



THE FEDERATION OF ST. EDMUND'S AND ST. PATRICK'S R.C. PRIMARY SCHOOLS

POSITIVE HANDLING AND PHYSICAL RESTRAINTS POLICY

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POSITIVE HANDLING AND PHYSICAL RESTRAINTS POLICY

We come to a Roman Catholic School and so believe that Jesus was born, died and rose again for everyone. We aim to help, encourage and show God's way to our families, making sure that our Catholic traditions and faith are kept alive. Each year at school, we learn a little bit more about our faith so that we can grow to love God and each other more.

At our schools, we seek at all times to be a witness to Jesus Christ. We remember this when putting our policies into practice. Therefore, this policy will reflect the Catholic identity and mission of our schools and the values it proclaims.

Aims of this policy

At the Federation of St Edmund's and St Patrick's R.C. Primary schools, we are committed to a positive behaviour policy, which encourages children to make positive behaviour choices. However, we do recognise that sometimes children make the wrong choices. On the rare occasions, this may result in a situation that requires some form of physical intervention by staff.

Our Physical Intervention Policy is based upon the following principles:

- Physical Intervention is used only as a last resort when other appropriate strategies have failed.
- Any physical contact is only the minimum required.
- Physical intervention is used in ways that maintain the safety and dignity of all concerned.
- Incidents are recorded and reported to the Head Teacher.
- Parents will be informed of each incident.
- Staff are trained in physical handling techniques and follow the Team Teach approach.
- To develop a policy that is supported and implemented by the whole school community; children, parents and carers and staff based on our mission statement and shared values.
- To ensure all staff understand all behaviour is communication.
- To provide a framework which supports staff to unlock potential in children at their developmental stage not age in years.

This policy should be read in conjunction with other school policies:

- Safeguarding and Child Protection Policy
- Intimate Care Policy
- SEND information report
- SEND Policy
- Behaviour Policy
- Equality Policy

The role of all staff is to create a consistent calm approach that will help prevent the need for reactive measures to be taken. Pupils need at all times to have their own individual needs borne in mind – we will be flexible.

The Legal Framework

The use of all forms of physical intervention and physical contact are governed by the criminal and civil law. The unwarranted or inappropriate use of force may constitute an assault. In addition, it may infringe the human rights of a child or young person.

Section 93 of the Education & Inspections Act 2006 allows teachers and other persons who are authorised by the Head Teacher who have control or charge of pupils to use force as is reasonable in all the circumstances to prevent a pupil from doing, or continuing to do, any of the following:-

- Remove disruptive children from the classroom where they have refused to follow an instruction to do so;
- Prevent a pupil behaving in a way that disrupts a school event or a school trip 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 in the playground;
- Prevent a pupil from the risk of harming themselves through physical outbursts.

This policy is based on advice from the Department for Education (DfE) on:

- Behaviour and discipline in schools
- Searching, screening and confiscation at school ☐ The Equality Act 2010
- Keeping Children Safe in Education
- School suspensions and permanent exclusions
- Use of reasonable force in schools ☐ Supporting pupils with medical conditions at school
- Special Educational Needs and Disability (SEND) Code of Practice.
- Section 175 of the Education Act 2002, which outlines a school's duty to safeguard and promote the welfare of its pupils
- Sections 88-94 of the Education and Inspections Act 2006, which require schools to regulate pupils' behaviour and publish a behaviour policy and written statement of behaviour principles, and give schools the authority to confiscate pupils' property
- DfE guidance explaining that maintained schools must publish their behaviour policy online.

Definition of Reasonable Force and Restraint

The DfE Guidance (2013) on the 'Use of Reasonable Force' defines and explains these terms in the following way:

- The term 'reasonable force' covers the broad range of actions used by most teachers at some point in their career that involve a degree of physical contact with pupils.
- Force is usually used wither to control or restrain. This can range from guiding a pupil to safety by the arm through to more extreme circumstances such as breaking up a fight or where a pupil needs to be restrained to prevent violence or injury.
- 'Reasonable in the circumstances' means using no more force than is needed.
- Control means either passive physical contact, such as standing between pupils or blocking a pupil's path, or active physical contact such as leading a pupil by the arm out of a classroom.
- Restraint means to hold back physically or to bring a pupil under control. It is typically used in more extreme circumstances, for example, when two pupils are fighting and refuse to separate without physical intervention.
- School staff should always try to avoid acting in a way that might cause injury, but in extreme cases, it may not always be possible to avoid injuring the pupil.

