

Notice of Non-Key Executive Decision

Subject Heading:	Contract Award - PRICE: Positive Behaviour Support Training
Decision Maker:	Trevor Cook, Assistant Director of Education
Cabinet Member:	Councillor Oscar Ford
ELT Lead:	Tara Geere
Report Author and contact details:	Marcus Bennett 01708 433465 marcus.bennett@havering.gov.uk
Policy context:	Supporting Havering schools to safely manage challenging behaviour and maintain pupil and staff safety. This aligns with the Council's commitment to inclusive education and safeguarding, as well as the broader People corporate theme—things that matter for residents
Financial summary:	The contract value for the proposed term is £79,092 including VAT (Funded by Cost Centre: A36880).
Relevant Overview & Scrutiny Sub Committee:	People OSC
Is this decision exempt from being called-in?	The decision will be exempt from call in as it is a Non key Decision

Non-key Executive Decision

The subject matter of this report deals with the following Council Objectives

X People - Supporting our residents to stay safe and well

Place - A great place to live, work and enjoy

Resources - Enabling a resident-focused and resilient Council

Part A – Report seeking decision

DETAIL OF THE DECISION REQUESTED AND RECOMMENDED ACTION

This report is seeking approval from the Assistant Director of Education to:

- Directly award a contract to PRICE Training for the delivery of Positive Behaviour Support Training to Havering schools, covering the use of reasonable force and physical intervention, at an estimated cost of £79,092.

The training, and related expenditure, is the maximum we will commission. In the event we need less training we will ensure we are under no obligation to pay for any more training than we actually receive.

AUTHORITY UNDER WHICH DECISION IS MADE

Part 3 of the Council's Constitution

Scheme 3.3.3 - Powers common to all Strategic Directors

4. Contracts

4.2. To award all contracts with a total contract value of below £1,000,000 other than contracts covered by Contract Procedure Rule 16.3. This delegation shall include the ability to extend or vary a contract up to and including a value of £1,000,000 (provided that the extension is in line with the existing contractual provisions).

As delegated to Trevor Cook, Assistant Director of Education Services on 22 May 2025, subject to a financial limit of £500,000.

STATEMENT OF THE REASONS FOR THE DECISION

Statutory Background: Legal Duty and Expectations

The DfE's "*Use of Reasonable Force – Advice for Headteachers, Staff and Governing Bodies*" outlines the legal framework for the use of reasonable force in schools. This guidance:

- Confirms that all school staff have a legal power to use reasonable force to safeguard pupils and others.
- States that *lawful use of reasonable force provides a defence against criminal or civil action*.
- Requires schools to include the use of reasonable force within their behaviour policies and to make this approach known to pupils, staff and parents.

Non-key Executive Decision

- Encourages schools to ensure staff *have the confidence and skills* to make professional judgements about intervening and to manage difficult behaviour safely.

Importantly, while the guidance does not mandate specific training, it explicitly recognises that schools must *consider whether staff require additional training* to fulfil their responsibilities and manage pupils safely.

The statutory framework places responsibilities on schools to use reasonable force lawfully and safely but does not prescribe how staff should be trained to do so. This creates a gap: without structured training, schools may struggle to interpret and operationalise legal requirements consistently.

A local authority (LA) can:

- Provide consistent, expert-led training aligned with legal guidance.
- Support schools that lack capacity or expertise to design and deliver their own training.
- Ensure that training content reflects evolving best practice and statutory updates.

Why Local Authority-Led Training Is Necessary

The statutory framework places responsibilities on schools to use reasonable force lawfully and safely but does not prescribe how staff should be trained to do so. This creates a gap: without structured training, schools may struggle to interpret and operationalise legal requirements consistently.

Training supplied or coordinated by the Local Authority helps ensure:

- Consistent standards across maintained schools and academies.
- Shared understanding of legal duties, local policy, and risk thresholds.
- Collaborative multi-agency approaches for children with additional needs (SEND, SEMH).

This contributes to improved outcomes for pupils and staff, and protects public funds by reducing avoidable costs resulting from situations in which schools make decisions on what constitutes reasonable force based on ad-hoc practice, intuition or incomplete understanding of legal duties. These risks are expanded upon below.

Why is the LA pursuing PRICE and what amount and type of training is being commissioned?

The Local Authority endorses the Trauma Perceptive Practice (TPP) approach as a whole school approach to understanding challenging behaviour and supporting emotional wellbeing in schools. PRICE is the only provider of training that includes advice and guidance on the use of reasonable force and safe restraint that is compatible, by design, with the TPP approach. Specifically, PRICE, while delivering other services, has specifically designed a shorter, cheaper course (compared to their other comprehensive training offer), that is intended to serve as 'element 9' of TPP (which has 8 elements).

Non-key Executive Decision

PRICE operates on a 'train the trainer' approach, whereby schools would send one or two members of staff to the training delivered by PRICE, and then these members of staff would deliver training in their schools to staff there. It is therefore an efficient model of training delivery which ensures 'buy in' from the senior leaders (trainers) in the school.

There are three types of training services provided by PRICE which the LA is looking to commission. There is a 5-day course, which is not dependent on association with the TPP course, which the LA will commission for one year only to ensure schools are not left without necessary training available. There is then a similar, shorter 3-day version of this course which focuses on aspects of the content more heavily linked to reasonable force, as much of the theory and understanding relating to wellbeing, needs and de-escalation will have been covered by TPP. It is a requirement of those attending this 3-day course that they have completed up to element 7 of TPP.

Finally, PRICE offers annual refresher training to those 'trainers' who have completed either the 3 or 5-day training. The length of this training will vary in the first year depending on which version of the above courses the delegate completed.

The total contract amount reflects the following being commissioned across the duration of the contract:

Academic Year 25 - 26

- 36 delegates from 18 schools who submitted expressions of interest (3 cohorts x 12, dates agreed) to complete the 5-day course. One delegate is £1458 (+VAT).
- Total cost paid by LBH = **£63,000 inc. VAT**

Academic Year 26 – 27 (1)

- LBH will fund the refresher course for one of the two delegates from each of the 18 schools who attended the 5 day course during AY25-26
- Schools can choose if they wish to pay for the second delegate to likewise attend.
- For those who have completed the 5 day course the refresher takes 3 days.
- The cost of the 3 day refresher course is £745 + VAT (£894)
- Total cost paid by LBH = 18 x £894 = **£16,092 inc. VAT**

The Council has for a number of years provided training to Havering schools on the use of physical intervention and reasonable force in schools. We have recently been delivering related training to schools on developmental trauma, known as Trauma Perceptive Practice (TPP). PRICE is the only company that has developed physical intervention training that complements, specifically by its design, the TPP approach, which is why officers recommend awarding the contract to them.

Non-key Executive Decision

The training is essential for maintaining safe and inclusive school environments, and so protects school staff, children, and the LA in terms of financial and legal risk. To expand upon the latter point:

Practical and Financial Risks of Not Providing Training

A. Staff Injury and Lost Days

Inappropriate physical interventions can result in:

- Injuries to school staff and pupils.
- Time off work due to injury.
- Increased pressure on staffing budgets and recruitment/cover costs.

Training in de-escalation techniques and safe restraint reduces the incidence and severity of confrontational episodes, meaning fewer injuries and a healthier workforce.

Quantifiable financial impacts include:

- Absence cover costs when staff are injured.
- Overtime payments to cover staffing gaps.
- Long-term staffing shortages if injuries are serious.

B. Legal and Employment-Related Costs

Uneven understanding or poor practice in using reasonable force can produce:

- Complaints, internal investigations, disciplinary proceedings and possible employment tribunal claims.
- Civil litigation if a parent or pupil alleges misuse of force.
- Criminal investigations, where behaviour is misinterpreted as unlawful.

While lawful use of force offers a defence, schools often still incur significant legal costs to defend decisions, plus:

- Senior leadership time spent in preparing for legal processes.
- Potential settlement costs even where the school acted lawfully, due to risk aversion or reputational concerns.

Staff training reduces the likelihood of these disputes and strengthens the school's position if and when the use of force is challenged.

C. Placement Failures and Specialist Costs

Poor management of behaviour can lead to:

Non-key Executive Decision

- **Unsuccessful mainstream placements:** pupils with behavioural needs may be excluded or fail to settle, resulting in placement breakdowns.
- **Increased demand for specialist provision**, which is significantly more costly for LAs and health partners.

Failure to manage behaviour safely in typical school settings increases reliance on:

- **Specialist behaviour units**
- **Pupil referral units**
- **Independent placements commissioned by the LA**

Costs for these are considerably higher than keeping pupils in mainstream settings supported by staff trained in proactive behaviour management and safe restraint where necessary. For example, two local, regularly used independent placements charge in the region of £90,000 per year, per child. By comparison, the typical, highest level of support for a child who might attend one of our mainstream schools or SEND Units would be in the region of £20,000 - £30,000 per year of high needs top up funding. Consequently, across the duration of this contract, this training would only need to prevent one child (in year 1) or two children (in year 2) moving into independent provision on account of the increased knowledge, skills and confidence it creates in a local mainstream school or SEND Unit, while the savings would in fact be much greater as these children would likely continue their education in an independent setting meaning this £60,000 - £70,000 cost difference would continue year on year. Even before the other potential financial savings outlined above and summarised below relating to staffing, injury, and potential litigation, this contract demonstrates clear value in terms of 'spend to save'.

LA Training as Risk Mitigation

Providing training can be positioned as **risk mitigation**:

Risk Category	Impact if Untrained	Mitigation via Training
Staff injury & absence	High financial cost for cover	Reduces incidents via de-escalation skills
Legal challenges	Potential litigation costs	Clarifies lawful practice, reducing disputes
Reputational risk	Parental complaints affect trust	Professional and consistent practice
Placement failures	High cost specialist placements	Better behaviour management, improved placements

It is important to note that a significant proportion of Havering's schools are maintained and so legal challenge and costs in terms of sickness absence, or other as outlined above, would fall on the LA.

OTHER OPTIONS CONSIDERED AND REJECTED

Undertake a competitive tender process

Market research was undertaken, identifying three high quality options delivering similar training. However, no like-for-like alternatives are available. Other providers' training is incompatible with the Council's wider approach (the TPP approach) and would not deliver the required outcomes as it would see confusion and duplication with the courses not specifically designed to complement TPP.

Continue with previous provider / arrangements

Without compromising the accuracy of the above statement about incompatibility of other trainers, it is useful by way of comparison and to demonstrate the value for money provided by the proposed contract, to explain what has been in place previously. There has been delivery of similar training via a company called Team Teach. Issues identified with Team Teach are as follows:

- Team Teach has not offered a 'train the trainer' approach, and so a LA choosing to support schools with this training for all the reasons outlined above would be looking to deliver directly to all staff working in schools, rather than just one or two senior members of staff acting as 'trainers'.
- For the reasons above, this alternative model is more costly, but also proven from feedback from schools to be ineffective, as junior members of staff would often attend the course but receive no support from senior colleagues to implement this within their schools.

The previous provider's individual training model cannot be directly compared with the proposed train-the-trainer model, which enables all staff in a school to be trained more efficiently.

In terms of how the training is funded, noting that the proposal is for LA-led, fully LA-funded training, other options would include:

- asking all schools to contribute towards the training (i.e., trade the training) operating a part or full cost-recovery model, and/or
- delivering equivalent training via employed staff rather than commission a separate company to deliver this and to pay the associated costs

Historically we have not charged maintained schools and only charged academies a fraction of the full cost, as a contribution to the course. In the academic year 2023-2024 and for a number of years prior to that. Team Teach training was provided to academies £50 per delegate. In the academic year 2024-2025 this was raised to £75 per delegate. Income generated from this is as follows: 2023-24: £1625, 2024-25: £2,550 and 2025-26: £1500. The current proposal is based on evidence, supported by this relatively small amount of income, that charging academies was a disincentive to them taking on this training which thereby increasing all of the risks outlined in this ED report (e.g., costly placement breakdowns). In terms of having employed staff deliver the training, this is not something that staff, such as those working in the SEMH Advisory Teacher Team have training to do, nor is it a core function of their role, which is instead to support the application of this and other training to supporting children to be safe and remain in school and thereby avoid costly placement breakdowns.

