

St Laurence Catholic Primary School



*Through God's Grace a community
growing in love and understanding*

Policy for Physical Intervention with Pupils

1.0 Introduction

- 1.1 This policy is based on Department for Education (DfE) guidance “Use of reasonable force. Advice for headteachers, staff and governing bodies (July 2013). The corresponding Cambridgeshire County Council’s document “Cambridgeshire Policy and Guidance on the Effective Management of Behaviour” (June 2013, referred to below as “CCC”) may be used for further guidance.
- 1.2 St Laurence Catholic Primary School recognises that there is a need, reflected in common law, to intervene when there is an obvious risk of safety to its pupils, staff and property. The term ‘restrictive physical intervention’ should be interpreted as describing direct safeguarding action.
- 1.3 St Laurence Catholic Primary School is committed to ensuring that all staff and adults with responsibility for pupil’s safety and welfare will deal professionally with all incidents involving aggressive or reckless behaviour, and only use physical intervention as a last resort in line with DfE and Cambridgeshire County Council’s guidance. If used at all it will be in the context of a respectful, supportive relationship with the pupil. We will always aim to ensure minimal risk of injury to pupils and staff.
- 1.4 School staff have a power to use reasonable force and lawful use of the power will provide a defence to any related criminal prosecution or other legal action. All school staff are authorised to use physical intervention (see paragraph 10.0 of this document for details).
- 1.5 The nominated member of the School’s Senior Leadership Team with responsibility for advising on the implementation of this policy is the Head Teacher.
- 1.6 It is important to recognise that the use of restrictive physical interventions needs to be consistent with the Human Rights Act (1998) and the United Nations Convention on the Rights of the Child (ratified 1991). These are based on the assumption that every child and person is entitled to:
- respect for his or her private life
 - the right not to be subjected to inhuman or degrading treatment
 - the right to liberty and security
 - the right not to be discriminated against in his/her enjoyment of those rights.
- 1.7 Restrictive physical interventions need to be child specific, integrated with other less intrusive approaches, and should always be reasonable and proportional to the circumstances. They should recognise the need to maintain the dignity of all concerned as well as always being intended to preserve their safety. They must not become a standard way of managing children or a substitute for appropriate training
- 1.8 The Statutory Framework for the Early Years Foundation Stage (EYFS) states that physical intervention can only be taken for the purposes of averting immediate danger of personal injury to any person (including the child) or to manage a child’s behaviour if absolutely necessary

2.0 School Expectations

- 2.1 The best practice regarding physical intervention outlined below should be considered alongside other relevant policies in the school, specifically those policies involving behaviour, bullying, child protection and health and safety.

2.2 Section 93 of the Education and Inspections Act (2006) enables school staff to use such force as is reasonable in a range of circumstances including

- Risk to the safety of the pupils staff, or visitors;
- Risk of serious damage to property;
- Behaviour which is seriously prejudicial to good order and discipline; or

The committing of a criminal offence, (or for a pupil under the age of criminal responsibility, what would be an offence for an older pupil)

In the above situations, staff must judge whether or not physical interventions would be reasonable or appropriate. Whether the force used is reasonable will always depend on the particular circumstances of the case. The use of force is reasonable if it is proportionate to the consequences it is intended to prevent. This means the use of force should be no more than is needed to achieve the desired results. All staff should be aware that the use of physical intervention in response to a clear or developing danger of injury will always be more justifiable than the use of force to prevent damage or misbehaviour. The judgement over which approach to adopt in any circumstances will be based on the professional experience and expertise of the member of staff concerned.

2.3 This school is committed to ensuring that all staff and adults with responsibility for children's safety and welfare will deal professionally with all incidents involving aggressive behaviour, and only use physical intervention as a last resort, in line with DfE and LA advice, and always ensuring minimal risk of injury to pupils and staff. If pupils are behaving disruptively or anti-socially, every effort will be made to manage behaviour positively to prevent a deterioration of the situation and to restore a safe, secure environment.

2.4 All staff will understand the importance of listening to and respecting pupils to create an environment that is calm and supportive especially when dealing with pupils who may have emotional and behavioural needs that may increase their aggression.

2.5 All staff will understand the importance of responding to the feelings and well-being of the pupil, as well as to the behaviour itself.

3.0 Our Practice Regarding Specific Incidents:

3.1 Staff intervening with pupils will seek assistance from other members of staff as early as possible, since single-handed intervention increases the risks of injury to both parties and does not provide a witness.

3.2 All staff who become aware that another member of staff is intervening physically with a pupil will have responsibility to provide a presence and to offer support and assistance should this be required.

3.3 Before intervening in a non-emergency, consideration will be given to whether or not other staff are available to assist.

3.4 Where possible, staff who have not been involved in the initial confrontation leading up to an incident may be in a better position to intervene or restrain the pupil if this proves necessary. Staff should support colleagues by offering to take over the role of holding to minimise stress.

