

Christ Church C of E Primary School



Physical Intervention Policy

DATED: October 2019

Signed:

Love must be completely sincere. Hate what is evil, hold on to what is good. Love one another warmly as Christians, and be eager to show respect for one another. Work hard and do not be lazy. Serve the Lord with a heart full of devotion. Let your hope keep you joyful, be patient in your troubles, and pray at all times."

Romans 12:9-12

Mission Statement

Together we can do all things through Christ who strengthens us

Our mission is to love all children who are part of our community helping them develop respect, tolerance, self-confidence and to become the best they can be.

We will support our children to develop their God given gifts to the full and encourage a life-long passion for learning which will successfully lead them into secondary school and beyond.

As a church school at the heart of Moreton community, our work is underpinned by the Christian values of *friendship, humility, forgiveness, compassion, justice and service* which Jesus helps us to achieve.

We are a welcoming, caring and inclusive school committed to working in partnership with parents, governors, Christ Church and Chester Diocese Academy Trust.

We strive to provide a rich and varied curriculum which reflects God's concern for the whole child; promoting spiritual, moral, cultural, physical and emotional wellbeing alongside academic excellence and independence.

As a school community, we all work together to provide the very best for our pupils and families; firmly believing that:

Together we can do all things through Christ who strengthens us

POLICY ON THE USE OF PHYSICAL INTERVENTION

The school is committed to safeguarding and promoting the welfare of children and expects all staff to share this commitment.

Introduction

Any misconception that physical contact between responsible staff and a child is in some way unlawful should be dispelled. It is not the case that all physical contact should be avoided and in some cases it is entirely necessary. For example, for some children, close contact is important when tending to care needs, or for other children, a gentle hand on shoulder can be comforting when distressed. Nevertheless, it is important that adults only touch children in ways that are appropriate to their professional role and with due regard to what is acceptable to the individual child.

Staff should respond to young people in a way that gives expression to an appropriate level of care whilst also protecting against the physical contact being misinterpreted by the young person. When considering whether physical contact is appropriate in any given situation, the following points may be helpful:

- Staff should be respectful of any individual or cultural sensitivities to touch
- If at any time a child demonstrates verbally or otherwise that he, or she, is not comfortable with physical contact, staff should seek to respect this and respond accordingly
- Physical contact should never be secretive, or conducted in any way that may be considered indecent, or represent a misuse of authority
- A high proportion of children and young people with emotional and behavioural difficulties may have experienced sexual and/or physical abuse. Staff need to ensure that any physical contact is not open to misinterpretation
- Age and maturity should be considered in deciding appropriate physical contact
- Children and young people should be given advice and guidance with regard to socially appropriate/inappropriate situations to seek physical comfort
- Where a member of staff feels that it would be inappropriate to respond to a child or young person who is seeking physical comfort, the reasons should be explained to the child. This avoids unintended feelings of rejection. The child should then be supported in the appropriate way.
- A duty of care to children and young people may require the use of restrictive physical intervention as a last resort to prevent harm to themselves or others. This needs to be used in such a way that is not punitive, is the least restrictive option, is safe, and does not cause pain. This guidance is intended to assist all staff working with children and young people in Christ Church to have the confidence to use physical contact where appropriate, so that they can provide the best care to children, while maintaining their own well-being, preventing harm to the child and protecting all concerned from being placed in an unnecessarily vulnerable situation.

Objectives

- To maintain the safety of pupils and staff
- To prevent serious damage to property

This policy is shared and communicated to all staff and parents.

Recent guidance from the DfE/DoH (November 2017) on the reduction of use of RPI underpins the principles outlined in this policy. The Core Values and Key Principles within the draft guidelines are:

Core Values 24. The following core values, drawn up with reference to the Independent Restraint Advisory Panel's review of restraint systems used in secure children's homes, are relevant to all of the settings and services to whom this guidance applies:

- A focus on the child or young person's safety and welfare should underpin any use of restraint.
- Children, young people and staff, should be treated fairly and with dignity and respect. • Minimising the risk of harm to children, young people and staff should be a key priority.
- The needs and circumstances of individual children and young people should be considered and balanced with the needs and circumstances of others because decisions on whether or not to restrain or intervene with an individual affect others, including staff.
- Where possible, a decision to restrain a child or young person should be based on their best interests balanced against respecting the safety and dignity of all concerned, including other children, young people or adults present.

