

CARE AND CONTROL OF CHILDREN

Physical control of children 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. The application of any form of physical control places staff in a vulnerable position.

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. Behaviour management plans will be put in place by SLT for those children that need them. These will be done in discussion with parents.

DEFINITIONS

Physical Contact: situations in which appropriate physical contact occurs between staff and children, e.g, in the care of children with learning disabilities; in games/PE; to comfort children, and to provide age appropriate physical comfort.

Physical Intervention: may be used to divert a child from a destructive or disruptive action, for example guiding or leading a child by the hand, arm or shoulder with little or no force. Physical intervention uses the minimum degree of force necessary for the shortest period of time to prevent a child harming himself, herself, others or property.

Physical Control/Restraint: involves the use of reasonable force when there is an immediate risk to children, staff or property. All such incidents must be recorded.

UNDERPINNING VALUES

Children attending this school, and their parents, have a right to:

- Individual consideration of a child's 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 policies;
- Be informed about school rules, relevant policies and the expected conduct of all children and staff working in the school;
- Be informed about the school complaints procedure.

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

AUTHORISED STAFF

All school staff members have a legal power to use reasonable force to prevent children committing a criminal offence, injuring themselves or others or damaging property, and to maintain good order and discipline.

Staff members can sometimes be worried that using force will lead to false allegations of unreasonable or unlawful conduct in the form of a complaint or legal action. But if the force used is reasonable all staff will have a robust defence against any accusations. This guidance is intended to help staff feel more confident about using force when they think it is right and necessary.

Section 93 of the Education and Inspections Act 2006 enables school staff to use reasonable force to prevent a child from:

- causing personal injury or damage to property; or
- prejudicing the maintenance of good order and discipline at the school or among any child receiving education at the school, whether during a teaching session or otherwise.

The staff to which this power applies are:

- any member of staff at the school;
- any other person whom the Head has authorised to have control or charge of children. This can also include people to whom the Head has given temporary authorisation to have control or charge of pupils such as unpaid volunteers (for example parents accompanying pupils on school-organised visits); and does not include any children.

All members of school staff are authorised by law to use force when necessary. Under no circumstances will students or volunteers use force or physical restraint.

STRATEGIES FOR DEALING WITH CRISIS BEHAVIOUR

Staff consistently use positive strategies to encourage acceptable behaviour and good order. These are described in the School's Behaviour Policy.

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);
- Follow procedures to remove objects, furniture and other children away from the child and allow time for the child to calm down. Use CALM techniques, (low voice, intermittent eye contact, open palms). Consider substituting adult and always ensure another adult is aware of the situation. Avoid moving the child unless this is necessary for safety of the child and others
- If the child needs to be moved, give a warning of intention to intervene physically and summon assistance
- Physical intervention. Reasonable force using the minimum degree of force to prevent a child harming him or herself, others or property. Children must not be picked up and carried when they are at the crisis stage
- Where a child has special educational needs that may make the use of force more necessary, a risk assessment must be in place as part of the planning for that child.

ESCALATING SITUATIONS

The 1996 Education Act (Section 55O A) stipulates that reasonable force may be used to prevent a child 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 children, whether the behaviour occurs in a classroom during a teaching session or elsewhere (this includes authorised out-of-school activities);
- Self-injuring or placing himself or herself at risk;
- Injuring others;
- Causing damage to property, including that of the child himself or herself;

An incident is considered to be *significant* where:

- Substantial force has been used
- The child has been very distressed
- The child's behaviour and the level of risk to self/others was substantial
- The child or adult involved in the incident is distressed, shocked or traumatised
- The incident is part of a series of repeated behaviour which is a cause for concern.

If staff are in doubt about the significance of an incident, they should seek guidance from the Head Teacher, however if the Head is not available a report should be made (see appendix 1).