- 3.5 A pupil's behaviour may be adversely affected by the presence of an audience. Wherever possible, the audience will be removed, or if this is not possible, the pupil will be removed from the audience. The pupil and member(s) of staff will withdraw to a quiet, but not completely private, place (e.g., two members of staff should be present or a door left open so that others are aware of the situation).
- 3.6 Staff will be aware of the need to tell the pupil being restrained, in a calm and gentle manner that the reason for the intervention is to keep the pupil and others safe. Staff will explain that as soon as the pupil calms down, he/she will be released.
- 3.7 All staff should be supported by a back-up system to enable staff to call for help in emergencies (e.g. a member of staff will give a red card to a bystander pupil to take to the general office or staff room. The card indicates to staff that help is required urgently).

4.0 Physical Intervention/Restraint Approaches which can be regarded as reasonable in appropriate circumstances

4.1 The following approaches are regarded as reasonable in appropriate circumstances, after having used de escalation techniques (please note this is not an exhaustive list):

- a. standing between pupils;
- b. blocking a pupil's path;
- c. leading a pupil by the hand, forearm or arm, or arm and shoulder;
- d. ushering a pupil away by placing a hand in the centre of the back;
- e. in more extreme circumstances, using appropriate restrictive holds, which may require specific expertise or training.

4.2 Key Points

Schools can use reasonable force to

- Prevent a pupil at risk of harming themselves through physical outbursts
- 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, educational visit or trip
- 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 another pupil or member of staff

Schools cannot

- Use force as a punishment- this is always unlawful

5.0 Recording an Incident

5.1 It is important that there is a detailed written report whenever force is used. This may prevent misunderstandings and will be invaluable should there be a complaint.

There is an incident book, known as 'the blue book', in the Headteacher's office and an up-to-date record must be kept of all such incidents. The member of staff should also tell the Headteacher or a senior member of staff and provide a written report as soon as possible afterwards.

5.2 Notes will also be made in the same way by any other members of staff involved (i.e. as witnesses or additional providers of support). The notes will be signed and dated on the same day.

5.3 The notes must contain the following information:

- the name(s) and the job title(s) of the member(s) of staff who used reasonable force
- the name(s) of the pupil(s) involved
- when and where the incident took place
- names of staff and pupils who witnessed the incident
- the reason the force was necessary
- the progress of the incident. Include details of:
 - behaviour of the pupil which led up to the incident
 - any attempts to resolve the situation
 - what was said by staff and pupils
 - the degree of force used
 - how it was applied
 - how long it was used for
- the pupil's response and the eventual outcome
- details of any injuries suffered by either staff or pupils
- details of any damage to property

- details of any medical treatment required (an accident form will be completed)

- details of any follow-up, including contact with the parents/carers of the pupil(s) involved
- any other relevant details e.g., the involvement of any other agency, e.g., the Police

5.4 Pupil witnesses may also be asked to provide a written account if appropriate.

5.5 These notes should be kept in the pupil's file.

5.6 Routine incidents of physical intervention, usually for pupils with identified needs as set out in the pupil's Individual Education Plan, Individual Behaviour Plan and/or Pastoral Support Plan will need to be recorded as follows:

- Name of pupil
- Date
- Name of member of staff who intervened
- Name of any witnesses
- Brief description of the reason for intervention
- Brief description of action taken
- Details of any follow-up with parents
- First Aid Record

6.0 Monitoring use of Restrictive Physical Interventions

6.1 The use of physical intervention in our school will be monitored in order to help our staff learn from experience, promote the well being of pupils in our care and provide

a basis for appropriate support and school organisation. Monitoring will help us to determine what specialist help is needed for pupils. Information on trends and emerging problems will be shared within our school using local procedures. Monitoring information will be reported on a regular basis to school governors by the Headteacher.

6.2 Governors will be informed of the number of unplanned / emergency physical interventions and the number of planned physical interventions annually Our Bound (Blue) book – Physical Intervention Record book will be available for monitoring by County Council officers, Governors and Ofsted

7.0 Post Incident Support

871 We will ensure that the pupil and the member of staff have immediate access to first aid for any signs of injury. This must be recorded

7.2 We will give the pupil time to become calm while staff continue to supervise him/her. When the pupil regains complete composure, a senior member of our staff (or his/her nominee) will discuss the incident with the pupil and try to ascertain the reason for its occurrence. The pupil will be given an opportunity to explain things from his/her point of view. We will take all necessary steps to re-establish the relationship between the pupil and the member(s) of staff involved in the incident.

7.3 In cases where it is not possible to speak to the pupil on the same day as the incident occurred, we will ensure a debrief takes place as soon as possible after the pupil returns to school.

874 All members of staff involved will be allowed a period to debrief and recover from the incident. This may involve access to external support. A senior member of our staff (or his/her nominee) will provide support to the member of staff involved.

7.5 The Headteacher will be informed at the earliest possible opportunity of any incidents where physical intervention or restraint has been used. The Headteacher (or his/her nominee) will initiate the recording process (see 6.0) and we will review each incident to ensure that any necessary lessons are learned.