Key Principles 25. The following key principles are offered to guide settings and services in developing their policies and practice on behaviour and the use of restraint:

- There will be times when restraint is needed to safeguard the individual or others but, broadly speaking, restraint should be the last response to behaviour that challenges. De-escalation techniques, appropriate to the child or young person, set within a positive and proactive approach to behaviour, should always be used to try and avoid the need to use restraint.
- Use of restraint should be based on assessment of risk. Page 7 of 66 Touch and the use of restrictive physical intervention when working with children and young people v14.3 Vulnerable Learners Team – December 2017
- There would be a real possibility of injury or harm to the child or young person, other children or young people, to staff, the public or others if no intervention or a less restrictive intervention were undertaken.
- An intervention should be in the best interests of the child or young person and balanced against respecting the safety and dignity of all concerned, including other children, young people or adults present.
- Restraint should not be used to punish or with the intention of inflicting pain, suffering or humiliation.
- The techniques used to restrain or restrict liberty of movement must be reasonable and proportionate to the circumstances, risk and seriousness of harm; and be applied with the minimum force necessary, for no longer than necessary, by appropriately trained staff.
- Use of restraint, reasons for it and consequences of its use, must be subject to audit and monitoring and be open and transparent.
- When reviewing plans for restraint with children and young people, those with parental responsibility or, where appropriate, advocates should be involved.

Minimising the Need to physical intervention

Use of physical intervention is only used as a last resort and procedures are in place at Christ Church School to create a calm environment and supportive school climate that lessens risk of any kind. Effective relationships are developed between staff and pupils and RE and PSHE activities support pupils in managing conflict and coping with feelings. Staff are also given guidance and training in how to manage pupil behaviour positively.

The application of a restrictive physical intervention should be an act of care not of punishment or aggression and should not be used to force compliance with staff instructions when there is no immediate risk to the child or other individuals. Only the minimum force and least restrictive intervention necessary to prevent injury or to remove the risk of harm should be applied, and if used, this should be accompanied by calmly letting the child/young person know what they need to do to remove the need for restrictive physical intervention. The intervention should be used for the shortest possible time.

The scale and nature of any physical intervention must be proportionate both to the risk presented and to the nature of the harm they might cause or suffer.

Staff Authorised to Use physical intervention

All teachers and staff authorised by the Headteacher who have control or charge of pupils automatically have the legal power to use physical intervention and lawful use of force will provide a defence to any related criminal prosecution or other legal action. This includes all teachers and support staff. Members of staff should not put themselves or any pupil at risk. An individual would not be seen to be failing in their duty of care by not using force to prevent injury, if doing so threatened the safety of themselves or others.

Physical intervention which is restrictive can be regarded as using reasonable force. The Governing Body of Christ Church Primary School has adopted DCSF guidance on 'the Use of Force to Control or Restrain Pupils'. Most of the guidance is non-statutory, though staff are strongly advised to follow all sections of the guidance, but the section on 'recording and reporting significant incidents' is statutory.

Definitions

There is no statutory definition of 'reasonable force'. It depends on:-

- whether the force used is justified in the context in which the incident takes place.
- whether the force used is proportionate to the consequences it is intended to prevent.
-

In schools force is generally used for two different purposes – to 'control' and to 'restrain' pupils

Control means either passive contact (standing between pupils) or active physical contact (**leading** a pupil by hand or arm)

Restraint is when staff physically prevent a pupil from continuing what they were doing when told to stop, or when involved in a fight

School staff should always avoid acting in a way that might cause injury, but in extreme cases it may not always be possible to avoid injuring a pupil.