ACCEPTABLE MEASURES OF PHYSICAL INTERVENTION

The use of any degree of force can only be deemed reasonable if:

- It is warranted by the particular circumstances of the incident;
- It is delivered in accordance with the seriousness of the incident and the consequences which it is desired to prevent;
- It is carried out as the minimum to achieve the desired result;
- The age, understanding and gender of the child are taken into account;
- It is likely to achieve the desired result.

Wherever possible assistance should be sought from another member of staff before intervening.

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

This form of physical intervention may involve staff:

- Physically interposing themselves between children;
- Blocking a child's path;
- Escorting a child;
- Shepherding a child away.

Wherever reasonable force is used, staff must keep talking to the child.

RECORDING

Where physical intervention has been used to manage a child, a record of the incident **may** need to be kept. Where a greater level of physical control or restraint has been required, a record of the incident **will** be kept.

Details will be recorded on a serious incident record (see appendix 1).

Staff may find it helpful to seek advice from a senior colleague or representative of their professional association/union when compiling a report. They should also keep a copy of the report.

After the review of the incident, copies of a serious incident record will be placed on the child's file and in the school's general file on the use of reasonable force.

A Health and Safety Accident/Incident Form (HS1) will be completed and returned to the Authority.

Where staff have been involved in an incident involving reasonable force they will be supported through a de-briefing interview with their line manager. They should have access to counselling and support. Within the school, this will be made available through the Head Teacher. Staff may also contact the Directorate Stress Line and/or the County Council's Welfare and Counselling Section.

REPORTING TO PARENTS

- In line with good practice, each parent should be informed of significant incident where force has been used on their child. In this case 'parent' has the meaning given by section 576 of the Education Act 1996, and so will include people having day-to-day care of the child and the local authority where a child is the subject of a care order. Section 576 also deems the local authority as a 'parent' in the case of children who are looked after under section 20 of the Children Act 1989.
- The 2010 Guidance on the Use of Force qualifies the requirement for a report to be made to parents by making an exception where to do so is likely to result in significant harm to the pupil. **The Secretary of State's view is that in this case, significant harm is where a child is chastised inappropriately and/or excessively.**
- A school might already be aware that a particular parent is likely to respond inappropriately in response to an incident involving their child and the school may have already instigated safeguarding procedures. The risk of significant

harm in these circumstances would be heightened for pupils who are vulnerable because of their special educational needs, disability or other medical reasons.

- Ideally it is best to telephone parents as soon as possible after the incident before confirming details in writing. It is also good practice for parents to be given a copy of the school's policy on the use of force and information on post-incident support at the same time.
- All injuries should be reported and recorded in accordance with LCC procedures. The school should take action to report relevant injuries to staff or pupils to the Health and Safety Executive's Incident Contact Centre www.hse.gov.uk/riddor/index.htm
- It is good practice for governors to monitor incidents where force has been used. Head teachers have an important role in reporting such incidents to the governing body.

ACTION AFTER AN INCIDENT

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 child, this will be pursued through the appropriate procedure:

- Positive handling plan (Appendix 2)
- Child Protection Procedure (this may involve investigations by Police and/or Social Services)
- Staff Facing Allegations of Abuse Procedure
- Staff Disciplinary Procedure
- School Behaviour Policy.

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 dealt with under the School Complaints about Staff Procedure.

The Chair of Governors will be informed of complaints but other governors will not be involved as a complaint may require further action on their part.

MONITORING OF INCIDENTS

Whenever a member of staff has occasion to use reasonable force, this will always be recorded and documented.

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 child whose behaviour can only be contained by the use of reasonable force.

This process will also address patterns of incidents and evaluate trends, which may be emerging.

IMPLEMENTATION OF POLICY

To be implemented successfully the policy depends on:

- The leadership and monitoring role of the Head Teacher and the governing body
- The awareness and involvement of all staff
- The awareness and involvement of all students and supply staff
- Consistency of approach throughout the school
- Parental involvement and awareness
- Clear and positive explanations to children
- High expectations of children.

Clearly established links to LCC Child Protection Policy.

The staff member within the school responsible for behaviour management and the provision of expert advice in developing the skills necessary to support staff in managing children's behaviour is Christine Branscombe, the Head Teacher.

Appendix 1: Serious Incident Report

Seen by Head:	Date seen by Head:	Log number:
Section A		
Name of child:	Group:	
Date of incident:	Time:	Location:
Name of staff involved:	Names of witnesses:	
Reason for intervention (verbal or physical)		
Danger to self		Danger to others
Severe damage to property		Severe disruption to other children
Describe lead up to incident:		
De-escalation techniques used & effectiveness rating (1=Not Effective 10=Very Effective)		
Verbal advice & Support		C.A.L.M talking
Distraction		Options offered
Time out offered		Planned ignoring
Time out directed		Success reminded
Transfer adult		Supportive touch
Choices		Step Away
Reassurance		Negotiation
Model/prompt appropriate behaviour		Take up time
Praise Points (remind them of things they like)		Other: Please specify:

Details of incident:

<p>Details of incident:</p>

Section B Medical intervention (Please mark every box YES or NO)

Injury suffered by child		Accident report		Online accident report	
Injury suffered by staff		Accident report		Online accident report	
Injury suffered by others		Accident report		Online accident report	
Distress suffered by child		Please specify:			
Distress suffered by staff		Please specify:			
Distress suffered by others		Please specify:			

Action taken

Contact parents as soon as practical		Please specify:
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Section C Follow up

Repair & Reflection		Staff debriefing	
<p>Children:</p>			

Staff:

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Witness signatures		
Signed:	Date:	Independent advisor:

Appendix 2: Positive Handling Plan

Child's Name:

Date of Plan:

Review Date of plan:

What does the behaviour look like?

Stage 1 Anxiety Behaviours	Stage 2 Defensive Behaviours	Stage 3 Crisis Behaviours

What are common triggers?

De-escalation skills

	Try	Avoid	Notes
Verbal advice and support _____	<input type="checkbox"/>	<input type="checkbox"/>	
Giving space _____	<input type="checkbox"/>	<input type="checkbox"/>	
Reassurance _____	<input type="checkbox"/>	<input type="checkbox"/>	
Help scripts _____	<input type="checkbox"/>	<input type="checkbox"/>	
Negotiation _____	<input type="checkbox"/>	<input type="checkbox"/>	
Choices _____	<input type="checkbox"/>	<input type="checkbox"/>	
Humour _____	<input type="checkbox"/>	<input type="checkbox"/>	
Consequences _____	<input type="checkbox"/>	<input type="checkbox"/>	
Planned ignoring _____	<input type="checkbox"/>	<input type="checkbox"/>	
Take up time _____	<input type="checkbox"/>	<input type="checkbox"/>	
Time-out _____	<input type="checkbox"/>	<input type="checkbox"/>	
Supportive touch _____	<input type="checkbox"/>	<input type="checkbox"/>	

Transfer adult	<input type="checkbox"/>	<input type="checkbox"/>
Success reminded	<input type="checkbox"/>	<input type="checkbox"/>
Simple listening	<input type="checkbox"/>	<input type="checkbox"/>
Acknowledgement	<input type="checkbox"/>	<input type="checkbox"/>
Apologising	<input type="checkbox"/>	<input type="checkbox"/>
Agreeing	<input type="checkbox"/>	<input type="checkbox"/>
Removing audience	<input type="checkbox"/>	<input type="checkbox"/>
Others	<input type="checkbox"/>	<input type="checkbox"/>

Diversions and distractions / Praise Points

<ol style="list-style-type: none"> 1. 2. 3. 4. 5.
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Are there any factors to consider when debriefing? E.g. Communication aids, staff etc.

Hear Explain Link Plan	
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How should we record incidents and who should we inform?

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Headteacher:	Name:
Parents/Carers:	Name:
Social services (if applicable)	Name:
Educational Psychologist	Name:
Child	Name:
Other	Name:

