



Elements Primary School  
Creative · Unique · Innovative

## **Elements Primary School Care and Control (incorporating Physical Restraint) Policy**

**December 2018**

'The use of Positive Handling to Manage

Physically Challenging Behaviour.'

### **Statement of Intent**

At Elements Primary School we are committed to providing a caring, friendly and safe environment for all of our pupils so they can learn in a relaxed and secure atmosphere. We believe every pupil should be able to participate in all school activities in an enjoyable and safe environment and be protected from harm. This is the responsibility of every adult employed by or invited to deliver services at Elements Primary School. We recognise our responsibility to safeguard and promote the welfare of all our pupils by protecting them from physical, sexual or emotional abuse, neglect and bullying.

The policy should be read in conjunction with other school policies relating to interaction between adults and pupils – Behaviour Policy, Child Protection, Intimate Care, Code of Conduct, Health and Safety and Confidentiality.

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 the policy:**

Good personal and professional relationships between staff and pupils are vital to ensure good order in our school. It is recognised that the majority of pupils in our school respond positively to the discipline and control practiced by staff. This ensures the well-being and safety of all pupils and staff in school. It is also acknowledged that in exceptional circumstances, staff may need to take action in situations where the use of reasonable force may be required. Elements Primary School acknowledges that physical techniques are only part of a whole setting approach to behaviour management.

Every effort will be made to ensure that all staff in this school:

- (i) Clearly understand this policy and their responsibilities in the context of their duty of care in taking appropriate measures where reasonable force is necessary

and

- (ii) Are provided with appropriate training to deal with these difficult situations.

### **When to use force**

The 2006 Education Act (Section 93) stipulates that reasonable force may be used to prevent a pupil from doing, or continuing to do any of the following:

- Placing him/herself at risk.
- Placing other pupils or staff at risk.
- Behaviour leading to damage to property or committing a criminal offence.
- 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 school (this includes authorised out-of-school activities). For example- swimming in Yr 5, football matches.

It is possible that individuals who choose not to adhere to this policy may be vulnerable to claims of negligence should a child be injured as a result of this decision.

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 this 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 within a schools context exists, however for the purpose of this policy and the implementation of it in Elements Primary School:

**‘Reasonable Force 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 at Elements Primary School ‘must be proportionate to both the behaviour of the individual to be controlled and the nature of the harm they might cause’. (DfES/DOH Guidance for Restrictive Physical Interventions, July 2002).

This policy does more than simply outline the use of physical intervention at Elements Primary School. It aims to provide a transparent overview of how we use physical contact to both care for and, where appropriate control our pupils. Working within philosophy of ‘Every Child Matters’ with a particular focus in relation to the strands of ‘staying safe’ and ‘enjoying and achieving’, our Care and Control policy describes the acceptable physical interaction between staff and pupils on a daily basis. Based on the principles of moving from

least intrusive to more restrictive holding we have divided interaction into three definable areas.

### **1) Physical Contact:**

Situations in which physical interaction occurs between staff and pupils to either care for pupils who may be distressed or have severe and profound learning disabilities, or in subject areas such as physical education in order to promote inclusive learning opportunities and deliver the National Curriculum. In addition staff will also use positive touch to comfort pupils and as part of the PSHCE/social curriculum in order to teach them more appropriate ways of seeking attention. Where possible staff will always endeavor to use a side hug- one arm around child's shoulder standing side by side with the child.

### **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 arm or shoulder with little or no force. Rather than holding the child's hand staff should use the "C" hold at the forearm to guide. The technique implemented here will be the 'turn, gather, guide hold.' The important factor within these situations is the compliance of the child as a result of the intervention.

### **3) Physical Control and Restraint/Restrictive Physical Intervention:**

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 are recorded on the Restraint Control form and will be stored in the Restraint Control File in the Executive Principal's office.

The following techniques are accredited by Team Teach and authorised for staff to use by the Executive Principal. Whenever possible the following techniques will be used:

- Two Person single elbow restraint.
- Half Shield.

As indicated the level of compliance from the pupil determines whether or not the interaction is an intervention or a control/restraint. If staff are in doubt then the incident should be recorded on the schools standard recording form.

### **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 information 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 parents/carers and pupils understand the need for and respond to clearly defined limits, which govern behaviour in the school. In turn parents/carers will promote good behaviour of their child and that efforts have been made by them to ensure that he/she understands and follows the schools' Behaviour Policy.

All teaching and non-teaching staff in school are authorised to use physical restraint where necessary by the Executive Principal.

Volunteers in school and Supply Teachers are **not** authorised to restrain pupils.

School provides training for all authorised staff and the Executive Principal retains a list of all those staff trained authorised. The list is reviewed on an annual basis.

Support Services will have their own policies for Care and Control of pupils. When working within school it is the Executive Principal's responsibility to ensure that colleagues from Support Services are aware of school policy and practice. The Executive Principal in the school will be accountable for their actions while in the school.