Deciding Whether to Use Reasonable Force

Staff should only use reasonable force when:

- the potential consequences of not intervening were sufficiently serious to justify considering use of force
- the chance of achieving the desired result by other means were low
- the risk associated with not using force outweighed those of using force

According to Section 93 of the Education and Inspections Act 2006 **reasonable force can be used in the following circumstances:-**

- where a criminal offence is being committed
- self defence or where pupils may injure themselves or others
- where the behaviour is prejudicial to maintaining good order and discipline at the school or among the pupils
- a risk of significant damage to property
- where the action occurs on the school premises or during an authorised activity off the premises

If a member of staff decides that the use of reasonable force is appropriate and an action of last resort then they should always:-

- advise giving a warning to the child or young person that a physical intervention may have to be used.
- suggest how the child is to be handled ensuring that no form of restraint is used that could constrict breathing. Appropriate means are passive physical contact such as standing between children or young persons or blocking a child's path, leading a child or young person by the hand or arm, ushering a child or young person away by placing a hand in the centre of the back or in more extreme circumstances using appropriate restrictive methods that a member of staff has been trained to perform.
- try to ensure that they do not use force unless or until another responsible adult is present to support, observe or call for assistance.

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 or trip
- prevent a pupil leaving the classroom where allowing them 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 on the playground
- Restrain a pupil at risk of harming themselves through physical outbursts
- prevent a child who is causing or on the verge of committing deliberate damage to property.
- Prevent a child causing or is at risk of causing injury or damage by rough play or use of an object.
- Prevent a child from absconding from a class or leaving school at an unauthorised time.

Communicating the School's Approach to the Use of Physical Intervention and Reasonable Force

This is done through the behaviour policy and this policy. Schools do not require parental consent to use reasonable force on a student but makes policies available to parents.

Using physical Intervention and Reasonable Force

At all times the degree of physical intervention used should be the minimum needed to achieve the desired result and it cannot be used to prevent trivial misbehaviour. The judgement on whether to use physical intervention and what physical intervention to use should always depend on the circumstances of each case.

If at all possible, prior to physical intervention, pupils should be warned that reasonable force may have to be used.

Physical Intervention can take a number of forms, for example:

- physically interposing between pupils
- standing in the way of a pupil
- holding
- leading a pupil away from an incident by the hand
- holding the tops of both arms or both hands
- sitting the child on your lap with a 'hug' to restrict movement and calm the child down (Keep your chin away from the head.)
- going for a walk so that the child is doing the holding – 'which finger will you hold?' – trying to negotiate
- taking shoes off if there is a chance you will get kicked
- staff sitting either side of a child whilst they regain self-control

Advice for Staff

- 1) Stay calm and keep repeating the request to calm down in a quiet voice. Try to de-escalate the situation.
- 2) Get down to the child's level if possible.
- 3) Remember reasonable force is a last resort and try to ensure another adult is available if the situation requires it.
- 4) Never get involved physically with a child when you are angry – hand over to someone else.
- 5) Force that should **NOT** be used includes holding round the neck, kicking, slapping or punching, forcing limbs against joints, tripping or holding by hair or ear, holding face down on the ground.
- 6) Any form of force or restraint that is likely to injure a pupil (particularly anything that could constrict breathing) should only be used in extreme **emergencies** and where there is no viable alternative.

Pupils with SEN or Disabilities

The SENCO is directly involved in reviewing the needs and management programme of pupils with SEN and behavioural difficulties. An individual risk assessment is drawn up where it is known that force may be likely to be used to restrain a particular pupil, such as with a pupil with SEND or poor behaviour. This gives clear guidance on 'positive handling plans' and takes into account issues identified on a pupil's statement. Staff coming into contact with such vulnerable pupils need to be made aware of situations that may provoke difficult behaviour, preventative strategies and what de-escalation strategies are likely to work.

Parents are made aware that such a risk assessment is in place for their child and the school seeks express written consent from the parent to inform staff about their child and acknowledging that physical intervention may at times be necessary.