- All members of staff who can use reasonable force have a legal power to use it. This power applies to any member of staff at the school. It can also apply to people whom the Head Teacher has temporarily put in charge of pupils such as unpaid volunteers or parents accompanying pupils on a school-organised visit.

The DFE Guidance 2013 on 'Use of reasonable force' states that schools can use reasonable force to:

- Remove disruptive children from the classroom where they have refused to follow an instruction to do so.
- Prevent a pupil behaving in a way that disrupts a school event, trip or visits.
- 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 in the playground.
- Restrain a pupil at risk of harming themselves through physical outbursts.

Schools cannot:

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

In addition to the general power to use reasonable force described above, Head Teacher and authorised staff can use such force, as is reasonable given the circumstances, to conduct a search for the following 'prohibited items': knives and weapons, alcohol, illegal drugs, stolen items, tobacco and cigarette papers, fireworks, pornographic images and any article that has been or is likely to be used to commit an offence, cause personal injury or damage to property.

Force cannot be used to search for items banned under the school rules.

Our Approach

At the Federation of St Edmund's and St Patrick's we constantly strive to create a calm environment that minimises the risk of incidents arising that might require the use of force.

We aim to:

- Good personal and professional relationships between staff and pupils are vital to ensure effective learning and teaching in our School. It is recognised that the majority of pupils at our schools respond positively to the strategies used by staff.
- Concrete and intrinsic rewards or positive consequences play a large part in engaging pupils in their learning and classes operate appropriate systems which can also carry negative consequences.
- All of these elements help to ensure the well-being and safety of all pupils and staff in our schools.
- It is also acknowledged that, in exceptional circumstances, and where in the best interests of the child, staff may need to take action in situations where the use of reasonable, proportionate and necessary physical intervention may be required.
- The Federation of St Edmund's and St Patrick's acknowledges that physical techniques are only a small part of a whole setting approach to risk reduction and behaviour management
- to avoid the need for physical intervention and regard this as a last resort in a minority of situations.

We have members of staff specially trained to de-escalate incidents should they arise. Reasonable force will only be used when the risk involved in doing so are outweighed by the risks involved in not using force. Decisions will be driven by what is in the best interests of the child and the action should be reasonable, proportionate and

necessary (RPN). We always aim to deal with behaviour using a positive approach and therefore this policy should be read in connection with our Behaviour Policy.

It is not possible to define every circumstance in which physical restraint would be necessary or appropriate. Staff exercise their own professional judgement in situations, which arise within the above categories. Staff act within our school's policy on behaviour, particularly in dealing with disruptive behaviour. Once again, it is stressed that physical intervention is only used when all other strategies have failed to have the desired effect on a pupil's behaviour.

It is not illegal to touch a pupil. There are occasions when physical contact, other than reasonable force, with a pupil is proper and necessary. Examples of where touching a pupil might be proper and necessary:

- Holding the hand of the child at the front/back of the line when going to assembly or when walking together around school.
- When comforting a distressed pupil.
- When a pupil is being congratulated or praised.
- To demonstrate how to use a musical instrument.
- To demonstrate exercised or techniques during PE lessons or sports coaching.
- To give first aid.

Staff are aware that when they are in charge of children during the school day, or during other supervised activities, they are acting in loco parentis and have a 'Duty of Care'. They therefore take reasonable action to ensure the safety and well-being of all pupils. This being said staff are not expected to place themselves in situations where they are likely to suffer injury as a result of their intervention.

Use of Physical Restraint or Intervention

Physical restraint is applied as an act of care and control with the intention of re-establishing verbal control as soon as possible and, at the same time, allowing the pupil to regain self-control. It never takes a form, which could be seen as punishment.

Staff are only authorised to use reasonable force in applying physical restraint i.e. only applying force necessary to stop or prevent danger should be used, in accordance with the guidelines below. In all circumstances, alternative methods are used as appropriate with physical intervention or restraint a last resort.

Staff are currently trained in the whole school de-escalation strategies and some staff are trained on the pre-emptive and responsive positive handling strategy and physical restraint techniques of TEAM TEACH.

The TEAM TEACH system is recognised by the Local Authority and accredited through BILD – British Institute of Learning Disabilities. Staff undergo a one-day training course led by qualified trainers with a single day refresher course undertaken every two years.

Whilst the physical techniques are intended to reduce risk, there is always a risk when two or more people engage to use force to protect, release or restrain. The physical intervention techniques used seek to avoid injury to the pupil, but it is possible that bruising or scratching may occur accidentally, and these are not to be seen necessarily as a failure of professional technique, but a regrettable and infrequent side effect of ensuring that the service user remains safe.

Although any member of staff may be required to physically intervene with a pupil who is endangering themselves or others, we would expect accredited staff to take over as soon as possible.

Before using physical intervention, we take effective action to reduce risk by:

- Showing care and concern by acknowledging unacceptable behaviour and requesting alternatives using negotiating and reasoning.
- Giving clear directions for pupils to stop.
- Reminding them about rules and likely outcomes.
- Removing an audience or taking vulnerable pupils to a safe place.
- Making the environment safer by moving furniture and removing objects, which could be used as weapons.
- Using positive guidance to escort pupils to somewhere less pressured.
- Ensuring that colleagues know what is happening and call for help.

Health and Safety of staff

Under the Health and Safety at Work Act, employees have a responsibility to report any circumstances, which give rise to an increased risk to their Health and Safety. Staff who have, or acquire, permanently or temporarily, any medical condition that may impact on their ability to carry out this policy have a duty to report these to the Executive Headteacher or Deputy Headteacher immediately as there may be an impact on their own safety and that of colleagues and/or pupils.

Actions after an incident

Physical restraint often occurs in response to highly charged emotional situations and there is a clear need for debriefing after the incident, both for the staff involved and the pupil.

The Head Teacher is informed of an incident as soon as possible and takes responsibility for making arrangements for debriefing once the situation has stabilised. An appropriate member of staff debriefs the pupil concerned: the debrief includes consideration of the circumstances that precipitated the incident and exploring ways in which future incidents can be avoided. Any other individuals involved in the incident are offered support.

If the behaviour is part of an ongoing pattern it will probably be necessary to address the situation through the development or review of an individual behaviour plan, which may include a risk assessment, an anger management programme and possible involvement of external agencies.

All incidents are recorded immediately on a Physical Restraint Incident Form (Appendix 1) and uploaded to CPOMS. All sections of the report are completed so that any patterns of behaviour can be identified and addressed. In the event of any future complaint or allegation, this record provides essential and accurate information. A copy is filed in the child's appropriate file.

A member of staff will contact the parents as soon as possible after the incident, to inform that of the actions that were taken and why, and to provide them with an opportunity to discuss it.

Physical techniques are not used in isolation and the Federation of St Edmund's and St Patrick's is committed to ensuring that, as a result of incidents, learning opportunities are created for pupils that allow them to take responsibility for their behaviour at a level appropriate to their stage of development.

Risk Assessments

If we become aware that a pupil is likely to behave in a disruptive way that may require the use of reasonable force, we will plan how to respond if the situation arises. Such planning will address:

- Strategies to be used prior to intervention. Ways of avoiding ‘triggers’ if these are known.
- RAMP paperwork completed.
- In some cases, staff will complete a Boxall Profile.
- Involvement of parents to ensure that they are clear about specific action the school might need to take.
- Briefing of staff to ensure they know exactly what action they should be taking (this may identify a need for training or guidance).
- Identification of additional support that can be summoned if appropriate.
- The school’s duty of care to all pupils and staff.

Visits out of school

Our Equality Policy states that all pupils should be included in all curriculum activities. However, Health and Safety remains a priority and staff should carry out risk assessments for each pupil prior to each visit into the community.

Due consideration should be given to the following:

- Is the pupil able to cope with the demands of the proposed visit?
- Are there sufficient, suitably trained staff – particularly if there should be an incident?
- How will you contact school to get extra help if necessary and how will you get back?

Complaints and Allegations

This clear physical intervention and restraint policy, adhered to by all staff and shared with parents, should help to avoid complaints from parents. It is unlikely to prevent all complaints however and a dispute about the use of force by a member of staff might lead to an investigation under our Complaints Procedures. If following the preliminary investigations it is deemed necessary, the Executive Headteacher will contact the LADO (Local Authority Designated Officer) in line with our Safeguarding Policy and Procedures.

In such circumstances, the investigation of the complaint/allegation and any resulting action in respect of child protection, disciplinary or other procedures will be carried out in accordance with the guidance received from the LA.

Whistleblowing

Whilst the physical intervention training provided to staff, encourages the use of help protocols and reflective practice, it is acknowledged that under some circumstances, physical intervention can be misapplied. Staff are reminded that part of their duty of care to pupils includes the requirements to report any such matters, which cause them concern in relation to pupil management and welfare.

Any such concerns should be raised with the Executive Headteacher, or another member of the Senior Leadership in order to allow concerns to be addressed and practice improved.

It is our intention to inform all staff, pupils, parents and governors about these procedures and the context in which they apply. We will review this policy annually.