### **Training**

Training for all staff will be made available and is the responsibility of the Executive Principal. No member of staff will be expected to undertake the use of reasonable force without appropriate training. Prior to any practical training theoretical aspects of effective behaviour management will have been delivered and arrangements will be made clear as part of the induction of staff and training will be provided as part of on-going continued professional development for staff.

In line with Local Authority Guidance, and as an accredited provider with the British Institute of Learning Disabilities (BILD), Elements Primary School is committed to implementing the T.E.A.M. T.E.A.C.H. Approach, 'working together to safeguard people and services'. Further information in relation to T.E.A.M. T.E.A.C.H. can be found at [www.team-teach.co.uk](http://www.team-teach.co.uk)

Physical techniques are not used in isolation and Elements Primary 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 will be put 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. Following an incident calm down time, recovery and reflection, will be provided for the staff involved.

All the techniques used take account of a young person's;

- Age
- Gender
- Level of physical, emotional and intellectual development
- Social context

## **Strategies for dealing with challenging behaviour**

As endorsed in the school's Behaviour Policy, staff utilise consistent 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 a repeated request for compliance;
  - an explanation of why observed behaviour is unacceptable;
  - an explanation of what will happen if the unacceptable behaviour continues.
- A statement of intent that physical intervention may well be used alongside a reminder that holding will cease when the child shows compliance. If possible summon assistance from another authorised member of staff.
- Physical intervention. Reasonable force being used to prevent a child harming him or herself, others or property.

Training in physical intervention given to staff will include sections on the current legal framework, background, theory and rationale behind the T.E.A.M. T.E.A.C.H. Approach as well as an understanding of personal space, body language and a personal safety curriculum before any physical techniques are taught.

Team Teach techniques seek to avoid injury to the pupils, but it is possible that bruising or scratching may occur accidentally, and these are not to be seen necessarily as failure of professional technique, but as a regrettable and infrequent side effect of ensuring that the pupil remains safe.

## **Types of Incident**

Possible incidents 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, which fall within one of the first two categories, are:

- A pupil attacks a member of staff, or another pupil;

- 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 which fall into the third category are:

- A pupil persistently refuses to follow an instruction to leave a situation of danger.
- A pupil is behaving in a way that is seriously disrupting a lesson, eg disrupting others from learning and refusing to work themselves.

### **Acceptable measures of physical intervention:**

Staff should understand the distinction between:

- ‘Seclusion’, where a child is forced to spend time alone against their will in a locked room or room which they can not leave, must only be used in an emergency situation. The pupil must be continuously observed by a member of staff and an adult must send for help. Under no circumstances should a pupil be left unsupervised. Seclusion must only be used for a particular pupil once. If it has been used a planned response should be made for any future emergency situations.
- ‘Time out’, which involves restricting the child’s access to all positive reinforcements in a room or area which they may freely leave. The child will be taken to the Buddy Classroom with the TA and collected within 10 minutes as written in the Behaviour Policy.
- ‘Withdrawal’, which involves removing the child from a situation which causes anxiety or distress and taken to the Executive Principal/Vice principal’s office where they can be continuously observed and supported until they are ready to rejoin the class.
- The distinction between planned physical interventions (where incidents are foreseeable) in that they have occurred previously and a response planned following an appropriate risk assessment and the use of force in emergency situations (which cannot reasonably be anticipated).
- 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.

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

Positive handling at Elements Primary School 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 Serious Incident Book. This is a hard-backed book, with numbered pages, retained by the Executive Principal.

Appropriate documentation 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 Executive Principal.

After the review of the incident, a copy of the details along with a copy of the Behaviour Policy and Care and Control Policy for that date will be kept in school for 25 years ( legal duty of the school )

A Health and Safety Accident/Incident Form will be completed and returned to the Authority in situations where injury has occurred to either members of staff or pupils.

### **Action after an incident**

Where staff have been involved in an incident involving reasonable force they should have the opportunity for a brief period of rest.

The Executive Principal 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:

- Review of the pupil's IEP/ Provision Map.
- School Behaviour Policy.
- Exclusions Procedure.
- Child Protection Procedure.
- Staff or Pupil Disciplinary Procedure.

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.

### **Monitoring incidents**

Whenever a member of staff has occasion to use reasonable force, this will always be recorded and documented following agreed procedures. Monitoring of incidents will help to ensure that staff are following the correct procedures and will alert the Executive Principal 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 used to inform planning to meet individual pupil and school needs. A Register of False Accusations made

against staff will be maintained as an additional safeguard for staff working in this difficult area.

## **Appendix 1**

### **Key Stage 2 Fight Policy**

When a member of staff is alerted to a fight that has broken out in Key Stage 2 they will respond with the following actions:

- Shout - STOP
- Other children must leave the vicinity immediately.
- If a crowd of children remain and encourage the fighting, they will be punished along with the children who are fighting.
- The members of staff present follow the policy for restraining.

Pupils will be informed of the Key Stage 2 Fight Policy and the consequences.

Staff should note that pupils have a legal right to defend themselves . Staff have a duty to plan to reduce the risk of fights.