
OUR LADY IMMACULATE CATHOLIC PRIMARY SCHOOL CARE AND CONTROL POLICY (INCORPORATING PHYSICAL INTERVENTION)

“The use of Positive Handling to manage physically challenging behaviour.”

The policy has been developed in response to DfE non statutory guidance, ‘The Use of Reasonable Force’. July 2013. It also takes cognisance of DfES, DOH Guidance for Restrictive Physical Interventions, ‘Guidance on the use of restrictive intervention for children who display Extreme Behaviour in association with Learning Disability and/or Autistic Spectrum Disorder’ (July 2002). Additionally the policy follows the policies and guidance of Liverpool Local Authority Children’s Services in relation to Safeguarding.

This policy should be read in conjunction with other school policies relating to interaction between adults and children. e.g. Child Protection, Health and Safety, Behaviour.

This policy has been prepared for the support of all teaching and support staff who come into contact with children and for volunteers working within the school to explain the school’s arrangements for care and control. Policy contents are available to parents and carers. A statement about the school’s Behaviour Policy/Code of Conduct is made to parents and carers in the parent/carers booklet.

Purpose of policy

Good personal and professional relationships between staff and children are vital to ensure good order in the school. It is recognised that the majority of children in the school respond positively to the discipline and control practiced by staff. This ensures the wellbeing and safety of all children and staff in the 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. Our Lady Immaculate Catholic 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 the 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.

Implications of the policy

Section 93 of the Education and Inspections Act 2006 enables school staff to use such force as is reasonable in the circumstances to prevent a child from doing, or continuing to do, any of the following:

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- Committing any offense (or, for a child under the age of criminal responsibility what would be an offense for an older child)
- Causing personal injury to, or damage to the property of, any person (including the child himself);
- Prejudicing the maintenance of good order and discipline at the school or among any children receiving education at the school, whether during a teaching session or otherwise. (Section 93 of the Education and Inspections Act 2006 makes it clear that force may be used to prevent behaviour that prejudices the maintenance of school discipline regardless of whether that behaviour would also constitute a criminal offense.)

Who may use physical control?

All school staff members have a legal power to use reasonable force in the situations described above however members of staff should not put themselves at risk. An individual would not be seen as failing in their duty of care by not using force to prevent injury, if doing so threatened their own safety.

- See Appendix 1 Protocols for lunchtime
- See Appendix 2 Protocols for supply staff

Individual members of staff cannot be required or directed to use physical restraint. However, as teaching and non-teaching staff work in 'loco parentis' and should always operate with an appropriate 'Duty of Care', should the school's policy not be adhered to by individuals, it is not unforeseeable that claims of care could be levied against them.

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 children, staff or property are at risk.

Definitions of Positive Handling

No legal definition of reasonable force within a school's context exists, however, for the purpose of this policy and the implementation of it in Our Lady Immaculate Primary School:

'Reasonable Force uses the minimum degree of force necessary for the shortest period of time to prevent a child harming himself, herself, others or property'.

The scale and nature of any physical intervention at Our Lady Immaculate Catholic 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 Our Lady Immaculate Catholic Primary School. This policy aims to provide a transparent overview of how we as a staff team use physical contact to both care for and, where appropriate control children within the

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school. Working within the *school's mission statement* and our code of conduct, our Care and Control policy describes the acceptable physical interaction between staff and children on a daily basis. Based on the principles of moving from least intrusive to more restrictive holding, our policy has divided interaction into three definable areas.

Physical Contact

Situations in which physical interaction occurs between staff and children to either care for children 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 Early Years Foundation Stage/National Curriculum. In addition, staff will also use positive touch to comfort children and as part of the PSED/SEAL curriculum in order to teach them safeguarding behaviours which are more appropriate ways of seeking attention. Where possible staff will always endeavour to use "safe hugs", the "friendly hold" and "helpful hugs".

Physical Intervention/control

This may be used to divert a child from destructive or disruptive action, for example guiding or leading a child by the arm or shoulder with little or no force. The techniques implemented here will include "turn, gather, guide" and the "small child hold". The important factor within these situations is the compliance of the child. For example, staff are guided by the level of compliance or resistance of the child.

Restrictive Physical Intervention

This will involve the use of reasonable force when there is an immediate risk to children, staff or property. It is important to note that the use of "reasonable force" *should be seen as a last resort (emphasis TINA – There Is No Alternative)*. All such incidents are to be recorded and given to the leadership team for storage within a child's file.

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

- Positive Handling
- CALM (Communicate, Awareness and Assessment, Listen and Look) Body Language
- Be Aware of 6 Signs of Crisis
- De-escalation Skills
- Help Scripts
- Caring C

As indicated, the level of compliance from the child determines whether or not the interaction is an *intervention or a restrictive physical intervention* (staff need to be clear of the difference). If staff are in doubt then the incident should be recorded on the school use of reasonable force form (green form). Leadership team will follow the recording of the incident up with individual members of staff where necessary.

Underpinning values

Everyone attending or working at Our Lady Immaculate Catholic Primary School has a right to:

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- be recognised for 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.

Children attending Our Lady Immaculate Catholic Primary school and their parents/carers have a right to:

- individual consideration of child's needs by the staff who have a responsibility of their care and protection;
- expect staff to undertake their duties and responsibilities in accordance with the schools policies;
- be informed about the school procedures, relevant policies and the expected code of conduct of all children and staff working in Our Lady Immaculate Catholic Primary School
- be informed about the school's complaints procedure.

Authorised staff

At Our Lady Immaculate Catholic Primary School, all staff in charge of children are authorised to use reasonable force within the context of DfE non statutory guidance 'The Use of Reasonable Force' April 2012. Reference paragraph 2.

The school provides the opportunity for all staff to be trained and the headteacher retains a list of all those trained staff. The list is reviewed on an annual basis (or more frequently if the context requires it).

Authorisation is not given to volunteers or parents/carers.

Supply staff and support services will not appear on the 'authorised persons list' unless they can offer valid certification in the Team Teach Approach and are familiar with the school's policy. The Headteacher will be accountable for their actions whilst in the school. All Behaviour Support Plans and Positive Handling Plans will be made available to all staff working directly with the children concerned. Protocols and expectations around these plans will be made clear to supply/support staff.

See **Appendix 2** - Protocols for supply staff and support services

The Headteacher is responsible for making clear to whom such authorisation has been given, in what circumstances and settings they may use force and for what duration of time this authorisation will last. The Headteacher will ensure that those authorised are aware of and understand, what the authorisation entails.

Those whom the Headteacher has not authorised will be told what steps to take in the case of an incident where control or restraint is needed.

Training

Training for all staff will be made available and is the responsibility of the Headteacher prior to any practical training theoretical aspects of effective behaviour management will have been delivered

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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.

Our Lady Immaculate Catholic Primary School is committed to implementing the Team Teach Approach, “working together to safeguard people and services”. Further information in relation to Team Teach can be found at www.team-teach.co.uk. Team Teach is accredited by The Institute of Conflict Management.

Restrictive physical techniques are not used in isolation and Our Lady Immaculate Catholic 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. (The process of Reflect Repair and Rebuild).

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

All the techniques used take account of a young person’s:

- age,
- gender
- level of physical, emotional, and intellectual development
- special needs
- social context

They should also provide a gradual system of response.

Where appropriate Behaviour Support Plans are written for individual children and where possible, these will be designed through multi agency collaboration.

Risk Assessments are 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 utilise consistent positive strategies to encourage acceptable behaviour and good order.

Every effort will be made to resolve conflicts positively and without harm to children 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.

- Verbal acknowledgement of unacceptable behaviour with request for the child 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;

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- 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 other colleagues.
- Restrictive physical intervention/ Reasonable force being used to prevent a child harming him or herself, others or property.

Training in restrictive physical intervention given to staff will include sections on the current legal framework, background, theory and rationale behind the Team Teach 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 children, 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 child remains safe.

Types of Incident

Examples of situations that may call for judgements of this kind include:

- A child attacks a member of staff or another child;
- Children are fighting;
- A child is engaged in, or is on the verge of committing, deliberate damage or vandalism to property;
- A child is causing, or at risk of causing, injury or damage by accident, by rough play, or by misuse of dangerous materials or objects;
- A child 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 child absconds from a room or tries to leave the school (NB this will only apply if a child could be at risk if not kept in the room or in the school).
- A child persistently refuses to follow instruction to leave a situation of danger.
- A child is behaving in a way that is seriously disrupting an activity.

It is important to note that the use of reasonable force will only be applied at this school as a last resort, when all other alternatives have been exhausted and that any force used will be reasonable, proportionate and absolutely necessary.

Acceptable measure of physical intervention

See Appendix 3 Agreed Positive Strategies used by Our Lady Immaculate Primary School

- Strategies for 'de-escalation' or 'diffusion' which can avert the need for a physical intervention – i.e. Calming Script, Help Script, Help Protocol.
- Guide child away by elbow using 'Caring C'.
- Turn, Gather, Guide.
- Refer to Behaviour Policy.
- Calm Stance.
- Help Script for children as in appendix.

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- *'Time Out* which involves restricting the child's access to all positive reinforcements as part of the behavioural programmed in a room or area. (Section 3.13 DfES/DOH, July 2002)
(Time out is supported by the use of individual behaviour support plans. Time out may be self-directed or suggested by staff and is used alongside other behaviour change interventions. "Time out and seclusion" by Sharon Paley, BILD 2009.)
- *'Withdrawal'* which involves removing the child 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. (Section 3.13 DfES/DOH, July 2002)
- Seclusion is never used at Our Lady Immaculate Catholic Primary School.
- First aid procedures to be employed by 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 Our Lady Immaculate Catholic Primary is seen as a proactive response to meet individual child 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.

A specific script used by staff at Our Lady Immaculate Catholic Primary School in order to support each other is the 'Help Protocol'. The following provides an aide memoir of this script

Help Protocol

"Hello Mr/Mrs (name of staff)", where appropriate the child should also be engaged by the use of their name. "Would you like some help?"

The response from the member of staff should always be – "Yes please".

"How can I help?" is the question that should then be posed allowing the member of staff originally involved in the incident to retain control of the situation.

"You can help by....." enables effective support to be provided for all concerned.

If a situation arises where it is evident that support is required but it is refused the incoming member of staff will use the phrase "I am available for more help".

The response should then be "what do you suggest".

The member of staff then replies "I would like you to.....and I'll catch up with you later". The final statement should always be followed up so as to ensure the professional relationship between colleagues remains untarnished.

Recording

Where physical control or restraint has been used a record of the incident will be kept. This record should be made on the school's record of the use of reasonable force form (green). Use of reasonable force forms will be completed as soon as possible after the incident, normally prior to

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staff going off duty and be signed by all staff involved and the Headteacher. A member of the Leadership Team will oversee the use of reasonable force form and support the member of staff where needed. After the review of the incident, a copy of the details will be placed on the children's file. A Health and Safety Accident/Incident Form (AC11) will be completed and returned to the Authority in situations where injury has occurred to either members of staff or children. Where staff have been involved in an incident involving reasonable force they should have access to on-site counselling and support.

Action after an incident

The Headteacher/Senior Management Team 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 child, this will be pursued through the appropriate procedure:

- Reflect, Repair and Rebuild process completed with child and staff member
- Review of Behaviour Programme/IEP/PSP/Positive Handling Plan
- Child Protection/Safeguarding Procedure (this may involve investigations by Police and/or Social Services.
- Staff or Child Disciplinary Procedure).
- Behaviour Policy.
- Exclusions Procedure in the case of violence or assault against a member of staff or other children.
- 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/carers should reduce the likelihood of complaints but may not eliminate them. Any complaints about staff will be investigated through the schools Complaints Policy. If necessary, the complaint will be dealt with by the Staff Disciplinary Procedures and/or Child Protection/Safeguarding 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 Headteacher to the needs of any child/ren 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 children and school needs.

To support the Headteacher and school and ensure objectivity the School Improvement Partner/SIP to the school will be involved with the monitoring process. In addition, at Our Lady Immaculate Catholic Primary School, the Chair of the Governors is the named representative who supports this process by undertaking audits of incidents and feeding back findings to the Headteacher and Governing Body where necessary.

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APPENDIX 1

Protocols for Lunchtime

Untrained lunchtime staff are always accompanied by trained TEAM TEACH staff and as endorsed in the school's Behaviour Policy, all staff will use consistent positive strategies to encourage acceptable behaviour and good order.

If an incident occurs that requires restraint, we expect unauthorised staff to:

- Call for additional support from school trained staff using either school walkie-talkie or a responsible child messenger
- Take responsibility for removing the rest of the children while trained staff deal with the child.
- Complete a school serious incident with restraint form after the event before leaving the school premises for the day.

APPENDIX 2

Protocols for Supply Staff and Support Services

Supply staff and support services will use consistent positive strategies to encourage acceptable behaviour and good order as endorsed in the schools Behaviour Policy and as stated within Individual Behaviour Plans and /or Positive Handling Plans.

If an incident occurs that requires restraint, we expect supply staff/support services to:

- Call for additional support from school trained staff maybe using a responsible child messenger.
- Take responsibility for removing the rest of the children while trained staff deal with the child.
- Complete a school serious incident with restraint form after the event before leaving the school premises for the day.

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APPENDIX 3

Agreed Core Strategies

State the Obvious	The Help Script	Choice Drivers	One Calm Voice
Partially Agree ("Yes, and...")	Tactically Ignore	Reflect, Repair, Rebuild	"Thanks"
The Help Protocol	Lead into Learning	Proximity Support	Personal Space