Pupils experiencing difficulties should also be given guidance/ strategies to cope when faced with times of crisis.

Staff Training

The school will decide whether a member of staff requires specialised training in the use of physical intervention. The school currently uses React UK to support them in these circumstances and a number of staff are trained annually.

Recording and Reporting Significant Incidents

This part of the guidance is statutory

The governing Body must ensure appropriate procedures are in place for recording and reporting significant incidents where a member of staff has used reasonable force on a pupil.

An incident is significant and requires a written record when the answer is 'yes' to any of the following questions:-

- did the incident cause injury or distress to a pupil or member of staff?
- even though there was no apparent injury or distress, was the incident sufficiently serious in its own right to require a written record? (ie involved restrictive holds)
- is a written record needed to justify use of reasonable force? (especially when judgement finely balanced)
- is a record needed to help identify and analyse patterns of pupil behaviour or staff training needs?
- Were other agencies involved, such as the police?

The record should be compiled by the member of staff involved with the Headteacher or Assistant Headteacher checking the record on the attached Incident Form (see Appendix 1). The member of staff involved has a copy of the completed incident form.

All injuries are also recorded in line with other school procedures (see first aid policy etc)

Parents, as soon as is practicable, are told when and where the incident took place, why reasonable force was used, what force was used, whether there were any injuries and what follow up action (support and /or disciplinary) was being taken in relation to their child.

If a child is subject to a care order the local authority is also informed. (If reporting the incident to a parent may result in significant harm to the child then the LA is informed.) If appropriate other external agencies are informed such as the Safeguarding LA Officer, CDAT CEO, the Health and Safety Executive etc.

The record forms part of the child's educational record. Further detail on what information should and should not be disclosed is available in the DFE guidance on Use of Restraint

Post Incident Support

Care is taken after an incident to ensure both staff and pupils are supported including meeting immediate medical needs, rebuilding relationships and reflecting on the incident so lessons can be learned.

Heads report incidents to the Governing Body and they monitor incidents where physical intervention with reasonable force has been used.

Complaints and Allegations

If a complaint is made reference is made to the school's complaints procedure. Further guidance is available in 'Use of Reasonable Force – Advice for Headteachers, Governing Bodies and staff'.

What about other physical contact with pupils?

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 or necessary are:

Holding a hand

Comforting a distressed pupil

Giving praise or congratulation

Demonstrating how to use a musical instrument

Demonstrating exercises or techniques during PE

To give first aid.

This policy has been reviewed in line with the 9 principles set out in the Single Equality Policy and an initial screening Equality Impact Assessment has been carried out.

This document should be read in conjunction with the school' Behaviour Management and Safeguarding Policies & Child Protection procedures, DfE Non Statutory Guidance for Schools – Use of Reasonable Force (2011), Use of Physical or Restrictive Intervention in the Management of Challenging Behaviour.

Names of Staff Members who have been trained in Physical Intervention & Reasonable Force By REACT UK:

CHRIST CHURCH
C OF E PRIMARY SCHOOL
USE OF PHYSICAL INTERVENTION TO CONTROL OR RESTRAIN PUPILS:
INCIDENT RECORD (appendix 1)

Name of Child	D.O.B.
Class:	Date & Time of Incident:
Duration & Location of Incident	
Names of staff involved (directly or as witnesses)	
Details of other pupils involved (directly or as witnesses) including whether any of the pupils involved were vulnerable for SEN, disability, medical or social reasons.	
What Risk Was Identified That Determined The Need for Physical Intervention?	
Description of incident by the staff involved, including any attempt to de-escalate & warnings given that physical intervention or reasonable force may be used	
Reason for using physical intervention and description of reasonable force used	

Any injury suffered by staff or pupils and any first aid and/or medical attention required

Follow – up, including post incident support and any disciplinary action against pupils

Any information about the incident shared with staff not involved in it & external agencies

When and how those with parental responsibilities were informed about the incident and any views expressed.

Report compiled by:
Name/ Role:
Signature
Date:

Report countersigned by:
Name/ Role:
Signature
Date: