

WOODTHORPE J.I. SCHOOL POLICY

CARE AND CONTROL (incorporating Physical Restraint)

'The use of Positive Handling to manage physically challenging behaviour.'

Introduction

The policy has been developed in response to Circular 10/98 "The Use of Force to Control or Restrain Pupils", issued following the enactment of Section 550A of the 1996 Education Act. It also takes cognisance of recent DfE and DOH letters of guidance and follows the guidance for 'The Use of Reasonable Force To Control or Restrain Pupils' issued by Birmingham Education Service.

The policy should be read in conjunction with other school policies relating to interaction between adults and pupils.

The policy has been prepared for the support of all teaching and support staff who come into contact with pupils and for volunteers working within the school to explain the school's arrangements for care and control. Its contents are available to parents and pupils.

Purpose of policy

Our aim is to raise social, emotional and academic well-being of children at Woodthorpe by developing positive behaviour skills in behaviour management including verbal and non-verbal communications, diversion and de-escalations and safe, effective, humane physical interventions.

Implications of the policy.

The 1996 Education Act (Section 55O A) stipulates that reasonable force may be used to prevent a pupil from doing, or continuing to do any of the following:

- engaging in any behaviour prejudicial to maintaining good order and discipline at the school or among any of its pupils, whether the behaviour occurs in a classroom during a teaching session or elsewhere within the school (this includes authorised out-of-school activities).
- self-injuring
- causing injury to others
- committing an offence

Individual members of staff cannot be required to use physical restraint. However, teaching and non-teaching staff work in 'loco parentis' and should always operate with an appropriate 'Duty of Care', they could be liable for a claim of negligence if they fail to follow the guidance within this policy.

The application of any form of physical control places staff in a vulnerable situation. It can only be justified according to the circumstances described in this policy. Staff, therefore, have a responsibility to follow the policy and to seek alternative strategies wherever possible in order to prevent the need for physical intervention.

Reasonable force will only be used as a last resort when all other behaviour management strategies have failed or when pupils, staff or property are at risk.

Definitions of Positive Handling.

No legal definition of reasonable force exists however for the purpose of this policy and the implementation of it in Woodthorpe J.I. School:

- Positive Handling uses the minimum degree of force necessary for the shortest period of time to prevent a pupil harming himself, herself, others or property.
- The scale and nature of any physical intervention must be proportionate to both the behaviour of the individual to be controlled, and the nature of the harm they might cause.

1 Physical Contact

Situations in which proper physical contact occurs between staff and pupils, e.g.: in the care of pupils with learning disabilities; in games/PE; to comfort pupils.

2 Physical Intervention

This may be used to divert a pupil from a destructive or disruptive action, for example guiding or leading a pupil by the hand, arm or shoulder with little or no force.

3 Physical Control/Restraint

This will involve the use of reasonable force when there is an immediate risk to pupils, staff or property. It is important to note that the use of 'reasonable force' should be seen as a last resort. All such incidents must be recorded by the adults involved in the Significant Incidents book in the Head Teacher's Office.

The level of compliance from the pupil determines whether or not the interaction is an intervention or a control/restraint.

Schools can use reasonable force to:

- Remove disruptive children from the classroom where they have refused to follow an instruction to leave;
- Prevent a pupil from behaving in a way that disrupts a school event or visit;
- Prevent a pupil leaving the classroom where allowing the pupil to leave would risk their safety or lead to behaviour that disrupts the behaviour of others;
- Prevent a pupil from attacking a member of staff or another pupil, or to stop a fight; and
- Restrain a pupil at risk of harming themselves through physical outbursts.

Schools cannot:

- Use force as a punishment- **it is unlawful to use force as a punishment.**

Underpinning values

Everyone attending or working in this school has a right to:

- recognition of their unique identity;
- be treated with respect and dignity;
- learn and work in a safe environment;
- be protected from harm, violence, assault and acts of verbal abuse.

Pupils attending this school and their parents have a right to:

- individual consideration of pupil needs by the staff who have responsibility for their care and protection;
- expect staff to undertake their duties and responsibilities in accordance with the school's policies;
- be informed about school rules, relevant policies and the expected conduct of all pupils and staff working in school;
- be informed about the school's complaints procedure.

The school will ensure that pupils are given support to understand the need for and respond to clearly defined limits, which govern behaviour in the school.

Authorised staff

At Woodthorpe J.I. School all teachers and teaching assistants are authorised to use reasonable force within the context of Circular 10/98 – 'The use of reasonable force to control and restrain pupils'.

Lunch time Supervisors

Lunchtime supervisors are only allowed to use reasonable force as a last resort if it is believed a child is going to be harmed and only as an interim measure while support is summoned. Any such action should only be undertaken in the presence of another member of staff.

Authorisation is **not** given to volunteers, students or parents.

Staff from the LA working within the school.

Support Services will have their own policies for care and control of pupils. When working within school it is the Head Teacher's responsibility to ensure that colleagues from Support Services are aware of school policy and practice.

Training

Wherever possible, staff at Woodthorpe J.I. School are Team Teach trained. This means that physical intervention by restraint can be used when necessary to protect and keep our pupils safe. We offer a supportive structure and follow the Team Teach Help Protocol and Help Script.

It will be the responsibility of the Head teacher to arrange suitable training. Training for all authorised staff will be made available. Prior to the provision of training, guidance will be given on action to be taken. Arrangements will be made clear as part of the induction of staff and training will be provided as part of on-going staff development.

Physical techniques are not used in isolation and the school is committed to ensuring that as a result of incidents learning opportunities are created for children that allow them to 'own' and take responsibility for their behaviour.

In addition, procedures are also in place to ensure that appropriate support is provided for staff and that following an incident pupil/staff relationships are rebuilt and repaired to ensure that a positive learning environment is maintained.

The techniques are appropriate to the child's needs.

Also, they provide a gradual, graded system of responses.

Where appropriate, Positive Handling Plans are written for individual children and where applicable, these will be designed through multi-professional collaboration. These should be included in any Behaviour Support plans/IEPs.

Risk Assessments need to be completed against each child when physical restraint may need to be used, in the context of the identified target behaviour(s) and environments in which they occur. The assessment should identify the benefits and the risks associated with the strategies being proposed.

Strategies for dealing with challenging behaviour

As endorsed in the school's Behaviour Policy, staff consistently use positive strategies to encourage acceptable behaviour and good order.

Every effort will be made to resolve conflicts positively and without harm to pupils or staff, property, buildings or the environment. Where unacceptable behaviour threatens good order and discipline and provokes intervention, some or all of the following approaches should be taken according to the circumstances of the incident and in association with Circular 10/98.

Verbal acknowledgement of unacceptable behaviour with request for the pupil to refrain; (this includes negotiation, care and concern)

Further verbal reprimand stating:

- that this is the second request for compliance;
- an explanation of why observed behaviour is unacceptable;
- an explanation of what will happen if the unacceptable behaviour continues.
- Warning of intention to intervene physically and that this will cease when the pupil complies, if possible summon assistance from Senior Management.
- Physical intervention: reasonable force being used to prevent a child harming him or herself, others or property.

Types of Incident

The incidents described in Circular 10/98 fall into three broad categories:

- Where action is necessary, in self-defence or because there is an imminent risk of injury.
- Where there is a developing risk of injury, or significant damage to property.
- Where a pupil is behaving in a way that is compromising good order or discipline.

Examples of situations that fall within one of the first two categories are:

- a pupil attacks a member of staff, or another pupil;
- pupils are fighting;
- a pupil is engaged in, or is on the verge of committing, deliberate damage or vandalism to property;

- a pupil is causing, or at risk of causing, injury or damage by accident, by rough play, or by misuse of dangerous materials or objects;
- a pupil is running in a corridor or on a stairway in a way which he or she might have or cause an accident likely to injure him or herself or others;
- a pupil absconds from a class or tries to leave school (NB this will only apply if a pupil could be at risk if not kept in the classroom or at school).

Examples of situations that fall into the third category are:

- a pupil persistently refuses to obey an order to leave a classroom;
- a pupil is behaving in a way that is seriously disrupting a lesson.

