order to convey the status of the information clearly. The possible routes for passing the information are then listed as options. The route that is chosen will depend on the individuals concerned and it is not possible to link the status of the

information directly with the route used to pass it. As a result of internal discussion and feedback from staff (when asked to comment on the guidelines and the levels) the documents are now issued as a booklet (Confidentiality and Information Exchange below). The use of the guidelines and levels has raised questions about the role and responsibilities of the Group Tutor and the Year Tutor and has implications for referral and recording.

Confidentiality and the exchange of information in Ramsey Abbey School

This booklet tries to provide guidance for staff when handling information in school. Before reading the guidelines on confidentiality and using the levels, the following points should be noted:

1. Information could be passed on by staff, students or parents. Equally information could relate to any or all of the groups.
2. Staff should understand that they cannot guarantee confidentiality because they do not know what they will be told.
3. Staff should try to act in accordance with the person's wishes, if at all possible, or negotiate with that person an appropriate course of action.
4. Staff need to ask themselves the right questions when making a decision about what to do with a piece of information they have been given. The question 'Who needs to know?' must always be asked. The age of the student (pre-16 or post-16) is an important factor in any decision.
5. The degree of confidentiality of the information could alter as knowledge increases and/or the situation develops.
6. In most cases it would be desirable to give some feedback to the person who has given the information.

Confidentiality in Ramsey Abbey School

The changing role of teachers, particularly in health and sex education programmes and their responsibilities for the pastoral welfare of students, has raised issues of confidentiality. There are benefits which occur from a stated code of confidentiality:

1. It reduces confusion about the status of personal information and the accountability of staff.
2. It increases the respect for privacy and the development of trust between staff and students.
3. It enables students to seek appropriate advice and support without fear of inappropriate disclosure.

The effect of breaking a confidence, without the knowledge of the student, is likely to destroy trust, cause hurt and generate anger in that student. It may be seen by the peer group as having implications for them and within the school community it may undermine the position of other staff.

It may be difficult for a student to believe that a confidence will be respected in a school. Students need to be confident that, within the boundaries defined by school policy, confidences will be respected. The

way that confidentiality is handled may be seen by staff, students and parents as being an indicator of the respect for the value of the individual. It may help staff to have a known ethical standard which will remove tendencies to over-react or to over-consult. Both teachers and students need to be clear about what will happen if they do disclose information.

In school, where personal codes of behaviour may differ and where people's experience of handling personal behaviour may vary, there is a need for clarification of what constitutes good practice.

The following guidelines are intended for staff:

1. The principal concern of the school is the welfare of the individual student. The Children Act 1989 states that the well-being of the young person is paramount. The House of Lords (Gillick, 1986) have also stressed that each child or young person must be treated as an individual and shall be given such powers to make decisions as he or she is competent to make (i.e. is capable of making the decision and fully appreciates the consequences). This must always be kept in mind when deciding upon the degree of confidentiality which can be offered to a student.
2. The school aims to show respect for the position of the individual student. This includes a recognition of students' right to privacy and their right to be able to trust the member of staff in whom they confide. Students should be encouraged to confide not only in someone they trust but whom they feel has an ability to help them. The school is sensitive to the fact that the catchment is a largely rural one, and recognises that alternative avenues of help outside school may be more difficult for students to access.
3. The degree of confidentiality which can be offered to a student will vary with the context, e.g. whether a student is pre-16 or post-16 and the precise nature of the information which is disclosed. The school must act within the framework of the law and in accordance with existing school policy. It is important that this is clearly communicated to staff, students and parents in an appropriate manner. Given the complex and constantly changing nature of this area there should be opportunities for consultation, staff training and professional development and a regular review of the process.
4. It is essential that there is an agreed standard of confidentiality in school which staff, students and parents have knowledge of and understand. Within this staff will still need to exercise their own professional judgement in each individual case in determining how confidential information can remain. Staff may need support to make decisions and it should be possible to discuss issues relating to a student's personal problems with an appropriate colleague, whilst maintaining the anonymity of the student. Students will need to know when this happens. Staff receiving information in confidence should be aware that not all students will want action to be taken as a result of the information exchange. Students may simply want someone to listen.
5. Staff should have knowledge of the system of referral that exists. Students should be aware of the system for dealing with confidential information so that students are able to seek appropriate advice and avoid

inappropriate disclosures.

6. While staff can make no promises when something is said 'in confidence' by a student the school aims to keep disclosures confidential wherever it can. There are exceptional circumstances where this would not be possible, e.g. cases of suspected or actual child abuse or where the disclosure indicates that the health, welfare and safety of that student or others may be at risk.
7. If a member of staff feels that there is a need to extend confidentiality to another person or persons then this would be on a 'need to know' basis, so that as few people as possible would be involved. Confidentiality would be extended, hopefully with the consent, but always with the knowledge of the student. The student would be informed in advance of the action that would be taken and the possible repercussions which might arise from that action would be discussed.
8. The school aims to encourage students to confide in parents wherever possible. Where a parent has taken the initiative in seeking involvement it may be advisable to involve the student at the earliest opportunity.
9. The exchange of confidential information will largely be carried out in private on a one-to-one basis. Given that this is a potentially vulnerable situation, staff should inform someone else that the discussion is taking place and why it is happening (it should be possible to preserve anonymity).
10. It is important that confidentiality is maintained in practice:

    (a) Subjective comments about a student's personality should only be recorded in so far as this is necessary to provide an appropriate educational service. If confidential information is sent elsewhere, this should be done with the knowledge, and preferably the consent, of the student.
    (b) All staff have a responsibility to ensure that confidential information is only given to those who need to know. The people who need to know may vary a great deal as situations are often highly individual. (For further guidance see Levels of Confidentiality [Table 2.2].)
    (c) All personnel working within the school should be aware of the confidential nature of personal information about a student or a member of staff.
    (d) Ideally, if students are giving personal information about themselves, this should be done where privacy is ensured. This may mean finding a more appropriate time and/or place (NB. The Abbey Flat or the SENCO's office may be booked through Reception.)
    (e) Personal information about a member of staff's or a student's family should be regarded as confidential.
    (f) Students should understand how to avoid inappropriate disclosures about themselves or others, particularly in classroom situations.

These guidelines are intended for staff and have been provided to the Governors for information and comment. There may need to be different documents for students and parents which are more appropriate to the audience.

The guidance on levels of confidentiality [Table 2.2] may help to clarify certain areas of this document and should be used in conjunction with it.

Table 2.2 Levels of confidentiality used with confidentiality guidelines, Ramsey Abbey School

Stage 1: *Identification of the type of information*	Stage 2: *Points to consider when deciding how to respond to a piece of information*	Stage 3: *Deciding the status of the information*	Stage 4: *Choice of the appropriate route for passing the information*
Medical problems. Behaviour in school. Behaviour out of school. Specific problems, e.g. sex, drugs, alcohol, bullying, truancy, mental health etc. Academic standards. Child abuse Bereavement– death, separation, divorce. Involvement of outside agencies	1. Is it confidential? If so is it the information, the source or both ? 2. How might your decision affect your relationship with the person who gave it to you ?(i.e. question of trust) 3. What is the expectation of the person giving the information i.e. Why were you told? For advice, action or information? 4. What repercussions do you envisage as a result of taking action ? Try to think through all the options carefully. 5. What is the element of risk/danger to that person or others ? 6. Under what circumstances has the information been passed on ? Has there been a request for confidentiality? 7. What is the legal position ? School policy ? 8. Have you got time to deal with this ? 9. Do you feel confident/able to deal with it ? 10. Who already knows ? 11. Do you need to discuss this with another person before making a decision?	Highly confidential Confidential The above categories would be on restricted access, i.e. purely on a need to know basis. Sensitive Information would be passed to those who have direct contact, e.g.subject staff, group tutor, SENCO, school nurse etc. Accessible to staff Information which is in the public domain but may need careful handling. Accessible to all Information which is in the public domain i.e. non-confidential.	1. Distribution to all staff via Briefing. 2. Distribution to particular staff e.g. subject staff, group tutor, etc. 3. Pass it up, across or down the pastoral chain e.g. Group tutor to Head of Year, LSA to SENCO etc. This implies some responsibility to pass it on for information or action. 4. Take it straight to the Head or Deputies. *5. Pass it on to outside agencies via the appropriate channels. *6. Pass it on to parents. 7. Keep it to yourself.

*This would normally be done in consultation with the Head of Year.

Development Activity 2:
DEVELOPING GUIDELINES

If staff are to adopt guidelines they should have a major input into the process and it should reflect their concerns. It is important that the consultation process extends to all those who will be involved.There are a number of questions to consider when deciding how to approach this:

The forum

What forum will you use? We used a Staff Meeting and it was the only agenda item. People who were not required to be there attended voluntarily.

The method of working

How will you divide people into groups? We had made a decision to work in pairs and small groups as we felt that people would be more comfortable and that feedback would be more forthcoming. We did structure the groups (seven groups of six or seven people) according to background, seniority, experience and sex so that in each group there were a large range of viewpoints. Members of the Working Group facilitated the activities in the group with additional help from Hartford Student Support Centre as well as from our own staff.

Feedback

What methods will you use to generate the feedback? We decided that we needed to generate the type of debate amongst staff that we had been having in the Working Group. Staff were encouraged to be honest and their views were recorded anonymously. Staff worked in pairs on their own experiences and then identified the issues through whole group discussion. They then had a chance to make comments on a copy of the guidelines and were asked to fill in a feedback sheet. The format of the sheet is given in Table 2.3. Spaces were left on the sheet after questions 1–9 in order for staff to make their response. This was followed by a brainstorming session to generate ways in which we could move forward.

Objectives

How do you wish to use the data? You need to be clear about the objectives of an exercise such as this. Check carefully that the activities you plan will give you information and comment which relates clearly to the objectives.

Processing of data

Who will process the data? Anticipate that this will take a long time.

Table 2.3 Confidentiality feedback sheet

Please fill in this sheet based on your individual reflections and discussion so far. This information will help to:

- identify issues which concern staff
- produce guidelines for the handling of confidential information
- develop a system of support if staff feel that it is desirable.

You do not need to put your name on this sheet

Think about the situation you discussed in your pair at the beginning of the session regarding the difficulties/issues involved in handling confidential information.

1. When I was actually dealing with this problem I felt .....

To answer questions 2–6 try to imagine that you were dealing with this problem in ideal conditions

2. What would you have liked to have been able to do with the information that the person gave to you ?
3. Was there information you would have liked and / or did not have e.g. whom to contact, what legal position you were in etc.?
4. Would you have liked support to have helped you to make a decision about what to do ? If so, what support would you have wanted?
5. Who would you have referred this problem to?
6. What response/feedback would you have liked ?

In order to help build on existing good practice it would be helpful to identify strengths and weaknesses in the current system.

7. What current practice do you find helpful when dealing with this kind of information ?
8. If you have worries or concerns about dealing with this kind of information in school please give details. For example:
   - you do not know where to go for information
   - you are unsure of your legal position
   - you do not have access to a private space to talk to people
   - something prevented you from referring a problem
   - you were unhappy about the way a situation was handled
   - you did not receive enough / any feedback after referring a problem.
9. Please note down any other issues you feel strongly about which are not covered by the responses above.

External Input

This is an essential part of the process and is taken to mean an input from people outside the immediate staff of the school. The input can come from a number of sources:

- Outside experts who will advise and give feedback on the work.
- Trainers who come to help with specific areas.
- Outside agencies who normally work with schools and who may offer help, especially if they see the work as being of benefit to them also.
- Parents or governors who are involved in the school.

It can also be made in a number of ways:

- Through an outside input into a Working or Support Group.

- Through training.
- Through informal links.

The importance of having external input into the process is evident as soon as work begins. People not directly involved in the school environment on a day-to-day basis have a different view of the process which can be very enlightening. They bring new ideas and make those within school open their eyes to a different approach. They are a source of knowledge which can be tapped, saving a lot of effort on the part of staff with limited amounts of time to spend. They will also give constructive feedback on the work and may spot potential pitfalls. During training people who have had no part in the process up to that point become involved. The complexity of the issues and the need to gear training very precisely to an identified need means that the territory must be re-defined in detail for the trainers. It is beneficial now and again to clarify one's own thinking and justify one's rationale to others. External input undoubtedly gives fresh impetus to the process and is particularly valuable if the initiative is going to cover a lengthy time span.

Training

It is very important to the process that training takes place at regular intervals and it needs to be given a high priority by the institution. There is considerable pressure on the available time for training and if training is not carried out when most relevant there is a negative effect on the process. The momentum gained is lost, as is the interest and enthusiasm in the process. It is inevitable, during the periods of internal discussion, that the thinking and understanding of some sections of the school community will move ahead of others. It is important that the gap does not become too great and that the rest have the opportunity to go through the same process and bring their understanding to the same level. Training can also be used for consultation. If the needs which are identified in the feedback are addressed by the training, then staff can legitimately be asked to comment on the process and are likely to do so constructively.

The aims of training should be to empower staff and give them increased confidence. Training should inform and guide as well as develop the necessary skills. The following seem to be general principles involved in quality training:

- Training must be seen to be relevant and respond to an identified need.
- Training needs to be offered to as many of those likely to be involved in the process as possible, e.g. governors, school nurse.
- Staff need to use their own experiences to work constructively. By this means they can go on to identify issues, express concerns, comment on guidelines and identify knowledge they need or suggest systems and structures which need to be in place.
- The ground needs to be very carefully prepared for any training exercise. This may mean detailed briefing of people involved, organisation of people on the day, preparation of materials, etc.

The following issues relating to training should be addressed.