Non-key Executive Decision

Companies that offer the train-the-trainer model do not allow central members of staff (such as the SEMH team) to train staff across a borough. This is strictly prohibited by PRICE any licence awarded is only valid for the school / setting that the staff member is employed by.

Instead, the commissioning of this training therefore supplements what the SEMH Advisory Teacher Team do. In the past, in the academic year 2023-2024, it was the case that one member of the then Behaviour Support Service (since replaced by the SEMH Advisory Team) was trained to deliver Team Teach, which was allowed at the time by Team Teach. However, under their licencing agreement, for each course delivered by the 'in-house' trainer we were obliged to commission at least one member of Team Teach to attend alongside the in-house trainer, for which we were charged full costs for by Team Teach. It became apparent that this was not at all cost-effective. However this is no longer an option for the service as this person left and was only an option at the time due to the different make up and focus of the team compared to the SEMH team that has replaced it, and not feasible for the SEMH team for the reasons noted above.

Projected Cost to Train All Staff in Havering Schools:

If all staff in every Havering school were trained under the previous model:

- **81 schools × 48 staff (assumption of average number across large and small schools) × £142 per person = £552,096 every two years** (certification lasts two years and requires full retraining).
- **Plus an annual £13,000 licence fee.**
- This estimate does not account for staff turnover, which would require additional spot-purchased courses to maintain coverage.

In conclusion, alternative funding options compromise the mitigations against risks outlined below, are not feasible, or would involve greater expense than the current proposal.

‘Do nothing’ option

Furthermore, the ‘do nothing’ option, while available as this is not a statutory requirement of the LA, is rejected for all the reasons outlined above in terms of not only the benefits of LA providing training, but of the financial and other risks associated with the LA not doing so.

Summary of other options considered

There are no other ‘like-for-like’ options available that avoid the potential duplication (inefficiency) and potential confusion due to their incompatibility with our wider TPP approach.

There is not the option to deliver this training, or equivalent, via employed staff as the programme was developed by an external company, and even if this could be overcome there is not capacity within the recently formed SEMH Advisory Teacher service to do so, and to attempt to incorporate this into existing employees’ roles

Non-key Executive Decision

would take them away from other, core functions of their role, and incur time and other (e.g., training) costs.

It is acknowledged that this is not a statutory requirement of the LA, and so the option to 'do nothing' (i.e., leave fulfilling the responsibility for school staff to have skills, knowledge and confidence to comply with statutory requirements) is one to be considered, balancing the additional cost to the Council's DSG of providing the training against the benefits of doing so (financial and other) as outlined above. Similarly, it is also the option to consider the LA acting as a broker and provider of this training by a third party, while charging schools fully or in part to off-set the costs. These options will be further considered during the duration of this contract via the Schools Funding Forum in terms of the long-term strategy in regards to this training. For reasons relating to the historical precedent for the LA providing this training in some form, the lack of reasonable time available for schools to identify their own solutions to this problem, and taking account of all of the reasons above regarding potential benefits of LA-led and funded training, the LA determines to provide this training for one year only fully funded by the LA, with a second year providing one-year reinforcement for those who have completed the training, pending further review. Furthermore, a balance has been struck between the proposed value of LA-funded training, and the recognition that this is a non-statutory requirement of the LA and that schools and trusts (as some already do) can choose to make their own arrangements, and so rather than commit to greater spend with a view to offering the training to all Havering schools, funded training is only offered to those who submitted expressions of interest by an identified date, thereby indicating the urgency and importance to them of this training, and potential financial limitations they would face to accessing it were it not LA-funded.

PRE-DECISION CONSULTATION

None required, though contract has been discussed with headteachers of local schools

NAME AND JOB TITLE OF STAFF MEMBER ADVISING THE DECISION-MAKER

Name: Marcus Bennett, Head of SEND and AP Services

Designation: Head of SEND and Alternative Provision Services



Signature:

Date: 11/02/26

Part B - Assessment of implications and risks

LEGAL IMPLICATIONS AND RISKS

The Council has the power to award the contract under s111 of the Local Government Act 1972, which permits the Council to do anything which is calculated to facilitate, or is conducive or incidental to, the discharge of any of its functions.

The Council also has a general power of competence under Section 1 of the Localism Act 2011 to do anything an individual may generally do subject to any statutory limitations. The recommendation sought within this report is in accordance with this power.

The total estimated contract value is below the threshold for services under the Procurement Act 2023 (PA 2023). As such, the contract is not subject to the full implications of the PA 2023.

The Council is a Best Value authority and has a duty to “make arrangements to secure continuous improvement in the way in which its functions are exercised, having regard to a combination of economy, efficiency and effectiveness”.

In line with the Council’s Contracts Procedure Rules (CPR), officers obtained a waiver on 18.12.25 and are satisfied that awarding the contract to PRICE Training represents best value for the Council.

In light of the above, the Council may proceed with awarding the contract.

FINANCIAL IMPLICATIONS AND RISKS

This cost will be incurred in cost centre A36880 – DSG. The training can be charged to the DSG under note 8 of the operational guidance. In prior years however, this training was funded by a SEND grant, or offset against traded balances reserves and so this will be an additional pressure on the DSG for 25/26 which was not budgeted for.

Prior year spend on Team Teach Ltd, and the funding sources are as follows:

Non-key Executive Decision

Team Teach Ltd	22-23	23-24	24-25	25-26
Total annual spend	13,820.38	50,070.20	68,244.20	44,147.80
Funding source	A33405 - Havering IN-reach Intervention Service	A33800 - SEMH Support Counselling Traded (No Income)	A33800 - SEMH Support Counselling Traded (Offset by SEND Grant)	A36880 - DSG

It is noted that by delivering this training, the LA is aiming to equip schools with the necessary skills to manage behaviour safely in mainstream schools, maintaining safe and inclusive school environments, avoiding the demand for more costly specialist provision commissioned by the LA.

The service has been committed to this year and as is therefore approved to proceed. Alternative options will be considered, as explored above, during the duration of this contract via the Schools Funding Forum in terms of the long-term strategy in regards to this training

HUMAN RESOURCES IMPLICATIONS AND RISKS (AND ACCOMMODATION IMPLICATIONS WHERE RELEVANT)

There are no HR implications or risks from this decision.

EQUALITIES AND SOCIAL INCLUSION IMPLICATIONS AND RISKS

There are no further equalities and social inclusion implications or risks from this decision.

ENVIRONMENTAL AND CLIMATE CHANGE IMPLICATIONS AND RISKS

There are no further environmental and climate change inclusion implications or risks from this decision.

Non-key Executive Decision

HEALTH AND WELLBEING IMPLICATIONS AND RISKS

This decision will both promote and protect the health of Havering residents. It will do this by supporting children and young people to remain safe at times of distress, and to develop strategies for regulating their emotions and behaviour. It will also help protect adults who work with children and young people who demonstrate distressing behaviours to do so safely. By ensuring children and young people are safe, this will promote their inclusion with educational settings and local communities, and in turn, mean they have the chance to flourish academically, socially and financially.

BACKGROUND PAPERS

None

APPENDICES

None

Non-key Executive Decision

Part C – Record of decision

I have made this executive decision in accordance with authority delegated to me by the Leader of the Council and in compliance with the requirements of the Constitution.

Decision

Proposal agreed

Proposal NOT agreed because

Details of decision maker

Signed



Name: Trevor Cook

Cabinet Portfolio held:

CMT Member title:

Head of Service title AD Education Services

Other manager title:

Date:

Lodging this notice

The signed decision notice must be delivered to Committee Services, in the Town Hall.

For use by Committee Administration

This notice was lodged with me on _____

Signed _____

Non-key Executive Decision