Acceptable measures of physical intervention

The school will put in place systems for managing and reviewing the following:

- Strategies for preventing the occurrence of behaviours that precipitate the use of a physical intervention.
- Strategies for 'de-escalation' or 'de-fusion' that can avert the need for a physical intervention.
- Procedures for post incident support and de-briefing for staff, children, service users and their families.

The concept of reasonable force where 'reasonableness' is determined with reference to all the circumstances, including:

- 1 The seriousness of the incident:
- 2 The relative risks arising from using a physical intervention compared with using other strategies
- 3 The application of gradually increasing or decreasing levels of force in response to the person's behaviour
- 4 The approach to risk assessment and risk management employed
- 5 The distinction between:
 - **seclusion** where an adult or child is forced to spend time alone against their will in a locked room or room which they cannot leave (nb: this is not a permissible form of control);
 - **withdrawal** which involves removing the person from a situation which causes anxiety or distress to a location where they can be continuously observed and supported until they are ready to resume their usual activities.
- 6 The distinction between **planned** physical interventions (where incidents are foreseeable in that they have occurred previously and a response planned following a risk assessment) and the use of force in **emergency** situations (which cannot reasonably be anticipated)
- 7 First aid procedures to be employed and those responsible for implementation in the event of an injury or physical distress arising as a result of a physical intervention
- 8 **Unacceptable** practices that might expose service users or staff to foreseeable risk of injury or psychological distress. (para 10.8 page 19 DfES Guidance. Ref:LEA/0242/2002)

Wherever possible assistance will be sought from another member of staff.

Positive Handling at Woodthorpe is seen as a proactive response to meet individual pupil needs and any such measures will be most effective in the context of the overall ethos of the school, the way that staff exercise their responsibilities and the behaviour management strategies used.

Recording

Where physical control or restraint has been used a record of the incident will be kept. This record should be made in the school **Significant Incidents/Restraints Book**. This is a bound and numbered book retained by the Head Teacher.

The Significant Incident/Restraint Book will be completed as soon as possible after the incident, normally prior to staff going off duty and be signed by all staff involved and the Head Teacher.

After the review of the incident, copies of Restraint Page will be placed on the pupil's file.

A Health and Safety Accident/Incident Form will be completed and returned to the Local Education Authority in situations where injury has occurred to either members of staff or pupils. Where staff have been involved in an incident involving reasonable force they should have access to counselling and support.

Monitoring incidents

Monitoring of incidents will help to ensure that staff are following the correct procedures and will alert the Head teacher to the needs of any pupil(s) whose behaviour may require the use of reasonable force.

Monitoring of incidents will take place on a regular basis and the results be used to inform planning to meet individual pupil and school needs.

Action after an incident

Post restraint Procedure

1. Provide relief cover if possible.
2. Debrief with staff involved. Record meeting on meeting form.
3. Member/s of staff complete a report recording details of the incident.
4. Parents/Carers are contacted as soon as possible to inform them that the use of force has been applied to their child.
5. If necessary develop a Team Teach Positive Handling Plan for the child/children involved.
6. Debrief child giving them time to state their views/feelings. This must be recorded in the space at the bottom of the individual forms in the Significant Incidents/Restraints Book.

The Head Teacher will ensure that each incident is reviewed and investigated further as required. If further action is required in relation to a member of staff or a pupil, this will be pursued through the appropriate procedure:

- Ensure that any appropriate support is provided for staff/children affected by the incident
- Review of Behaviour Programme
- Child Protection Procedure (this may involve investigations by Police and/or Social Services)
- Staff or Pupil Disciplinary Procedure
- School Behaviour Policy
- Exclusions Procedure in the case of violence or assault against a member of staff

The member of staff will be kept informed of any action taken.

In the case of any action concerning a member of staff, he/she will be advised to seek advice from his/her professional association/union.

Complaints

The availability of a clear policy about reasonable force and early involvement of parents should reduce the likelihood of complaints but may not eliminate them.

Any complaints about staff will be investigated through the School's Complaints Policy. If necessary, the complaint will be dealt with by the Staff Disciplinary Procedures and/or Child Protection Procedures.

The policy will be reviewed annually by the Head Teacher and the Governing Body.

Signed:

Approved: 10 June 2016

Review: June 2019