The Focus

As the area of confidentiality is complex and information is fed back by staff in volume there is a real danger of being overwhelmed and it can be difficult to see a way forward. It is very important that the training is seen by staff to be relevant. The actual content of the training sessions may change during the period of planning and the emphasis given to things altered. For example in my school staff were very concerned about the legal position and wanted clarification. As planning progressed it seemed that we needed to make staff aware that while a working knowledge of the law is useful, it does not always provide the answers. There is a need for flexibility in the planning stages.

The Method

Staff tend to want information as well as guidance and training in the necessary skills and therefore this has to be incorporated into the training process. There is also a danger that if staff are looking to a knowledge of the law as an answer they may become more conscious of the problems without feeling that they have been given any answers. One way of getting round this problem is to produce a booklet or documentation to support the work carried out during training sessions. It could contain information (e.g. laws relating to drugs), guidance (e.g. how child protection issues are handled in school) or both. It could also present the viewpoints of people involved e.g. the parent's point of view and parents' rights (see Chapter 4 for more detailed suggestions).

Small group discussion appears to be most suited to this type of work and variety of task helps. The structuring of the session is fundamental to the success of the training. Allowing staff to address the needs which concern them most i.e. giving some element of choice generates the most positive type of feedback. For example in a half day training exercise on Handling Sensitive Issues in my own school small group discussion was used. The morning was split into two sessions. The first focused on the discussion of the legal issues through a quiz and was common to all groups as this area had been of concern to most staff. The second allowed staff to choose a specific area which concerned them from the five areas which featured most in the feedback given in a previous Staff Meeting. Workshop sessions were planned on the basis of the following areas: Talking to Students, Sex and Sex Education, Drugs, Referral and Recording. The response from staff was very positive.

Development Activity 3:
TRAINING RELATED TO NEED

Consider how to respond to the needs identified in the previous exercise. If training is desirable or necessary:

The focus

You will need to establish the focus. Think of the method as well as the content.

The timing

You will need to fix a date(s) and decide how much time needs to be allocated. Do you need one session or several?

Trainers

Do you need additional trainers? If so, be prepared to set aside a considerable period of time for liaison. Expect to find difficulty in obtaining trainers in this field and start to plan well in advance. It helps to provide, in writing, some background to your initiative to help put the training in context. We needed several meetings before the Training Day in April 1995 and it took the trainers some time to assimilate the ideas and tune in to the same wavelength.

Support materials

What support materials will you require? For the Training Day we produced a booklet of information in addition to the guidelines and the levels of confidentiality. Trainers developed their own materials for the Workshop sessions.

Feedback

How will you organise the feedback? We found it necessary to take time beyond the training as time was pressured on the Training Day itself.

Feedback

If the initiative is a response to teachers' needs then feedback becomes a very important component of the process. An approach based on supportive listening means that feedback is essential to make progress and that the views expressed require a response. Feedback is highly significant in determining the content and timing of training events. There are two types of feedback:

1. Feedback that seeks to identify the need. This may relate to people's fears and concerns, information they lack, guidance and training they would like, systems and structures they would wish to see in place.
2. Feedback that seeks a response to initiatives e.g. documents or training. This then becomes part of the monitoring and review process and allows for amendments or alterations in the plans before the next step is taken.

When feedback is required it needs to be carefully thought out. The area of focus must be understood by all and everyone needs to realise the purpose of the feedback so that they can participate constructively. This may mean that the ground has to be prepared in advance with tasks both clearly defined and related to need. The design of feedback sheets or the structure of oral feedback must yield the information which is required and be in a format which can be analysed as easily as possible, otherwise the processing of the feedback becomes a very time-consuming operation. An example of an instrument which may be used in the initial stages when trying to identify issues for staff in the area of counselling and guidance can be found in Table 2.3.

From our experience, the type of feedback which is generated becomes more specific as one moves through the cyclical pattern identified in Figure 2.2.

Cycle 1 Raising Awareness

The feedback will voice general concerns but will not be well focused. Key areas of concern may well relate to the legal position (60% of the staff at Ramsey Abbey), the rights of parents, issues to do with talking to students, referral and recording procedures, and sources of support. Staff may feel uncomfortable, inadequate or unsure of what to do when faced with a problem. A significant number of staff may feel that they need support to make a decision and that if they make a referral they lose involvement in the situation. This may be particularly true if dealing with the problem takes a long time. Staff may feel that they do not always get to know what the outcome is for the student. Feedback may also identify overload in parts of the pastoral system, particularly the Heads of Year. It also often demonstrates that staff will make use of information and guidance (e.g. child protection) when it is available and greatly appreciate it being there.

Cycle 2 Identifying Needs

The feedback becomes more specific but also more complex. As people start to work on the areas of concern identified by the first cycle it becomes impossible for staff to cover all areas in depth. Therefore a mechanism by which people can share what they have learned with others must be built into the process, e.g. through Tutor teams. It is important that staff identify what they are clearer about as well as what they are still unclear about. They may need to work out how they would like to address concerns in the future as well as make a response to documents which have been produced. Much of the feedback can be quite detailed. For example if one takes the issue of referral the following feedback may now occur:

- Routes of referral need to be clearly defined. 'Teachers are not experts, so who do they go to?'
- A need for consistency in the recording of data.
- Relationships between the Year Tutor and the Group Tutor need to be defined.
- There should be specific training for the role of a Group Tutor.

Cycle 3 Addressing Needs

This is the cycle where the management of feedback becomes very difficult, largely because of the development of a number of offshoots from the main process as people take the ideas on board in their own area. Very specific and even more precise feedback is now required to address concerns in particular areas. For example if one takes the issue of referral again one might now be trying to initiate further discussion on the routes of referral by the use of case studies to allow concerns to emerge and to identify improvements which could be made to the system. A particular focus for this work might be the relationship between the Heads of Year and Group tutors.

The issues raised in the feedback from both staff and students are discussed in more depth in the following chapters. Having looked at the type of feedback which might be anticipated at different stages in the process two further points must be made:

- Feedback is not a one-way process from the target groups to the Working or Support Groups. It is also important that there is an exchange of information and ideas between the target groups and that the Working Group feeds back the progress it is making in addressing the needs.
- Staff expect to see a response when they have been asked for their views. Sometimes that can occur quite quickly. For example in our school staff were concerned about the shortage of space where privacy could be guaranteed. Reorganisation of space within the school meant that a room could be made available for support work with students. The Working Group instituted a special booking procedure for the room, conscious of the potential difficulties for staff who worked in this way (in feedback from the staff meeting this had been a significant concern for male staff). For other developments, e.g. the implementation of guidelines, the time period will be much longer and staff will need to be kept informed of what stage the work is at. Target groups not directly involved in the work may also need to be kept informed, e.g. governors, parents.

Factors determining the success of the initiative

There have been a number of factors which have combined to allow work to progress steadily.

A teacher-led initiative

This initiative was teacher led, i.e. it was initiated by a push from below rather than being directed from above. The work is seen as a response to a clearly identified need and has relevance and practical value. Many teachers have responded in a very positive way to the initiative and feel that they are part of the process and have a voice.

The Working Group

The Group has been very positive about the work and there is a real will to move things forward. The principle that it is a neutral forum where people are free to express their opinion without judgement or reservation has been very willingly adhered to and discussion is often lively and thought

provoking. The Group has always been conscious that it must respond to the needs of those involved and develop systems and structures which are seen to be appropriate and can be used as part of everyday life in school.

Inevitably the composition of the Working Group has changed and people join who have not been part of previous cycles, but this has not been problematical. However it may take time for new members to assimilate the ideas and thinking behind the work. Above all the Working Group has shown a high degree of commitment to the task it has undertaken.

The Support Group

The existence of a smaller group to carry out detailed planning and research has been invaluable. It has been the forum in which I have clarified much of my own thinking and have gained fresh impetus from the discussion and support. It has also saved the Working Group a lot of time in their own meetings as problems which arise can often be resolved in the smaller group and the results fed back to the Working Group. This helps to keep momentum in the process. As Cycle 3 has progressed the input of the Support Group has lessened, but was particularly significant in Cycle 2.

The role of the Head teacher

This has been crucial. He has supported this initiative from the beginning and has been prepared to involve himself in a very positive way. He has listened to all the points of view represented and has often resolved some of the dilemmas. It is difficult to envisage how the work would have made so much progress without that degree of support.

External assistance

As has been stated in the section on external input this is a vital component in the process and has made itself felt in a number of ways: in the Working Group (parent-governor and behaviour support teacher), in the Support Group (behaviour support teacher and university tutor) and in training (Hartford Student Support Centre, Cambridge Institute of Education and the Cambridge Health Promotion Service). Many people have given a considerable commitment to the initiative and undoubtedly the school could not have carried out this work on its own. The 'external' members of the Working Group have made a particularly significant contribution and have been most constructive in discussion, often persuading the rest of the Group to see things in a different light. It is very valuable to have people from outside the immediate school community who are prepared to offer opinions, help and advice, and generally be a source of support. It is perhaps inevitable, however, that the external input will diminish in intensity as a greater body of expertise builds up in school; in fact that shift in the balance could be taken as a measure of the success of the work.

On a different level it has been encouraging to see the interest being displayed in this initiative by other institutions. This even extends internationally, as I recently experienced at a conference in Moscow on School Counselling and Guidance, where teachers from Russia, the Netherlands and the USA all agreed that there was a need for this type of work to be carried out in schools.

The internal driver

Someone in school has to be prepared take on the role of internal driver. This goes beyond a purely co-ordinating role. It has involved:

- Chairing the Working Group and being part of the Support Group.
- Preparing initial drafts of documents for discussion.
- Keeping detailed notes of discussion during meetings.
- Distributing minutes of meetings. Very early on in the process it was decided to keep all the parties who would eventually be involved as fully informed as possible. Minutes of meetings are distributed to staff with pastoral responsibility who are not represented on the Working Group and they are encouraged to comment or make an input into the process.
- Informally discussing matters with relevant groups to prepare the ground carefully. It was vital that people were not alienated from the process.
- Organising training.
- Analysing feedback.

The adoption of a flexible approach

The Working Group has tried not to work within too rigid a framework and wants to achieve progress by consensus, not by being too prescriptive. It has also been important not to move at too fast a pace and overwhelm staff.

The increasing confidence of staff

This has led to a 'snowball' effect so that the work has developed a momentum of its own. This has certainly been aided by certain events, e.g. an OFSTED inspection. Now that the process is in full swing the school is in greater control and has a clearer sense of direction. There is a body of expertise which is building up inside school. This has been particularly reflected in discussions concerning the Special Needs Code of Practice where the transfer and recording of information have frequently been discussed as regards their confidentiality.

While these factors have operated in a positive way in the process the initiative has not been without its problems, as described below.

Lack of definitive answers

Staff tend to want everything stated in black and white and have sometimes found it difficult to accept a lack of definitive answers. This is particularly true of the legal area. Many staff feel that a better knowledge of the law will solve most of their problems and are disappointed to find that it will not.

Lack of confidence

Initially the work made people less confident about what they were doing as it increased their awareness of what they did not know without giving them any immediate solutions.

Unease of staff

Some staff find this whole area very threatening and it is important that staff realise that they do not have to engage in it in depth if they are uncomfortable. What is important is that the systems and structures are in place so that they will know where to go for support, know the procedures that they should follow and know where to refer.

Creation of experts

The role of internal driver is increasingly seen as an 'expert' who is expected to have the answers, rather than a facilitator. The aim of this work has always been to increase the skills of staff not to de-skill people by the creation of 'experts'. Although school is increasingly realising that counselling skills have an everyday application and are not just for 'people with problems' much remains to be done.

Keeping a focus on the issues

The role of chairing Working Group meetings is not an easy one, particularly with respect to keeping people's minds focused on the issues. As the work progresses it becomes quite a task simply to keep track of what is going on.

Resistance to change

Inevitably there will be resistance to change and the greater the impact of the change the greater the resistance will tend to be. The liaison work between the groups in the process is of vital significance in ensuring that developments are not misunderstood.

Role of the Working Group

The process becomes more difficult to keep track of as it progresses. More activity is being devolved to other areas in the school. The Working Group is identifying the issues but now does not have the sole responsibility for dealing with them. It can be difficult to decide which forum is the appropriate one to carry work forward.

Expectations of the target groups

As the work extends to students and parents, meeting the expectations of all the target groups will be difficult, e.g. parents feel they have a right to know and students do not wish them to know.

The Future

While work with staff is ongoing much is still to be done to connect the other three wheels (governors, students and parents) to the vehicle. The same principles will be adopted:

- Consultation before any decision is reached or any guidelines are introduced.
- Provision of information, guidance and training.

- Incorporation of feedback into the process.
- Letting things go at their own pace to allow people to assimilate ideas.

The following areas are those being currently addressed at Ramsey Abbey:

- Creation of a drugs policy. The drugs issue consistently cropped up in the feedback so it was decided to have some members of the Counselling and Guidance Working Group on a new Working Group which was to be set up to formulate a drugs policy. This complemented training which was going on in the Huntingdon consortium of secondary schools at the time. Here the new working group is likely to adopt the same model as was previously used only in a more specific context.
- The need for written guidance on confidentiality. It was decided to produce a finalised copy of the guidelines and the levels of confidentiality for distribution to staff.
- Clarification of recording procedures. It has been proposed that the Working Group try to develop written guidance in this area for staff.
- Support for staff. There are discussions regarding the formation of a support group for those staff involved in one-to-one support.

It is recognised that the process may raise as many question as it answers. The ultimate aim is to give confidence to all operating in this area by establishing a system of guidance and support which is seen to be relevant and is understood and supported by all.

CHAPTER 3

Viewpoints – Students and Teachers

Pam Clark

This chapter summarises the results of interviews conducted in the school during this project. It can be seen from earlier chapters that we felt there was a need to include as many viewpoints as possible on the counselling and guidance which was taking place in Ramsey Abbey. The interviews supplemented the feedback from the staff Working Group and training days described in the previous section.

The Context of the Research

There were several reasons for selecting this school for my own research (Clark, 1995) in addition to the regular, twice-weekly visits I made to the school as an LEA Behaviour Support Teacher. Extra support for students in Year 10 from an internal guidance worker was being introduced as my involvement with the Working Group on counselling and guidance started. I was also giving supervision to those working one-to-one with students and concurrently working with a number of sixth formers. Plans to run this girls' group were in the pipeline soon after the Working Group was established and it became a valuable source of information for both my project and the Working Group (see Table 2.1). All of these factors meant that it would be possible to investigate something of value to educational research as well as to the school and the LEA support service.

The interviews with staff and students took place between November 1994 and March 1995. Both groups provided information about their various experiences and gave us invaluable feedback about the role of staff, problems which students were experiencing, referral and recording procedures, confidentiality and other sensitive issues. Ongoing training, the format of policy documents, the way the support was structured, and other outcomes were directly affected by our findings.

This chapter is separated into four main sections:

- Why it was important to collect these viewpoints.
- Who was selected for interview and why.
- The methods used to gather information.
- The main themes which emerged from our findings.

Why was it important to include a range of viewpoints?

Clearly, we wanted to gather information to help the working group with its decision-making. In the field of educational research it is recognised that to get a 'true' picture of any situation it is vital to talk to a range of people who are part of it. Lincoln and Guba (1985) emphasise the importance of 'representing multiple realities' in this type of research to enable those involved to gain real understanding of concerns and issues. The involvement of staff in the development of whole school policies is well recognised as a means to ensuring their commitment to, and real acceptance of, those policies. We were very clear that we did not wish this to be merely a paper exercise and thus the inclusion of confidential interviews with staff was a priority.

In addition, there was a strong belief that, if listening to students was the main aim of the work we were introducing, they should be enabled to voice their opinions about the support they were being offered and play a part in its development. The inclusion of student views is now widely recognised as essential if informed decisions about improvements in educational practice are to be made.

Research which supports the inclusion of students' viewpoints

In contrast to some of the school effectiveness studies favoured in the 1960s and 1970s, interest in seeing schools through the eyes of students grew in the early 1980s (Tattum, 1982; Schostak, 1983; Bird *et al.*, 1980). The DfE book *Dimensions of Discipline* (Gillborn *et al.*, 1993) also highlighted the importance of the development of whole school policies for discipline and the inclusion of student views in those developments:

> In each school a similar range of interviews was requested, including students of various ages and teachers with different lengths of service and holding different positions of responsibility.
> (Gillborn *et al.*, 1993, p.6)

In my recent research (Clark, 1995) I explored the suggestion that, when given the opportunity to talk through their difficulties, students can often articulate possible ways to overcome problems. This was based on the knowledge gained over many years of working with disaffected students and their teachers in schools. The experience of being listened to can lead to positive changes in behaviour which is regarded as challenging, including: disruption, school phobia and truancy, bullying, lack of motivation and poor study habits.

Our study enabled this school to find out whether this was a realistic assumption. At the same time we were creating clear structures and support for staff who were working with these students.

How the students felt about having a voice in policy making was also noted; this is increasingly recognised as good practice in developing workable support systems for students (Rudduck *et al.*, 1995). It was equally clear to us that students wanted their views to be heard and, if possible, their ideas used. They are often genuinely searching for solutions to problems in school and have insightful contributions to make on situations about which only they are really able to make judgements.

Other viewpoints

Although this book is concerned with the developments in Ramsey Abbey School, it is important to note that other viewpoints from outside the school were gathered and included in my broader research into supportive listening, counselling and guidance. In a second school in the local area a peer counselling, or Befrienders', scheme had been initiated by a colleague of mine and staff from the school, as one of their responses to bullying. Older pupils were trained and supported to give counselling to younger students entering the school. The outcomes from my evaluation of this scheme are not given in detail here but broadly support the evidence about the benefits of counselling for students.

In both schools additional strategies for supportive listening were being introduced. One important difference between the two was that I was in regular contact with Ramsey Abbey and the research was almost inextricably intertwined with the ongoing policy development.

The other main source of information was a group of ex-pupils to these schools and another local comprehensive. It seemed very important to gain the perspectives of students who had not received the level of support that current students had available to them. These young people were very clear about what they felt about the education system and gave a useful illustration of what students did if they thought they were not being listened to.

Although we included some parental views this was comparatively limited, principally due to lack of time. It would be useful to gain a greater understanding of parental views, once the policy is up and running, as we are aware that there is still some lack of clarity about parental roles and rights.

How were the interviewees selected?

The three main groups interviewed therefore included staff, students and ex-students. A careful selection process, based on the need to obtain a wide range of perspectives, took place.

The intention was to gather information of a range of experiences within the main groups, encompassing as many viewpoints as possible, following the ideas of Maykut and Morehouse (1994):

> It is not our intention to build a random sample, but rather to select persons or settings that we think represent the range of experience on the phenomenon in which we are interested.
> (Maykut and Morehouse, 1994, p.7)

Staff: criteria for selection

We included a wide and representative cross-section of 11 teachers from Ramsey Abbey School. A range of ages, from those in their first year of teaching to 25 years service, were included. The six female and five male staff taught a variety of subjects and had different levels of pastoral involvement with students. No staff approached declined the interview. Although we hoped the staff were likely to be generally supportive of our work, it was important to include interviews with those who might have some hesitancy or misgivings about some aspects of counselling and

guidance. There was also a difference in the amount of personal involvement each had with the developments.

The inclusion of staff was essential, not only to gain their perspectives but also to enable those who may be sceptical of studies only taking student views into account to hear what staff say about the value of extra time and support given to students with problems. It also helps to avoid the criticism levelled at Woods (1983) of over-identification with students (Delamont, 1992).

Sixth Form Group

The experience of one-to-one support earlier in their education and membership of the Support Group were both factors on which we wanted their views. These five girls had not displayed overtly disruptive behaviour – although they had given staff cause for concern and could easily have got lost in the system. They were given support because of abuse, isolation from peer group, non-attendance, problems with school work, panic attacks, physical problems, lack of confidence and low self-esteem.

They were potentially less likely to have an impact on staff than those who *were* voicing their disaffection more overtly, so were flattered that they would be included in the development of new ideas for support in the school, as were all other interviewees. They knew that discussions within the group and the evaluation of the questionnaire (see page 42) would inform the decisions being made about the policy document.

Table 2.1 clearly shows how this groupwork paralleled the working group and support group meetings during the initial stages.

Year 10 and 11 Students

These students had all received support for at least 6 weeks during the previous two terms and were currently attending school. Both boys and girls, with a variety of problems and a range of academic ability, were selected.

They had come via several routes of referral but my clients knew that this was different from their normal session so were clear that it would be an interview. The guidance worker gave her clients similar preparation.

Ex-Students

These young people had been offered support only towards the end of their schooling when already disaffected, and they had not had the experience of early interventions of supportive listening.

Four young men and four young women with a range of experiences were chosen. They were from three previous academic years and three schools, including Ramsey Abbey.

Problems ranged from poor relationships with adults, abuse, bullying, and difficulties at home to general disaffection. The outcomes included non-attendance, disruptive behaviour, non co-operation over work and homework, conflict with staff, low self-esteem and violent angry outbursts.

Availability of addresses, continued contact since leaving school, mutually appropriate times and venues for interviews and an interest and a

wish to take part were vital, along with a willingness to assist in something that would have no financial or other obvious reward.

Their ability to cope both mentally and emotionally with the interview and their parent's or partner's co-operation if interviewed at home were considered. I knew these people well and, importantly, could make informed judgements about whether they would provide a wide enough range of viewpoints.

Parental views

Although parents were not specifically included, three interviewees were also parents of students at Ramsey Abbey School. Additionally, I am a parent of two teenage children and one of my methodological insights (see notes on practitioner research) was to include my own views. Some reference was also made to the NFER research (1994) *Parents, Schools and Sex Education*. Ideally a greater cross-section of parental views might have been sought and this may be addressed at some later stage, or perhaps more informally as the guidelines are implemented.

Summary

Hopefully, in this cross-section of groups, a wide range of viewpoints was encompassed, within the familiar constraints of time and resources which usually apply to this type of project. The number of interviews provided us with a great deal of valuable information on which to base our decisions. More were probably not needed in terms of uncovering more information and there is a balance to be struck between finding out absolutely everything there is to be known about issues and reaching the point of diminishing returns.

Development Activity 4:
SOME GENERAL POINTS TO BEAR IN MIND WHEN SELECTING INTERVIEWEES

- First work out the broad groups whose viewpoints are important for your research.
- You need to include as many viewpoints as possible within each group, so select based on some previous knowledge rather than going for a random sample.
- Most people like to be interviewed – but do not press-gang unwilling participants.
- It is important to include the views of those who may be hesitant or have some misgivings about the developments. They provide balance and help you to think about things you may otherwise miss.
- For staff: include a range of experience, gender, level of involvement, subject area, role in the school.
- For pupils: include a range of problems experienced, ages and expressions of disaffection.
- Work out a timetable for interviews which is mutually convenient for all parties.
- Be realistic about the number of people you can interview. The interviews take longer than expected and so does analysing the information.
- If you are involved in developments it is legitimate to include your viewpoints; you can be an interviewee too.

Models of collecting viewpoints

Interviewing was the main research tool we used to gather information. Questionnaires were also devised for use with and by the groups of sixth-formers who were involved. Much background and supporting information was gleaned from reviewing relevant literature; quoted at various points in the text. In addition the discussions within the Working Group and feedback from the staff meeting were obviously crucial and underpinned the whole project, as is detailed in Chapter 1.

Several sets of interview questions were developed and there are examples of these in the activities section at the end of this chapter. These were, however, only used as a framework. We intended that a relatively unstructured approach could be developed during discussions with students and staff to enable them to give their perceptions clearly and openly. We did not want anyone to feel constrained by a rigid format:

> The adequacy of a research method depends on the purpose of the research and the questions being asked... if the interest is in what Schutz calls their 'subjective understanding' – then it seems to me that interviewing, in most cases, may be the best avenue of enquiry.
> (Clark, 1992, p. 16)

Why we decided on interviews

Interviewing really was the most appropriate method of collecting viewpoints because:

- It was a method we had used previously.
- It was similar to the way in which we had been trained to do our jobs and we felt skilled in its use.
- It would provide a greater depth of knowledge of the world of staff and students.
- It is a more responsive, flexible technique than many others.
- It could reveal things which had not been anticipated.
- It would be possible to pick up non-verbal cues.
- It was easy to arrange within our normal schedule.

The decision to interview was greatly influenced by our real and genuine interest in what people have to say and the belief that this is a valuable resource. We envisaged that through our conversations a depth of understanding would be reached which was not accessible by other means. Remember that it was the process of improving communication and increasing dialogue throughout the school that was at the heart of these developments. The means for reaching an understanding of students' problems and supporting them and staff are almost identical with the research method we chose (Clark, 1995).

Counselling and interviewing: similarities and differences

The type of interview used was essentially one which we had been interested in developing over a number of years through counselling, research and daily practice.

It is very important, however, to draw a distinction between counselling and interviewing, although there are many similarities between the two. Good listening skills, the ability to empathise with people and to clarify and

summarise what they have said, whilst creating a comfortable, welcoming atmosphere, are common to both. But the goals of counselling and interviewing are clearly different, and an awareness of the need to avoid the relationship with any interviewee becoming principally a therapeutic one had to be kept firmly in mind. In this case there needed to be a clear understanding that this was an evaluative and information-gathering exercise. This became something of an ethical issue for me, especially after reading the work of some of the 'feminist' researchers.

Feminist research

Women have generally been quite critical of the scientific or 'masculine' approach to interviewing which advocates the use of prescriptive techniques and tends to objectify or formalise the interview situation – to enable 'scientific' analysis to take place.

Women interviewers have often found it difficult to attempt to put textbook interviews into practice as they do not allow for the development of a relationship between interviewer and interviewee (see Brown and Gilligan, 1992; Oakley, 1981). Whilst obviously welcoming this philosophy I did feel that a distinction should be made between what would take place in this interview and the normal support session that I would offer that person. Therefore, whilst using appropriate counselling skills I was very aware of keeping the interview focused and not slipping into 'counselling mode'.

Ethical issues

There is a recognised code of ethics in counselling relationships and a different one for support work in schools. One of the principal aims of the work in Ramsey Abbey was to clarify this very dilemma of role and boundaries for teachers and support workers. I therefore wanted my interviewees to be very clear about the purpose of the interviews. A method of enabling people to be clearer about these points was to draw up a Statement of Purpose (see Development Activity 5). Useful references for this sort of planning are Maykut and Morehouse (1994) and Robson (1993).

Although the research questions evolved and were developed appropriate to the groups interviewed, the original aim of gathering a wide range of viewpoints about the developing policy remained the focus. It seemed important to develop a means by which the final audience was given a realistic picture of the perceived problems with some constructive ideas which would help students and staff to deal with their very real dilemmas over support work and the role of guidance and counselling.

Development Activity 5:
DRAWING UP A STATEMENT OF PURPOSE

It is important to clarify for participants what the research is about and their role in it. This is a helpful and productive exercise for both parties, as a focus for early discussions.

It helps to outline the following general points about which interviewees might want information.

- *Background information* – Explain your area of interest and why you want to gather information.
- *List the groups* – Give a list or summary of the various groups you are approaching and show how they personally fit into the scheme of things.
- *Interview method* – Give clear information about the proposed format, venue and method of recording of the interview data.
- *What happens to the data* – Tell your interviewees what will happen to the data once analysed and the likely audiences for final documents.
- *Ownership* – It is important to give your interviewees the opportunity to see and amend their interview transcripts, they may on reflection wish to delete or add various points.
- *Anonymity* – Be careful not to guarantee absolute anonymity unless you are certain this is possible and be as honest as you can about safeguards.

Student survey

It is very important to work with groups of students to devise methods of finding out their views and those of other students. The following questionnaire was written by sixth-form students and their group leaders.

QUESTIONNAIRE
YOU DO NOT NEED TO PUT YOUR NAME ON THIS QUESTIONNAIRE

We are trying to:

1. Identify problems that occur fully so that people in school appreciate them,
2. Improve the system by which we help people with difficulties.

If you have needed to speak to someone about difficult, private matters how have you overcome the following dilemmas?

1. How would you decide who to talk to?
2. What information helped you to make the decision about who to tell?
3. What did you expect to happen as a result of talking to that person?
4. What happened as a result of making this step?
5. How did you feel when first meeting with this person to talk about private things?
6. What might stop you, or others, from disclosing information to staff?
7. How long did it take you to tell somebody about the problem?

8. Is it easier to talk to other students about these problems?
9. (a) If not, why not? (b) If so, why?
10. How important was it for you to know this would be treated as confidential, and how did you find out about whether anyone else would be told about your difficulties?
11. What would have helped you to feel more comfortable?
12. What was helpful about the support you got?
13. Have you ever had decisions made for you in school, how did this feel?
14. Staff also need to know that....

Interview frameworks

It is a good idea to draw up a framework of questions or a list of points that should be included when conducting interviews. This need not be stuck to rigidly nor need the questions be asked in any particular order. It does help the interviewer, especially the novice, to avoid missing any important points. The following lists were the basis of staff and student interviews.

STUDENT INTERVIEWS – EXAMPLE

1. How do you think you are getting on in school now?
   What happens when people have a problem at school?
2. ...Behaviour
3. ...Non-attendance
4. ...Effort and school work
5. ...Something else
6. Who would you go to in school if you wanted to talk about a problem you had?
7. Do you think there are enough opportunities to do this?
8. Who would you talk to if you wanted to put your views across?
9. Is there a system set up for this?
10. Have your opinions about school changed over the years?
11. Do you think many people feel like you?
12. Would you like to be more involved in decisions about your education and what went on in schools?
13. What suggestions would you make for improving the situation for you?
14. If you could be involved in planning support for students, what would you suggest?
15. To whom might you make these suggestions?
16. What might stop you from putting your ideas forward.
17. ...or prevent them from being heard?
18. How do you think your teachers see you as a student compared with others in your year?
19. How important is this to you?
20. Would you want to change it? If so how could you do that?
21. You have been offered extra support and time to think through what is happening to you in school, what difference has this made to you?
22. Would something else have been more helpful....what?
23. If you feel you are not being listened to what do you do?
24. If you feel you are being listened to what do you do?
25. What could schools do to improve the chances of people (like you) getting a good (appropriate) education?

STAFF INTERVIEWS – EXAMPLE

Staff were asked about a number of broad areas of interest as follows:

- Importance of pastoral aspect of the job.
- Time spent on pastoral issues.
- Sensitive topics or issues for staff and students.
- Role of staff in guidance and counselling.
- Confidence of staff in counselling situations.
- Their perception of student, staff and parents' rights, views and needs.
- What affects communication between staff and students
- Awareness of guidance from DfE, LEA, school.
- The effect of counselling and guidance on students' behaviour.
- Referral procedures, and how students get access to support.
- Staff needs in improving confidence.
- Confidentiality.
- The developing policy.
- Areas in need of clarification.

EXAMPLE OF AN INTERVIEW SCHEDULE ON PASTORAL ROLE OF TEACHERS

General information – Role or position in school, gender, number of years teaching

- On a scale of 1 to 10 how important would you rate the pastoral aspect of your job?
- How much time do you spend dealing with pastoral issues (as a rough percentage of your day)?
- What are the topics which you feel are sensitive issues in your role as a teacher?
- What role do you feel teachers should play in the following areas?

  – Sex education
  – Counselling and guidance on personal issues
  – On discovering a criminal act
  – On discovering a student is involved in drug taking
  – Personal or family difficulties

- How confident do you feel to work in these areas? (Scale 1 to 10.)
- What improves or would improve your confidence in dealing with sensitive issues?
- What does or has at present decreased your confidence?
- What rights to support and confidentiality do you feel students should have?
- What rights to support and confidentiality do you feel teachers should have?
- What rights to support and confidentiality do you feel parents should have?
- What would you say were needs in terms of improving your ability to work in this area?
- What guidance are you aware of from either the school or the DFE or other agencies in the area? What do you feel are its main recommendations? How do you feel about it?
- How do you feel about the present attempts in school to develop a policy or guidelines in this area?
- Are there any areas you would want to see addressed in the school's policy? What are the specific questions you want clarification on?

What students and teachers had to say – the main themes

This section represents the combined viewpoints of the groups interviewed in Ramsey Abbey School. It includes Year 10 and 11 students, staff interviews and the sixth form group evaluation, interwoven with additional information from ex-pupils. The Working Group and staff meetings contributed extra supporting evidence for several sections, particularly those on sensitive issues for staff; teacher role, referral and recording, and confidentiality. These, very usefully, helped us to understand staff perceptions of the developing policy at the stages where they became involved in discussions.

The voice of the participants hopefully comes across in this section; quotes have been included to illustrate their depth of feeling. The aim is to give a clear picture of some of the problems and issues for the various groups and of the benefits they obtain from supportive listening and from clarification of the role of listener.

The findings are presented as the themes which emerged from careful analysis and cross-referencing of all the points raised.

Sensitive issues for staff and students

Staff issues

Staff felt that the pressures to help students to cope with out-of-school problems such as family difficulties, drug-related problems and sex education in all its forms were increasing and that students sometimes need in-depth, long-term counselling which teachers do not have the skills or time to provide. They were worried about aspects of one-to-one work such as being alone with students, interpersonal relationships encroaching on classroom relationships, the legal aspects and the complexity of the law on various issues. Students would talk about their home life, relationships with other members of staff and drug or sex issues if they came up in the curriculum. Staff wanted some guidelines about how to deal with these disclosures both professionally and appropriately. They wanted to help students but needed to be sure of their ground, especially in areas where some confusion over the legal aspects had been raised.

Student issues

Although students and ex-students acknowledged their out of school problems, they laid far more emphasis on those experienced in school. The research by Tattum (1982) and documentary evidence of Schreduers and Bell (1993) support the message that when given the opportunity to voice their opinions anonymously, students described (and interestingly demonstrated in the interview situation) a depth of feeling about not being heard, feeling lost or trapped in the system, being unclear about expectations, feeling isolated, or not being treated with respect:

'I get fed up with school.'
'Its such a depressing place to be.'
'If they didn't listen and said it was my fault I got angry and upset.'

These feelings, which increased their disaffection and its consequent expression, often lay unaddressed. They then got angry, shouted, slammed doors or 'got in a mood' or went out of school, generally showing their

worst side to staff who naturally regard *this* behaviour as unacceptable. 'I boiled up inside and wanted to shout back, I did shout back sometimes'.

I think that the students did want to talk about the problems at home but they had no real expectation of staff being able to solve these problems. On the whole they just needed to air them. They did have the opinion, however, that staff were in a position to help them to sort out in-school problems, which may or may not have been linked to the pressures from outside.

Academic and curricular pressures

A recurrent theme, seen as a problem by staff and students, was the increasing demands of academic and curricular pressures. They were unanimous that the syllabus and curriculum were increasingly daunting and reduced the amount of time teachers had to help their students. Poor performance can also lead students to think of school as a waste of time, negatively affecting their self-esteem. If their academic needs are not met appropriately they misbehave either as a protest, out of boredom or avoid attempting work because of fear of failure. The division between the academic and pastoral aspects of teaching were spoken of as being artificial. Choices about their learning and greater involvement in the life of the school could make a great deal of difference to students' self-esteem and consequent ability to relate better to teachers generally, and to work together in solving difficulties.

One teacher described a need for 'more support, staff training and less emphasis on the academic side of the curriculum...their whole life seems to be pressure, course work, tests, homework....'

Charlton and David (1993, ch.7) outline their views on the interrelationship between learning and behaviour problems, highlighting the problems for both staff and students of increasing academic and curricular demands. Dearing (1994) also emphasised in his recent report the need for students at Key Stage 4 to have a wider choice of subjects and more flexibility within their curriculum.

Other groups

We were also very interested to discover, from the conference we attended in Moscow (October 1995), that many of these insights were backed up by the research of Sander Kochen. He and a number of colleagues did research in Scholengemeeschap Lelystad (SLG), a school in the Netherlands (see Trio Project Action Research 1995, Ponte, Zwaal and van Houwelingen, 1995), which surveyed the issues around counselling and guidance in their school. One of their findings was that the pupils laid more emphasis on the problems they were experiencing in school.

Parents are probably largely unaware of the complexity and importance of these issues for staff. However, they do welcome anything which is supportive towards their children at critical times. They are naturally worried about sex education, drug problems etc., and are supportive of the education provided by schools on these topics. They are, however, less keen to be involved directly in discussion groups in schools over these sensitive issues, preferring consultation via questionnaire or private interviews.

Valuing students

This section has links with what follows in the next section on the role of teachers, but seemed important enough to all groups to merit separate consideration. Both staff and students I interviewed agreed that praise and recognition of both good work and effort was vital for good relations in and out of the classroom.

Staff views on student/teacher relationships

All the staff interviewed were in agreement on the well-documented benefits of praise, reassurance and positive regard that form the basis of good student/teacher relationships, which are vital in schools. Communication was thought to be the key to this, with time and support needed for staff and students to work through problems. Although in reality this can be extremely difficult to put into practice when teachers are under the day-to-day pressures of school life:

> 'It's vital for students to feel they belong, their whole sense of being valued in school depends on it. If they don't, they will feel less responsibility to the school and the people in it... it's important to have a place and a say in what goes on. It's a basic human need, but students are often not seen that way when they are really disruptive or a big nuisance. I do think that most teachers do make efforts to support them, but often the odds are against them in terms of outside influences or constraints within the education system.'

If more supportive networks could be established, alienation from school would thus be less likely to happen. There were some fears that students may feel that staff can't always do much to help, but the message that the school did care about them was coming across because of the work of the counselling and guidance group.

Why students want to feel valued

Students like to feel their opinions matter, despite differences in ideas and outlook. They welcome the new developments and their involvement in them. In contrast to the negative effects on self-esteem of feeling stupid or inadequate, they gave the emphatic message that feeling they have something of value to contribute to the school has a very positive effect on them.

Their sense of being valued is also closely linked to their opinions on whether teachers are prepared to help them:

> 'English was my worst subject but that teacher was really nice, she stayed calm – that really helped and we didn't muck about in her class: she had respect for us.'
> 'I went up in Maths, I did well in that because I liked the teacher and if you were stuck she would help you.'

Every student interviewed took some responsibility for the problems they were going through and on reflection they wished they had been more respectful to staff. They all explained that what the teachers thought about them mattered, particularly staff they respected and liked. They said it was important that teachers talked to them, but not necessarily about personal things. Two suggested that it was the teacher's job to teach you and

encourage you rather than to sort out your personal problems. The need for clarification on this provides a link with the next and major category.

Roles and responsibilities of staff

Students on staff role: what helps

It is possible to do much to support students in the normal classroom environment and students welcome this; those with problems need extra reassurance and understanding and were very insightful about how the teacher's approach affected their own behaviour. They like firm teachers who give them clear boundaries, but sometimes got confused by the varied use of sanctions. They were aware of sanctions which might be used if they did something wrong and would often admit to these misdemeanours in 1:1 sessions and expect to take appropriate punishments. (Supported by Lord Elton in his Report, 1989.)

Pupils like and respect staff who make time for them as individuals, show concern and give encouragement. They also said that they like clear, well-structured lessons and work set which is appropriate to their level of ability. This has clear links with the recommendations of the Special Needs Code of Practice on differentiation and Individual Education Plans.

What students find less helpful

Ex-pupils were also emphatic about the negative effects of being labelled as 'thick', 'stupid' or 'trouble makers'. They said that teachers should be careful to avoid this and should try not to humiliate or lecture them as it made them feel useless and isolated and made their behaviour worse rather than helping them. When teachers had been more relaxed it gave students confidence in themselves and they were more likely to discuss the problem:

> 'I got on with Mr. X and Mrs. X so I quite like their lessons, they were more understanding and easy going, I felt I could talk to them.'
> 'Don't talk down to me, treat me like a person not a pupil. If they'd been like that I'd have been more likely to open up.'

They were, however, very aware of the pressures on staff and acknowledged that if they themselves had been able to stay calm and had listened to their teachers it would have been better for everyone.

Like teachers then, students are looking for clarity of teacher role, but do welcome appropriate guidance, support and above all the chance to be heard. They seemed to feel they knew to whom they could go to ask for support at a number of levels and for different types of help.

How staff see their role

Definition of their role as counsellor became a very important issue for staff and it linked with many other issues that were under discussion in the Working Group. There was a range of opinion about how comfortable staff are with this particular aspect of their job and how much responsibility teachers should take on. Some teachers were obviously less comfortable with the counselling role than others and needed to know to whom they could refer students for help because of their own perceived limitations.

They were also looking for some kind of distinction to be made between counselling and guidance, the latter often fitting more comfortably into such areas as career development and choice of subjects. The consensus was that all teachers have responsibilities to be polite, respectful, friendly and concerned. We were impressed by the general level of commitment to students that came across from our interviews; staff took this part of their job very seriously and wanted to be clear about their own personal level of involvement.

Clashes of role

There are also recommendations in the Special Needs Code of Practice which make the division between the academic and pastoral seem rather arbitrary. Also, it may sometimes seem that there is a clash of responsibilities for staff who have both discipline and pastoral care within their brief. It may be possible, with a more flexible system, for students initially to talk to someone in less of an authoritarian position, and then to follow the understood procedure, referring to the levels of the confidentiality document.

Teachers agreed that counselling is very different from teaching but that if certain staff were given increased responsibilities in that role, that was a good thing as long as they were not setting themselves up as experts or the only ones qualified to help students. They still felt that it was important for students to be able to initiate the first approach with someone they had chosen.

Teachers' confidence in the role

The teachers' level of confidence on giving guidance in certain areas depended on the knowledge they had about, for instance, the legalities of the situation with regard to sex education or involvement in criminal activities. Confidence increases with:

- clarification of the role they are in;
- feedback and reassurances that they are getting it right;
- having a clear policy and guidelines;
- experience;
- sharing practice;
- training, knowing the options;
- specific information e.g. drugs.

Confidence is decreased by:

- finding the boundaries have shifted;
- criticism, disagreement or disapproval about what you have done;
- feeling de-skilled by others seeming to be more expert;
- information going up and not down and the consequent feeling of being shut out;
- not getting help when it is requested;
- a bad experience;
- not having the knowledge to respond to a situation.

What staff need to increase confidence

It seems clear that for confidence to increase in the area of counselling, guidance and one-to-one support staff needed:

- Clarification of who does what, including the referral system.
- The staff to move forward together, all experiencing the same learning process and involvement in developments.
- Particular training and information on listening skills, drugs, sex and legal issues, talking through real-life scenarios (peer group support).
- Feedback and support.
- Time for discussion with others.
- To know more about the signs of trouble and skills in dealing with it in everyday situations.

The training days and follow-up alongside the policy working group were clearly beginning to address these needs for staff and students.

Parents' views

Although parents are generally aware of their children's problems, they are probably less aware of the dilemmas raised for teachers over their role as supporter and confidant. There also seems to be a greater likelihood of parents or students currently complaining about school procedures in these areas. For example there are increased burdens due to the legalities surrounding sex education and increased responsibilities created by The Children Act (1989) whose central tenet is the rights of the child and recognition of their voice. There is obviously sometimes conflict over the rights of parents and the rights of children. Greater clarity of roles and responsibilities should be of benefit to all.

Referral procedures

The need to understand referral procedures was something which staff and students had quite close agreement on and it was an important topic covered on the training day. An information booklet for staff, which was produced for the training day, proved very welcome.

Issues for staff on referral

Although staff felt that access to a key teacher was a vital element of support, they seemed to want a more formalised referral procedure than did students, who in practice chose from a relatively wide range of staff and preferred, perhaps, more flexible arrangements. Where referral procedures were very clear (e.g. Child Protection Guidelines), staff were much happier about their role and were knowledgeable about it. They did request more clarification about the role of outside agencies and the processes which would enable them to refer pupils to them for support. The need for feedback from the person to whom they had referred a student was also an important issue for many staff who were naturally concerned to help the students who had confided in them.

Referral formed the basis of one of the workshops on the training day and this also gave useful feedback to the Working Group on how to move

forward. The role of form tutor seemed crucial and there was the idea that their role could be developed as key teachers for students.

Issues for students on referral

Accessibility of the listener was very important for students for problems to be defused; if it is difficult to get to the right person, the 'moment goes' and a lot more work may then be needed. They said they might approach their form tutor but lack of time and privacy might reduce the effectiveness of this solution. They also need to have trust in the person approached, some preferring to explore their problems with someone they knew well, others wanting to talk to a stranger with perhaps, a more clearly defined counselling role.

It was nearly always the increasing concerns of people close to the students which led them to seek further help. However, if Year Tutors, who were pivotal in the process of referral, did not know a student was having problems this could limit the student's access to help. There was an increasing awareness that these tutors often got overloaded, but that some of their work could perhaps be delegated as the policy became clearer. This was linked to increasing awareness of the demands of recording information, particularly with the introduction of the Special Needs Code of Practice.

Need for flexibility

Alongside clarity, the students particularly, and many staff, wanted some flexibility of response:

'The official nature of the thing can deter students from seeking help... that's why something less formal or a choice of who to talk to is so important.'

Some students talk to friends or others in a support group. Some turn to someone outside school: parents, brothers or sisters, youth workers were examples given. Working out who they could talk to on the staff took time and it was often important that parents or friends were not told anything as they could be part of the problem. When the system is too structured or formal, students feel that things get out of proportion or that people might think they need psychiatric help. A continuum of support would seem to be the solution so that both students and staff know of a range of options and have some freedom to choose from amongst them.

Parental views on referral

Parents also require clarity about the referral process and like to be informed about who their child is talking to and why. There are often dilemmas for staff, which will still require careful consideration on an individual basis, to do with how much and when to tell parents. The rules are not easy to establish with the knowledge that some students will not come forward for help if they think their parents will be informed.

Confidentiality and other vital conditions for the success of one-to-one support

Students' feelings

It became increasingly clear from the student interviews that there is a range of feelings which the referring teacher or those offering help must be mindful of when setting up support. They spoke of embarrassment, fear, nervousness, insecurity, discomfort, awkwardness and worries about the whole process of disclosure. They needed understanding from staff, trust in the listener, encouragement to talk and be open, for care to be taken about how they were spoken to, and to be generally given support, advice and guidance.

Students' fears

Students would be put off going for help by fears of getting into trouble, teachers not being able to empathise with teenage problems, and being thought badly of especially by someone either in a position of authority or whom they liked. Another worry was the need for parental permission to be given for one-to-one counselling to take place in school. Although, in theory, referrals for private counselling to take place out of school could be made, the relative inaccessibility of the town usually made this impracticable.

All interviewees explained the importance of clarifying the degree of confidentiality which could be offered. Students worry especially about teachers talking about them in the staff room and need to know where information about them goes. Several said that if this was not clear from the outset they would be unlikely to open up.

Staff suggestions

The Working Group discussions suggested that it would be possible to extend confidentiality rather than breach it and that this could be discussed with students before it was taken any further.

It is important for parents to be informed about the policy so that they are clear about the role they have to play and the importance of issues of confidentiality. There is some awareness of the need for students' rights to confidentiality to be paramount, but this can cause difficulties when the problems are to do with relationships with or between parents.

The rights of pupils to complete confidentiality brought a wide range of responses from staff, who agreed that certain private subjects should be completely confidential, but there are limits to what can be offered, especially when the students' safety is at risk. The side-issue about the privacy of information given about parents, without their knowledge, was also a knotty problem to which there are really no clear-cut answers.

This whole topic took up a lot of discussion time in the working group, and the resultant document was very welcome as it began to clarify some of the very difficult dilemmas teachers had been facing.

The benefits of supportive listening

Student feedback

During the interviews students became very reflective, recognising the benefits of the support they had received. Feelings often surfaced, and they paralleled those which they had experienced when going through their difficult patches. The 'off-loading' which took place, often at the start of interviews, seemed familiarly therapeutic. As in regular support sessions once they had voiced their frustrations they could acknowledge how they had contributed to the escalation of problems. They could see how talking things through might have helped to avoid this:

> 'It has changed me – definitely; I've got a lot more respect for teachers and life. It's been very helpful, it does work, try it.'
> 'It's obviously helped – the talking things through helped me get things off my chest, like when bad things happened in a lesson.'

Early identification and measured response are clearly important and could be seen as critical roles for classroom and form teachers. They are clearly on the broad continuum of response that students were highlighting as the ideal. It may be possible to develop this role through discussion, support for staff and INSET. The main benefit for students of all types of support was that they felt calmer, more respectful towards teachers, more able to work and to come into school feeling they had something to offer. Their positive responses in terms of effort, achievement and behaviour need to be acknowledged although they are often difficult to measure in absolute terms.

It must also be emphasised that low academic ability or emotional problems can clearly cause additional difficulty for students in articulating their concerns effectively. They need help and patience whilst trying to express themselves if this itself is not to add to their low self-esteem.

Staff and parent views

Their support and supervision

Parents and staff also agreed on the benefits for pupils and themselves where students had been given extra individual support. Teachers also highlighted their own need for support and qualified supervision for the work they were doing. This was a clear area for development in the future and one which the school was addressing.

The importance of support and supervision for staff was one emergent issue. Others included clarification of the systems of referral and teachers' roles in those systems. Also there was felt to be a need for greater acknowledgement of the work of those involved in counselling and guidance. As I have stated, it is an area which does not have obvious educational outcomes like examination results, this should not diminish its value.

It is not easy to find performance indicators or clear measurements of the effectiveness of guidance and counselling. This is partly because it is such a private, often hidden, part of the work of teachers; and, secondly, is due to the problems of finding criteria for judging its effectiveness. One can only

guess at what the outcomes would be for individual students had they not received help.

Conclusions – the policy and what it should address

The developments were universally seen as a good thing, especially as there were opportunities for all staff to be personally involved in its progress. There was, interestingly, the view that the process of developing it was, in some ways, more important than the final document. There was also clear evidence that working together with teachers on something of mutual value can increase students' confidence and self-esteem and reduce the likelihood of problems. It is salutary to consider what the purposes of education are in this light, surely this must be its central aim. The difficulty may be in discovering what students feel is of value to them, but it seems that when given help and support students feel and behave better.

Importance for pupils and staff of including their views

It has been important to include the views of the sceptical as this has helped to pinpoint problems which the enthusiastic and committed might have missed. Although this could feel constraining, it showed the importance of allowing staff to have a voice in developments. This is equally true of pupils' views and including their ideas and reservations helps initiatives to be successful in the long term: sometimes risky but this is what allowing pupils to have a voice is about.

Addressing problems at classroom level, knowing teacher expectations, spending more time with their tutor group, more subject choice, being left alone to calm down and more time to move between lessons were all student suggestions.

Importance of confidentiality

Students also spoke particularly about the difficulty of revealing their private, embarrassing secrets and how important were the right conditions in which to do so. These feelings can, not surprisingly, sometimes be overlooked in the desire to resolve problems during busy school days.

Although students do not want everyone to know their business, it is clarity about who will be told what, and how, that is more important than absolute guarantees of confidentiality. It is clear from the earlier discussion on confidentiality that staff took this issue very seriously and it has been of prime concern to the Working Group at every stage of consultation.

Training implications

The training implications were apparent but were being addressed and more clarification on sex education and drugs' policy were thought to be imperative.

There needed to be clarity about the differences for students who were over 16 years of age and awareness of issues for sixth formers; this is still an issue that the school is working on.

Improving the referral process and addressing the need for feedback was a central aim of policy development. Clarification of roles was ongoing and

recognition of what students felt about the system in general was acknowledged. If, as is happening, counselling and guidance become integral to the normal pastoral chain of referral, pupils will feel less singled out and labelled by the process and will come forward with their problems before they become really disaffected.

Staff overload

There can be an overload on staff especially if, like year tutors, they play a key role. The raised awareness of this, and implications for the staff as a whole, were clear to many more people and were being looked at by the Working Group and others as a result of our efforts. Another very important emergent issue was that of the need for support and supervision structures for staff, particularly those working regularly on a one-to-one basis with students. The requirement was for time and places to discuss practice and issues, and to get personal and professional support and supervision, with clear guidelines drawn up for this.

Teachers have many responsibilities to a wide range of students, not just the disaffected, who can seem to be taking up a disproportionate share of teachers' time. The issue of how to give enough time to the support and the policy development was quite a big one that the school had to come to terms with. On the whole, however, it emerged that attention given at the right time would reduce the amount of time teachers would have to spend dealing with the consequences at a later date.

Acknowledgement of the work

Linked to this is the need for acknowledgement and reward for staff involved in counselling and guidance so that they feel they are doing a worthwhile, if often difficult, job. Support work is not easy, and supervision groups and networks which provide a venue for consultation with colleagues are being introduced as a priority.

Implications of the Special Needs Code of Practice

In addition the development of Individual Education Plans for pupils with emotional and behavioural difficulties was becoming recognised as being integral to the referral procedures which we developed. Systems and structures for support could be based on the Code of Practice guidelines for referral and recording. Responsibilities for staff under the code should help the school to clarify one way in which to take the initiative forward.

Many of the informants' suggestions were brought into the broader consultation process with the whole staff. The feedback from our research into the training days and Steering Group meetings was welcomed.

As the Steering Group developed the guidelines it became increasingly clear that this was ground-breaking work which had rarely been attempted in schools. It raised some thorny points for discussion but these were approached carefully and professionally and in no way side-stepped. I felt privileged to be involved.

Notes on practitioner research

It may be of interest to readers embarking on similar projects in their own establishment to consider some personal insights I gained whilst working on practitioner research.

Interviewing yourself

The first insight was that, before I could begin to analyse the data I had collected, I would need to distance myself in some way from the continuing policy development in Ramsey Abbey. I was still actively involved in supporting students and staff and there was a real need to draw a line under the research. To organise what were becoming intrusive, sometimes elusive and often random thoughts I decided to 'interview myself'.

Although this may seem rather introspective and 'navel gazing' in the extreme, the effect was profoundly freeing and I recommend it as a strategy to anyone researching their own practice. I included my viewpoints by answering and analysing the same questions that I asked school staff (thus distancing myself as researcher to survey the data from a more critical and detached stance).

Insider research

As my perceptions about the developing policy in this school were externalised I had a second insight: there was a difference in the amount and depth of data from Ramsey Abbey and the other school I selected. Because I was not working in school 2 the data was relatively uncomplicated and thus more straightforward to analyse. There was an obvious end to data collection and the subsequent developments were the school's responsibility. This is a clear illustration of a major difference between insider and outsider research and highlights the relative advantages and disadvantages of involvement with the process of action research. It became obvious that the research findings were to some extent affected by the different levels of involvement I had with the two schools.

Effect of research on policy development

The third major insight was really a crystallisation of thoughts on the effects on policy development of a researcher's presence within the process. My interest and involvement must have been somehow infectious or catalytic. I was excited about how real policy development, with the support of the Head teacher and involving the whole staff, was occurring with direct reference to my results. It was what practitioner, or action, research was about. In no way was this an empty exercise and for me completely justified the time and effort taken. It was very important for me that my project should have relevance for my work, and in this school it seemed that information on which to build useful, tailored networks was emerging. There was a great incentive to draw together and present outcomes which would help the school with future developments. Living with this changing situation was often stressful and challenging but very purposeful and worthwhile.

Two basic principles of action research which underpinned our research were those of reflection (our ongoing evaluation) and of changes in practice

(through professional development and training). It would have been very difficult for a complete outsider to the school to have come into the situation and to have had the level of involvement that we were fortunate enough to experience. This was partly why we were all so enthusiastic and committed to the whole project. It was very exciting to be involved in the developments.

CHAPTER 4

Critical Issues in the Field

Colleen McLaughlin

In this chapter the four areas of issues for students, issues for teachers, issues for parents and governors, and issues related to development and research in schools will be developed. The issues are those outlined in Chapter 1 and the numbers refer to those in the outline. In each section the major issues will be explored, appropriate legal and professional information will be included and there will be activities to help teachers.

Issues for students

Gaining the views of students on the nature of support they require

Research reported in Chapters 1 and 3 has shown the importance of finding out the views of students. There are two main reasons for doing this. First, the system as described is not necessarily the system in operation. Students are the prime source of critical feedback for teachers. Pam Clark's research (Clark,1995) shows that students clearly want their views to be heard. Her research also showed that this was of great benefit to the school. The aims of the students and the teachers were close, but the achievement of the aims could be strengthened by listening to the students. Second, as was the case with the teachers, the process of consulting the students was beneficial. When the students felt that their voice was being ignored they became frustrated, often voicing their opinions in unacceptable ways. In the process of discussing their views they became more committed to the resolution of the issues in the school. Students want to feel that their opinions matter.

The need for students to have information about the systems of support and the principles on which they are based

The prime concern for the students in this study and in other work cited in Chapter 1 is knowing what will happen to information they may disclose to a teacher or other adult in the school setting. The evidence is absolutely unequivocal, if students do not know *in advance* how disclosure will be treated, they will not disclose – sometimes with serious consequences, for the evidence also shows that they may not have any other adult to go to. This is not to say that information should be over-formalised and be off-putting to students. Students are concerned about trust and respect. They speak of embarrassment, fear, nervousness, insecurity, discomfort, awkwardness and worries about the whole process of disclosure. They worry about teachers

talking about them in the staff room and trivialising and disclosing private information. They want to know where information is going. We should not infer from this that they are against any disclosure or that they are unaware that there are issues of child protection for teachers. It is the fear of losing control over the process which concerns them, or having no say in the matter of disclosure.

Students need to know the principles surrounding confidentiality. Knowing, by reading or being told, that the school aims to respect and trust students' confidences and that the teachers will also have to act if there is an issue of the young person's protection and safety is reassuring for students.

Informing students of the systems of referral in and out of school

Students in our study chose from a wide range of staff and the accessibility of the listener was very important for students. They needed to trust the person and they varied on whether they preferred to talk to someone they knew well or not. It was nearly always the increasing concerns of someone close to the student that led them to seek further help. However, students needed to understand the system of support in school. They did not always understand the roles and responsibilities of those in school. They did not want a rigid conformity to hierarchy or system, they desired some flexibility of response. A continuum of support was desirable.

If the school makes clear its boundaries it is also helpful if students are made aware of other agencies and sources of support available to them in the community. This often forms part of a school's personal and social education programme.

KEY QUESTIONS RELATING TO WORK WITH STUDENTS

- Do you know what the issues are for students relating to counselling and guidance in your school?
- What methods will you use to find out what students think?
  (Chapter 3 has suggestions on this.)
- How can you involve students in the construction of guidelines and policy?
- How can you ensure that you are up to date in your consultations with students i.e. systems for review and monitoring?
- Have you communicated to students the aims, principles and systems of support and referral available to them in your school?
- How can you make communication with students part of the induction processes of your school?
- Do students have information about the organisations that can support them in the community outside the school?

Issues for teachers

All adults who work in the school should be included

Staff is intended to include all the adults that work in a school. Students will often talk to non-teaching staff and they should be included in training and development work.

Issue 1 – General principles

Teachers want and need to know and establish the principles on which they are working. The establishment of core values which the staff wish to work on is a major part of the development of policy and practice.

Development Activity 6:
PRINCIPLES: OUR CORE VALUES

'What are the principles we would like to work to in this school?'

Ask staff members to brainstorm the principles they would like to establish (5 minutes). After they have made their lists, they can discuss them in pairs or small groups.

Some of the principles which have been suggested in this field are listed below and can be used to answer the question:

- The right to talk to someone in privacy about a concern.
- The right to choose who to talk to.
- Trusting each other to keep a secret.
- Not discussing with others what someone has told us [unless we have their agreement first.]
- Not asking anyone to disclose any personal matter in public.
- Not passing on personal information.
- Not talking about personal information in front of other people.
- The right to extend confidentiality to our discussions with other colleagues.
- The right to discuss our concerns about helping someone anonymously.
- The right to have support for our work with other people.

Colleagues can add to and subtract from this list.

Development Activity 7:
RIGHTS OF STUDENTS, TEACHERS AND PARENTS TO SUPPORT AND CONFIDENTIALITY

Staff can discuss the following three questions. This activity will bring out the tensions between the rights of different groups:

- What rights to support and confidentiality do you think students should have?
- What rights to support and confidentiality do you feel teachers and other adults working in school should have?
- What rights to support and confidentiality do you feel parents should have?

Issue 2 – The legal and ethical positon

This section details the concerns of teachers and addresses those concerns. It contains statements on the legal position and Department for Education guidance in relation to sex education, drugs, counselling, guidance, advice giving and confidentiality. There is list of questions that staff may need answering with responses. Finally it contains a quiz that can be used with staff to raise and answer the issues.

The legal and ethical position of staff when working one-to-one or in group settings with students

Teachers and other adults all reported that this was a major area of concern for them. The evidence is that recent changes in guidance and the law have confused teachers and reduced their confidence in supporting students. The quotation from one of the teachers interviewed sums up the concerns: 'Suddenly finding the boundaries have shifted via new guidance or new rules reduces my confidence. So does hearing others say, "You can't do that." Then I get thrown about my own judgements.' Many of the teachers interviewed said that 'knowing about the rules' was a real need they had. They particularly wanted to know about the law in relation to:

- confidentiality, counselling and advice giving;
- definitions of counselling, information giving and advice giving in relation to the law;
- disclosures about issues such as illegal acts and drug taking;
- the position of pre- and post-16 students and any differences in their positions;
- sex education and counselling, advice and information giving in this area.

The difference between the law and guidance

Much of the confusion in this area has arisen because of a failure to grasp the difference between the law and guidance. The law on confidentiality and counselling and guidance has not changed. The most recent relevant laws are:

- The 1986 Education Act [no2].
- The 1993 Education Act [effective from August 1994].
- The Local Government Act 1988.

However, there has been guidance, primarily Circular 5/94 which has confused teachers. The language of the guidance has changed. However, guidance is not legally binding. The following section will make clear the difference between guidance and the law.

The Law and Sex Education

What are the legal requirements?

Section 241 of the 1993 Education Act, effective from August 1994:

- Requires governors of maintained secondary schools to provide sex education (including education about HIV/AIDS and other STDs) to all registered pupils. 'All pupils should be offered the opportunity of receiving a comprehensive, well-planned programme of sex education during their school careers.'
- Removes references to AIDS, HIV, sexually transmitted diseases and other aspects of human sexual behaviour other than biological aspects from National Curriculum science.
- Grants parents the right to withdraw pupils in all maintained primary and secondary schools from all or part of sex education outside the National Curriculum.

- Requires governors to draw up a policy on sex education and this is binding on all teachers. Copies of the school's policy should be available to parents.

In addition, Section 46 of the 1986 Education Act [no2]:

- Requires that the LEA, governing body and head teacher 'shall take such steps as are reasonably practicable to secure that where sex education is given to any registered pupil at the school it is given in such a manner as to encourage those pupils to have due regard to moral considerations and the value of family life.'

Circular 5/94

Circular 5/94 explains the new legislation and contains advice from the then Secretary of State, John Patten, on how sex education should be handled. The guidance is advisory only. It does not constitute an authoritative legal interpretation. Legal advice taken by the Association of Teachers and Lecturers concluded, 'Circular 5/94 is advisory only and has no special legal status. Teachers are not obliged to follow its advice' (Beloff and Mountfield, 1994). This requirement is subject to the head teacher's advice. If a head teacher requires staff to follow the advice in Circular 5/94 then they should do so. Further issues will be clarified in the following section.

The Guidance: What Does Circular 5/94 Say?

Paragraph 31 says that teachers should:

- not usually discuss in the class issues raised explicitly by an individual pupil during the teaching of sex education;
- normally discuss such concerns with the child's parents first to see how the matter should be handled;
- only speak to the child individually before consulting the parents in exceptional circumstance, such as where a pupil seems to be in distress or danger, and then to do so in the presence of another member of staff.

Paragraph 38 suggests that good teachers in their pastoral care for pupils' well being will take care not to 'trespass on the proper exercise' of parents' rights and responsibilities.

Paragraph 39 suggests that teachers should not normally give an individual pupil under 16 advice on contraception, without parental knowledge or consent.

Paragraph 40 suggests that teachers should:

- Encourage an individual pupil seeking specific advice on contraception or other aspects of sexual behaviour to seek advice from his or her parents and, if appropriate, the relevant health service professional (pupil's GP, school doctor, school nurse, etc.).
- Have a general responsibility to ensure that the pupil is aware of the implications of their actions.
- Inform the head teacher if a pupil seems likely to be at 'moral or physical risk' or in breach of the law. The head teacher can then arrange for counselling if appropriate and if the pupil is under age for the parents to

be made aware, preferably by the pupil himself or herself. The head can also involve specialist support from school health professionals or the LEA if appropriate.

Paragraph 42 suggests that in cases of suspected child abuse schools should follow the guidance in Circular 10/95 and the booklet *Working Together Under the Children Act* (October 1991).

What does the Law say about Counselling and Confidentiality?

Is there legislation that deals specifically with confidentiality in schools?

There is no legislation that deals specifically with confidentiality in schools. There are laws relating to sex education in schools. There is guidance but this is not legally binding and this guidance has been disputed. The Association of Teachers and Lecturers sought legal advice from Michael Beloff QC and Helen Mountfield. A summary of his judgements follows this section but I shall include it where appropriate in this section.

Do teachers have to break confidentiality?

Teachers do not have to break confidentiality. The teacher's pastoral role is seen as an area where teachers' exercise professional judgement. The teacher is obliged to follow any school policies that may relate to the issue at hand, for example, child protection issues. The recent guidance from the DfE (Circular 5/94) does not alter this position. The legal advice provided by Beloff and Mountfield (1994) on these matters is as follows:

> 11. We do not consider that there is anything in the Teacher's Statutory Terms and Conditions or elsewhere which imposes a general duty on a teacher to inform the head teacher of disclosure by a pupil. In general, the decision as to whether to do so must be a matter for teacher's discretion. However, a teacher is under a duty to work under the 'reasonable direction' of the head teacher. If the head teacher issues a direction that he or she must be informed if any pupil has had, or intends to have under-age sex or is the victim of sexual abuse, then as a matter of contact, the individual teacher is obliged to do so unless (which we regard as unlikely) the instruction can be characterised as 'unreasonable'.
>
> 14. We do not consider that the advice in the Circular seeks to impose an absolute duty to break confidences, nor indeed is the circular binding in law. Accordingly we do not consider that a teacher is bound to follow Circular advice if in the teacher's professional judgement the child's best interests are better served by not doing so (subject to the parent's powers to excuse (supra) and the head teacher's powers to direct).

Can teachers promise total confidentiality?

Teachers cannot promise total confidentiality. A student does not have a right to expect that incidents in the classroom will not be reported to his or her parents, and may not in the absence of an express promise, assume that information conveyed outside that context is private. No teacher should give such a promise.

LEA guidelines on child protection state that teachers should disclose relevant information about the protection of children to the designated child protection co-ordinater in the school or other relevant professionals. DfEE

Circular 10/95 *Protecting Children from Abuse: The Role of the Education Service* is an important document in this area.

Must parents be informed of disclosures by a student?

There is no legal compulsion on a teacher to inform parents if a student discloses something to them. However, if the head teacher instructs staff to follow the advice in paragraph 40 of Circular 5/94, failure to do so might be grounds for disciplinary action:

> We know of no basis in principle or authority for suggesting that there is any legal duty on a teacher to inform a parent of matters which a child has confided to them. A court would regard it as a matter of professional judgement for a teacher whether he or she should indicate to a child that information could be offered confidentially, and whether such confidence could then be maintained having heard the information.
> (Beloff and Mountfield, 1994)

Must head teachers be informed?

A teacher does not have a general duty to inform the head teacher of disclosures by a student. The decision as to whether to do so must be a matter for a teacher's discretion, unless the head issues an instruction that they should be informed, in which case the teacher must comply.

Can teachers be prosecuted for committing a criminal offence?

If a teacher is acting genuinely in the child's best interests they are unlikely to be prosecuted.

> 12. We do not consider that a teacher who gave a child under sixteen advice relating to contraception, and who acted bona fide in what he or she honestly believed to be the child's best interests, would be likely to incur criminal liability. An unreasonable or unlawful governor's policy would be susceptible to challenge by way of judicial review. (Beloff and Mountfield, 1994.)
>
> The decision of a teacher, head teacher or board of governors as to the policy or practice of whether to advise a child as to sexual matters in confidence, or to inform the parents of the child's concerns or activities are not matters which in our view could give rise to civil liability at the suit of either the child or the parent. (Beloff and Mountfield, 1994)

Does a teacher need to gain parental consent before counselling a child or giving advice on sexual matters?

The judgement of Beloff and Mountfield (1994) is that this is not the case:

> 8. Nor, however, in the general case, and in the absence of an instruction from the head teacher, need a teacher obtain parental consent before offering a child counselling or advice relation to sex education. A teacher who suggested that a child went to seek confidential information from (for example) a Brook Advisory Centre would not in our view be providing sex education, but merely giving information as to where advice counselling (and treatment) could lawfully be obtained. This is not precluded by an 'excusing request' under Section 241 of the Education Act 1993.

The guidance makes a distinction between giving information and giving advice. The guidance (Circular 5/94) now states that 'teachers are not health professionals and the legal position of a teacher giving advice in such circumstances has never been tested in the courts'. Teachers are accordingly advised to encourage a pupil asking for specific advice on contraception or other aspects of sexual behaviour to seek advice from their parents and if appropriate from the relevant health service professional (GP or school doctor or nurse):

> Teachers can
> - provide sex education about types of contraception and where they can be obtained to all pupils receiving sex education;
> - provide all pupils with information about where and from whom they can receive confidential advice and treatment;
> - not promise total confidentiality but neither are they obliged to break it;
> - unless instructed by the head teacher a teacher does not have a duty to inform a pupil's parents of evidence or suspicions of unlawful sexual activity. (National Children's Bureau,1995)

However, many schools consider it good practice to communicate with parents about students' support needs. The key principle is the welfare of the child. The school's policy should address this issue, even though guidelines will not act as a substitute for professional decision making. This raises the issue of support structures for teachers who may need help in making difficult professional decisions. This will be addressed below.

Can teachers give contraceptive advice?

> Information and advice concerning contraception forms part of sex education, whether given on a one-to-one basis or in a group. If a pupil has been withdrawn from sex education they cannot be given such advice. However, information regarding sources of confidential advice and treatment would not count as sex education and can made freely available to all students.
>
> Advice does not require consent, unlike the giving of medical treatment, and the decision as to whether to give such advice to a child, in confidence, is a matter of professional judgement of a teacher, having regard to any specific direction by the head teacher. There are no restrictions on giving information concerning sources of confidential advice and treatment. (National Children's Bureau, 1995)

Can teachers give education and information about homosexual issues?

Many teachers mistakenly believe that what is known as 'Clause 28' prohibits them from teaching or discussing homosexual (i.e. lesbian and gay) issues. Circular 5/94 confirms that restrictions regarding teaching about homosexual issues do not apply to schools. 'Section 2 of the Local Government Act 1986 (as amended by section 28 of the Local Government Act 1988)...applies to the activities of local authorities themselves, as distinct from the activities of the governing bodies and staff of schools on their own behalf.' It is up to the governing body to decide the content of the sex education programme and to ensure that the needs of all students are met. Teachers can counsel and discuss in this area.

Summary: Confidentiality and the Law

A summary of the legal opinion on Circular 5/94 produced by the Honourable Michael J Beloff QC and Helen Mountfield on behalf of The Association of Teachers and Lecturers, August 2, 1994.

Some of the issues that relate to confidentiality which were considered include:

- Parental choice and a child who seeks particular counselling or advice.
- Duties of care to a parent.
- Pupils' rights and teachers' duties to pupils.
- Teacher's duties to comply with head teacher's instructions.
- Potential criminal liability.
- The status of the circular.

The conclusions can be summarised as follows:

' 1. As a matter of domestic law from 1 September 1994, sex education will be part of the basic curriculum which must be delivered in maintained secondary schools.
2. A parent will have an absolute right to 'excuse' any child of his or hers from receiving sex education at a school, save to the extent that such education is part of the National Curriculum for science. The right will apply to all minors – whether or not over the age of consent, and without a parental duty to give reasons.
3. That domestic law right will arguably breach the child's right to receive information and education under Article 10 of the ECHR (European Convention on Human Rights) and Article 2 of the First Protocol of the ECHR.
4. However, the ECHR has not been incorporated into domestic law. A child can only enforce his or her ECHR rights by petitioning the Commission or by seeking to use the ECHR as an aid to construing the common law in a domestic court. Neither the Consortium nor any of its constituent parts could bring an action before the Commission.
5. A child may seek to apply to have parental responsibility in relation to sex education set aside under the Children Act 1989. The Court is unlikely to have regard to the application of the ECHR in seeking to decide whether to make such an order.
6. In our view, a teacher has no power to override an absolute parental refusal to permit his or her child to receive sex education at school.
7. In our view, the teacher–child relationship does not connote the same degree of confidence to a child in his charge in relation to the child's parents as (for example) a doctor–patient relationship would contain.
8. Nor, however, in the general case, and in the absence of an instruction from the head teacher, need a teacher obtain parental consent before offering a child counselling or advice relation to sex education. A teacher who suggested that a child went to seek confidential information from (for example) a Brook Advisory Centre would not in our view be providing sex education, but merely giving information as to where advice counselling (and treatment) could lawfully be obtained.

This is not precluded by an 'excusing request' under Section 241 of the Education Act 1993.

9. We know of no basis in principle or authority for suggesting that there is any legal duty on a teacher to inform a parent of matters which a child has confided to them. A court would regard it as a matter of professional judgement for a teacher whether he or she should indicate to a child that information could be offered confidentially, and whether such confidence could then be maintained having heard the information.
10. The decision of a teacher, head teacher or board of governors as to the policy or practice of whether to advise a child as to sexual matters in confidence, or to inform the parents of the child's concerns or activities are not matters which in our view could give rise to civil liability at the suit of either the child or the parent.
11. We do not consider that there is anything in the Teacher's Statutory Terms and Conditions or elsewhere which imposes a general duty on a teacher to inform the head teacher of disclosure by a pupil. In general, the decision as to whether to do so must be a matter for teacher's discretion. However, a teacher is under a duty to work under the 'reasonable direction' of the head teacher. If the head teacher issues a direction that he or she must be informed if any pupil has had, or intends to have under-age sex or is the victim of sexual abuse, then as a matter of contact, the individual teacher is obliged to do so unless (which we regard as unlikely) the instruction can be characterised as 'unreasonable'.
12. We do not consider that a teacher who gave a child under 16 advice relating to contraception, and who acted bona fide in what he or she honestly believed to be the child's best interests, would be likely to incur criminal liability. An unreasonable or unlawful governor's policy would be susceptible to challenge by way of judicial review.
13. Circular 5/94 is advisory only and has no special legal status. Teachers are not obliged to follow its advice.
14. We do not consider that the advice in the Circular seeks to impose an absolute duty to break confidences, nor indeed is the circular binding in law. Accordingly we do not consider that a teacher is bound to follow Circular advice if in the teacher's professional judgement the child's best interests are better served by not doing so (subject to the parent's powers to excuse (supra) and the head teacher's powers to direct).'

Drugs and the Law

This information is taken from DfE Circular 4/95, *Drug Prevention and Schools.*

48.It is an offence Under the Misuse of Drugs Act 1971:

1. To supply a controlled drug to another in contravention of the Act.
2. To be in possession of, or to possess with intent to supply to another, a controlled drug in contravention of the Act; it is a defence to the offence of possession that, knowing or suspecting it to be a controlled drug, the accused took possession of it for the purpose of preventing another from committing or continuing to commit an offence and that as soon as possible after taking possession of it he took all such steps as were reasonably open to him to destroy the drug or to deliver it in to the custody of a person lawfully entitled to take custody of it.
3. For the occupier or someone concerned in the management of any premises knowingly to permit or suffer on those premises the smoking of cannabis: or the production, attempted production, supply, attempted supply, or offering to supply any controlled drug.

The law on volatile substances

68. The possession of volatile substances is not illegal. However, it is an offence in English law to supply a substance to a person aged under 18, knowing or having reasonable cause to believe that the substance or its fumes are likely to be used by that person for the purpose of causing intoxication.

Alcohol

It is an offence under the Licensing Act 1964 to *sell* intoxicating liquor without a licence. This would prevent the sale of alcohol at school events unless an occasional licence had been obtained under the Licensing (Occasional Premises) Act 1983. It is also an offence to sell alcohol to anyone under the age of 18. No licence would be needed by the school to offer alcohol at school events (i.e. where no sale takes place) or to store alcohol on the school premises. It is an offence under Section 6 of the Children and Young Persons Act 1993 to give any child under the age of 5 intoxicating liquor.

Drugs and legal responsibilities

- It is an offence to allow premises to be used to produce or supply controlled drugs to other persons (opiates and cannabis).
- If you find an illegal drug you must hand it to the police or destroy it to prevent another person committing an offence with the drug.
- Parents do not have to tell the police if they know or suspect that their children are taking or supplying illegal drugs.
- Knowing a person is using or dealing and not telling is not an offence. Obstructing the police is an offence.

As with sex education colleagues need to be aware of the difference between the law and guidance. The guidance from the DfE states:

49. Schools should liaise closely with their local police force to ensure that there is an agreed policy for dealing with the range of incidents which might arise involving illegal drugs. Although there is no statutory requirement to do so, the

Secretary of State would expect the police to be informed when illegal drugs are found on a pupil or on school premises. The law permits school staff to take temporary possession of a substance suspected of being a controlled drug for the purpose of protecting a pupil from harm and from committing the offence of possession. They should hand the substance to the police who will be able to identify whether it is an illegal drug; school staff should not attempt to analyse or taste an unidentified substance.
(Circular 4/95[1])

Development Activity 8:
THE LAW AND SENSITIVE ISSUES: A QUIZ FOR STAFF[2]
Answer TRUE or FALSE in response to the following statements:

1. Legally a teacher has to keep confidential what a student tells them in private.
   TRUE or FALSE

2. There is no legislation which prohibits talking about homosexuality in sex education classes or one to one to students.
   TRUE or FALSE

3. Legally a school has to inform the police if drugs are found on the premises.
   TRUE or FALSE

4. A teacher can suggest to a student, without the parents' permission, that he or she goes to an agency where they will receive contraceptive advice, e.g. at a Brook Advisory Centre.
   TRUE or FALSE

5. Students over 16 have a right to confidentiality over medical records but still need their parent's permission for any residential treatment, i.e. hospital, psychiatric unit etc.
   TRUE or FALSE

6. Legally a school must take some course of action if a parent contacts the school over a student's involvement with drugs outside school.
   TRUE or FALSE

7. A school has to inform a parent if one-to-one support is taking place.
   TRUE or FALSE

8. If teacher feel that a student under 16 is in moral or physical danger they must tell the head teacher who must tell the parents.
   TRUE or FALSE

9. Teachers should not talk to students on a 1:1 basis about explicit issues to do with sexual matters unless they have cleared it with the parents of that pupil.
   TRUE or FALSE

[1]We would thank Ruth Joyce, County Adviser for Drugs Education in Cambridgeshire, for her help in constructing this guidance.
[2]This quiz is the one used with the Ramsey Abbey School staff and draws on the work of Hilary Dixon.

Answers to the quiz

1. *Legally a teacher has to keep confidential what a student tells them in private. FALSE.*

A teacher can never promise total confidentiality:

- Legally teachers do not have to maintain or break confidentiality. They must comply with school policy and the head teacher's instructions on this matter and use their professional judgement.
- It is desirable professional practice to maintain students' confidences and it is desirable always to tell the student first if confidentiality is to be broken. It is also important, especially in child protection matters, to reduce the number of times a student has to repeat a distressing disclosure.

2. *There is no legislation which prohibits talking about homosexuality in sex education classes or one to one to students. TRUE.*

There is no legislation which prohibits teachers talking about homosexuality with students either individually or in groups. Section 28 of the Local Government Act has caused great confusion. It applies to LEAs but not to schools. Circular 5/94 confirms this position.

3. *Legally a school has to inform the police if drugs are found on the premises. FALSE.*

If you find an illegal drug you must hand it to the police or destroy it to prevent another person committing an offence with the drug.

4. *A teacher can suggest to a student, without the parents' permission, that he she goes to an agency where they will receive contraceptive advice, e.g. at a Brook Advisory Centre. TRUE.*

A teacher does not have to get parental consent before offering a child counselling or advice relating to sex education. The Beloff and Mountfield opinion (1994) on Circular 5/94 says, 'A teacher who suggested that a child went to seek confidential information from (for example) a Brook Advisory Centre would not in our view be providing sex education, but merely giving information as to where advice counselling (and treatment) could lawfully be obtained.'

5. *Students over 16 have a right to confidentiality over medical records but still need their parent's permission for any residential treatment i.e. hospital, psychiatric unit etc. TRUE for the first part. FALSE for the second part:*

- All patients have a right to confidentiality whatever their age and whatever advice or treatment they are seeking. Rarely will a doctor breach this but she or he may to protect a vulnerable person or other from harm.
- Any competent young person, regardless of age, can independently seek medical advice and give valid consent to medical treatment.
- Competency is understood in terms of the patient's ability to understand the choices and their consequences, including the nature, purpose and possible risk of any treatment or non-treatment.
- Parental consent to that treatment is not necessary.
  (BMA, 1993)

6. *Legally a school must take some course of action if a parent contacts the school over a student's involvement with drugs outside school. FALSE.*

Head teachers and teachers do not legally have to act. It is a matter of professional judgement and school policy.

7. *School has to inform the parent if one-to-one support is taking place. FALSE.*

If support is here interpreted as counselling or guidance the school does not have to tell the parents. However, if the student is not against this, it is common professional practice in many schools to inform parents where students under 16 are receiving more than everyday support. Parents must be told if the student has special needs and is receiving special attention such as one-to-one learning support in the classroom.

8. *If a teacher feels that a student under 16 is in moral or physical danger they must tell the head teacher who must tell the parents. FALSE.*

This is what the guidance in Circular 5/94 suggests but this is not legally binding and has no legal status. Teachers should follow their own professional judgements and should follow the head teacher's explicit instructions. If the head teacher states that teachers must follow section 40 of the DfE guidance then teachers should do so.

9. *Teachers should not talk to students on a 1:1 basis about explicit issues to do with sexual matters unless they have cleared it with the parents of that pupil. FALSE.*

Beloff and Mountfield (1994) state, 'Nor, however, in the general case, and in the absence of an instruction from the head teacher, need a teacher obtain parental consent before offering a child counselling or advice relating to sex education.'

Issue 3 – Parents' Rights

It is important to distinguish between the legal rights of parents and what we would like to establish as good professional practice. Legal debates referred to in the previous section are about the rights of different groups and tend to focus on the difference between guidance and the law. As professionals we need to be clear about the law but also establish the principles we would want to guide our work with parents. The legal rights of parents are limited but it is good policy to have more than the legal minimum of contact with parents and carers.

What are the principles which teachers wish to establish when working with parents?

It is important for teachers and parents to work together with governors to establish a set of shared mutually acceptable principles. These need to be established together and also need to be communicated clearly to parents, so that all are clear about how the staff work. Parents who work in the school also need to be aware of the guidelines for practice. Discussions about rights will form part of this debate. Activities 2 and 4 can be used here.

Development Activity 9
THE PRINCIPLES OF WORKING WITH PARENTS/CARERS

Use this list (based on the work of White, 1995) as the basis for a discussion with teachers, parents and governors:

- The school always has the welfare and best interests of the student as its first priority.
- The school will always aim to work with parents and encourage students to consult their parents or carers.
- The school will work to support parental roles, responsibilities and wishes.
- The school will consult with parents and communicate its principles and guidelines on counselling and guidance to them.
- Cultural, religious and other differences will be respected.
- The school's sex education policy is based on a moral and values framework.

Summary: The legal rights of parents, what are the rights of parents?

The legal rights of parents are as follows:

- To attend and vote at the Annual Parents' Meeting and to see the Annual Report.
- To be represented on the Governing Body by Parent Governors.
- To see an annual prospectus with details of school policies, curriculum, organisation, complaints procedures, statistics, term dates and times, and a number of other details.
- To have access to the school's policy documents, codes of practice and Governors' Meeting minutes.
- To consult the school staff on their child's progress and to have a written report at least once per year.
- To have access, under certain conditions, to their child's school records.
- If their child is under 16, to be informed if they are receiving special attention such as one-to-one support.
- They must be involved in any assessment process before a statement of Special Educational Need.
- To be informed if their child is sent for or given medical treatment.
- To be present or represented at exclusion procedures.
- To withdraw their child from the non-National Curriculum part of sex education.
- The other issue that is relevant to this section is that of parents' rights to know about disclosures to a teacher. This is dealt with in the *Quiz for Staff (Development Activity 8, page 69).*

Development Activity 10

This summary can form part of training for staff. We used it as part of an information booklet for staff, which also contained the information on *The Legal Position of Teachers, Drugs and The Law* and contained a list of local agencies that young people can use. Staff found this particularly valuable and having all this information in one place and available for staff is highly recommended. It should form part of guidelines or policy statements.

Issue 4 – Talking and listening to students

What were the issues?

The issues were:

- Boundaries of the teacher's role.
- Concerns about student disclosures and truth telling.
- Issues about confidentiality.
- Developing student's trust in teachers.
- Managing limited time.
- Providing privacy for students and having access to private spaces.
- Levels of trust among colleagues.
- Accountability.
- Support and supervision.
- Training and development.

Many of these issues can be grouped together.

Training and development

This was the area of most concern to the teachers. Many of these issues are issues to do with training and this is a crucial area. The development of policy is about the development of agreed practice. One of the teachers said in interview that confidence arose from 'Knowing as a staff that we all know what we are doing. I feel more confident if I know that everyone has been through certain and the same learning process.' This is a very important statement and the foundation stone for development work. Everyone needs to be at the same stage of development. Training is an essential part of policy development. More is said of this in Chapter 2.

The issues of concerns about disclosures, confidentiality, developing trust in teachers, managing limited time, levels of trust among colleagues and accountability are issues that can be dealt with in training. Training need not be lengthy and can take place in staff meeting time as well as on training days.

An agenda for training

Training needs to cover the following areas:

- The purposes, skills and limits of counselling and guidance.
- The counselling relationship and trust.
- Levels of counselling.
- The legal and ethical issues, including confidentiality and accountability.

These are the issues that are raised in the *Quiz for Staff* and the summaries on the legal issues can be used here.

- When to refer and whom to refer to.
- The skill of managing time.
- The opportunity to discuss scenarios of likely situations where professional decisions will have to be made.

Forms of training

The form of training is important and staff welcomed the opportunity to discuss scenarios of issues that were likely to arise in practice. They found this one of the most useful forms of INSET activity. Including scenarios and working on them is a very important method of training. Skills training is also important, as opposed to more didactic forms of training.

Levels of counselling

It is helpful to staff to know that there are different levels of counselling in schools and this helps them to clarify their contribution and also helps to target training. Most staff will require training to facilitate operation at the first level:

- *Level 1 – The immediate level.* All teachers should be equipped to contribute at this level. It means that all teachers should possess and be proficient in the use of basic counselling skills and be aware of what counselling is. Counselling skills will be used to facilitate good communication as well as to acknowledge the emotional dimension of learning and living. Teachers would be able to work in the emotional domain and detect signs of stress and tension in students.
- *Level 2 – The intermediate level.* This level is concerned with the need for more continuity of care, concern and relationship. It is to do with the co-ordination of efforts within and outside the school It is part of the school's pastoral role and the student may require more detailed counselling from those within or outside the school, depending on people's expertise.
- *Level 3 – The specialist level.* This level of work requires much more specialist training and expertise may reside within or outside the school. Distinguishing between these levels of training may help teachers to identify the nature and boundary of their contribution. (For more on the levels of counselling see Hamblin, 1974.)

Support and supervision

This became a very important issue in the development work. Guidelines and policy making can help to shape and clarify practice. **They cannot take away from teachers the responsibility and difficulty of making professional decisions.** One interviewee said, 'Having clear cut policy helps but it cannot be black and white: it will always be risky.' In other professions where people work with human dilemmas and problems, there is usually a form of support known as supervision. This is an opportunity for someone to talk to another colleague, usually someone with experience, about their work and particularly about issues or problems they are having.

This activity is usually confidential and supportive. It became clear that teachers wanted some facility similar to this. They welcomed the opportunity to share a dilemma with another colleague in a confidential and supportive fashion.

This lead to the concept of extending confidentiality.

Extending confidentiality

Staff would have the opportunity to discuss a dilemma they were having with another colleague in a confidential manner. The colleague would use counselling skills to help the management of the dilemma but would not act without the others consent, unless they felt professionally that they had to break confidence in which case they would discuss this with the person concerned.

Systems and roles

The other main area raised by the teachers' concerns was that of how the pastoral care system works and what their role is within it. They wished to know what the boundary of their role was and to have a clear sense of the referral process. One interviewee said: 'I would like to know whether I can be of use. I want to get roles clear.' Some of these issues are the ones relating to levels of counselling. Staff did not want to be deskilled or to hand over to the expert; this they clearly stated they did *not* want. They wanted to be clear about procedures and boundaries. This is clearly a task of management of the pastoral system and should be addressed as part of the process of shaping guidelines and practice.

Private spaces for counselling and guidance

The issue of access to private spaces to talk to students is also one that the pastoral team must address. HMI in their (1990) study of guidance identified this as a key area for the development and management of guidance in schools.

Issues 5 and 6 – Referral systems, referral procedures within and outside the school, and recording information

What were the main concerns?

Here staff were primarily concerned with communication between staff members. There was a feeling that pastoral systems can sometimes become one way in their communication, i.e. the information is passed on, appropriately enough, but then communication may cease. For many form tutors the reward of the job is to have the satisfaction of helping someone. When something is referred then there needs to be a continuation of communication to the one who made the referral about progress with that student. This issue will be addressed if the previous suggestion about discussion systems and issues in referral is taken up.

CHECKLIST ON POLICY DEVELOPMENT AND REFERRAL, RECORDING AND SUPPORT

You need to be able to ensure that your training and development work has ensured that staff can answer the following questions and that the fears and issues listed below have been addressed.

Referral systems and procedures within and outside the school

- What is the referral system in school and is it clearly understood?
- What will happen once information is passed on?
- When to refer and on what basis should referrals be made?
- Parents' rights in relation to referrals in and out of school.
- Differences in the position of pre-16 and post-16 students.
- Fears of over-reaction by the person that the information is given to.
- Fear of losing control or involvement over information given to you by a student.

Sources and structures of support and training

- Is there appropriate and relevant training for staff?
- Have appropriate methods of training been used, i.e. ones that address staff needs?
- Where can staff go for information and what are the limits of confidentiality in this setting?
- Who do staff turn to for help to make a decision?

Recording of information

- Are staff aware of what should go in official records and who has access to them?
- Are staff aware of how to write professional records?

Issues for parents and governors

The issues for parents and governors have been detailed throughout this section, so here I shall summarise them. They fall into two main areas:

1. The development of policy and practice.
2. Communication and work with parents.

The development of policy and practice

Policy development is a matter for the governors and parents, therefore the methods used for developing policy need to include and consult parents and governors. A working party or other group will include members of the governing body and preferably a parent representative.

Governors will need to be aware of the legal dimension to developments in this area and the various information sheets on the legal positions of parents and teachers will inform that discussion. The specific legal requirement on governors in this area is the production of a policy statement on sex education. This is a statutory duty. Other policy statements that will

be relevant and which may already exist in the school are policy statements on Child Protection and Drugs Education. There is no statutory duty on governors to produce a policy on counselling and guidance, including confidentiality. However, it may be necessary to prepare for OFSTED inspections.

Communication and work with parents

Not only is there a need to communicate and consult with parents during the development of policy, there is also the need to make the policy available to parents after it is finalised. However, there is scope for much valuable work in this area and workshops for parents on this topic can help to share values and purposes as well as help parents with their own dilemmas in this area of care. Space prevents us from exploring this area but Sheila White's (1995) *Confidentiality in Schools. A Training Manual* contains some excellent workshops for parents on confidentiality and aspects of sex education.

Issues related to research and the development of policy and practice in schools

A listening model

We found that we were mirroring certain basic tenets of counselling in our work on development. We systematically listened to the views of teachers, other adults in the school, students, parents and governors. Without this listening our action and policy development would have been less effective and would have fallen in to the trap of 'policy on paper'.

Action research

The approach also reflects the principles of action research. We identified and discussed the problem or next step and then collected views on either the problem or the next step and then took action. The action may have been training, the collection of more information or returning to the drawing board for more discussion. We used outside 'experts' to help us when we needed them. This process is discussed fully in Chapter 2. These principles were fundamental to the work.

Viewing it as a process of learning

This also became a central part of what was done. The working group was central to the process and were learning a great deal as they confronted the issues. There is a danger that a group such as this can move ahead of the rest of the staff group. One teacher said that the process had become more important than the production of a document. This is a very important process. Fullan (1991) has described change as a process of learning. We echo this strongly. There is always the need to take the whole community of a school through a learning experience. This means as in mountain leadership, there is sometimes the need to go at the pace of the slowest member.

The principles of teachers' learning

In both development and training there is need to be aware of the principles of teachers' learning. Teachers are unsure of themselves in this area. They

also have much experience and confidence can be built. The teachers in our study stated that confidence came from:

- clarifying the purposes of what you are doing;
- sharing that process with colleagues so that there is a sense of collective purpose;
- knowing that this is a learning process and that you have shared that learning process;
- discussing practical problems and issues that occur in their practice;
- having a support structure, i.e. someone to talk to about issues in practice;
- not seeing the discussion of practice and dilemmas as issues of competence or incompetence.

Principles of procedure

The issues raised by the teachers about the creation of confidence in their practice reflect certain principles of procedure that I have discussed elsewhere (Drummond and Mc Laughlin, 1994). The principles of working with teachers in training and development are:

- *A sense of purpose.* This is to do with fostering a sense of determination and engagement as well as clarity about the purposes of what is being undertaken.
- *A personal sense of.control.* This is the sense of being in control of what is learned. This helps us to take risks.
- *A sense of support.* This should include support for the individual and the group's learning: 'Supporting teachers' learning means finding ways to challenge, to encourage divergent thinking, to ask new questions, and stir up taken-for-granted assumptions, without damaging the teachers' commitment to what they are doing' (Drummond and Mc Laughlin, 1994).
- *A sense of self.* 'The sense of being an unidentifiable pawn in the machine has no place in effective adult learning' (Drummond and Mc Laughlin, 1994).
- *A sense of success.* Teachers in our study gained a sense of success from the confrontation of dilemmas and the clarification of their thinking.

Systems for development

The development of policy and practice is complex; Chapter 2 shares our conclusions. Here I say only that there need to be systems for the development of policy and practice. These systems need to be clear, acceptable to staff and others and understood. Development does require resources. It requires time and energy, training resources and people's commitment. For more on this, see Chapter 2.

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