7.6 We will inform parents/carers of any incident involving physical intervention as soon as possible after the incident and whenever practicable on the day of the incident before the child arrives home.

7.7 Where any injury has occurred, we will also complete the online Health and Safety Incident Form (IRF (96) 1/99) and send it to Cambridgeshire County Council's Health & Safety Advisory Group.

8.0 Training Needs of Staff

8.1 At least one member of our Senior Leadership Team will attend relevant training on physical intervention and will keep this training updated.

8.2 All staff will have access to behaviour management and de-escalation training suitable to their role and responsibility in school.

9.0 Risk Assessment

9.1 We acknowledge that some pupils behave in ways that make it necessary to consider the use of restrictive physical intervention as part of a behaviour

management plan. All identified behaviours necessitating use of physical intervention will be formally risk assessed. See appendices one and two for risk assessment forms.

- 9.2 The resulting risk management strategy must be compatible with the school's positive behaviour management approach and must also take into account the pupil's Pastoral Support Plan, Individual Education Plan and Risk Reduction Plan, if these are applicable to the pupil.
- 9.3 Techniques and methods for controlling and restraining pupils using restrictive physical interventions must be assessed to ensure they are safe, suitable and appropriate for use with the named pupil.
- 9.4 The techniques will be agreed in partnership with the pupil, his/her parents (or those with parental responsibility) and other statutory agencies working with the pupil. This is especially the case when children are looked after by the local authority, in respite care, or cared for by others with legal responsibility in order to ensure that there is a consistent approach to the use of intervention strategies both in and out of school.
- 9.5 In the event of disputes over, or concerns about, techniques and methods being considered, an interim school strategy will be agreed and the matter referred to Cambridgeshire County Council. If necessary, adjudications might be offered by an independent officer nominated by the Local Safeguarding Children's Board. The Risk Assessment should also be properly documented within pupil's records

10.0 Arrangements for informing parents

- 10.1 Parents / carers will be informed of the school's policy regarding physical intervention in the following ways:
- This policy will be displayed on the school website.
 - staff who work with particular pupils who have learning or physical disabilities and who have Individual Education Plans, Individual Behaviour Plans and/or Pastoral Support Plans may need to use specific techniques routinely to manage challenging behaviour. Such arrangements will be discussed with parents/carers in advance on an individual basis. All interventions will be routinely recorded.
 - parents/ carers will be informed after a non-routine incident where physical intervention is used with their child.

11.0 Responding to Complaints

- 11.1 Suspension should not be an automatic response when a member of staff has been accused of using excessive force.
- 11.2 If a parent/carer or pupil is concerned about any aspect of the management of an incident requiring physical intervention, he/she should inform the Headteacher of their concern.
- If the concern relates to action by the Headteacher, the parent/carer should contact the Chair of Governors and follow the normal school complaint procedures.
- 11.3 All complaints about the use of force should be thoroughly, speedily and appropriately investigated. (See DfE advice "Dealing with Allegations of Abuse against Teachers and other Staff - Guidance for Local Authorities, Headteachers,

School Staff, Governing Bodies and Proprietors of Independent Schools”, available online)

14.0 Review of Policy

- 14.1 This policy will be reviewed and discussed with staff and governors at least three yearly or earlier if any changes are indicated at national or local level. This policy will next be reviewed and updated, as necessary, in March , 2021.

Adopted by the Finance & Personnel Committee on 20th April 2018
Policy next due for review by 30.4.2021

This policy has undergone an Equality Impact Assessment

Signed J Scally Chair of Finance Personnel Committee.

References

Cambridgeshire Policy and Guidance on the Effective Management of Behaviour

Including Restorative Approaches and Appropriate use of Physical Intervention

Cambridgeshire County Council (June 2013). Available at:

http://www.cambridgeshire.gov.uk/info/20076/children_and_families_practitioners_and_providers_information/298/children_and_families_procedures_and_resources/2

Use of reasonable force Advice for headteachers, staff and governing bodies

Department for Education (July 2013). Available at:

<https://www.gov.uk/government/publications/use-of-reasonable-force-in-schools>

Dealing with Allegations of Abuse against Teachers and other Staff - Guidance for Local Authorities, Headteachers, School Staff, Governing Bodies and Proprietors of Independent School (available online as a pdf document to download: accessed 9.9.14)

Appendix One: Risk Assessment and Reduction Plan: Adapted from the Specialist Teaching Team (CCC June 2013)

This can be used in conjunction with APPENDIX J of the document: Cambridgeshire policy and guidance on the Effective Management of Behaviour. Including Restorative Approaches and Appropriate use of Physical Intervention. (De-escalation and Diffusion Strategies)

When considering possible trigger / risk behaviours

School	Child's Name
DOB	Class
Date of plan	Plan Co-ordinator

Key behaviour resulting in potential harm	
Potential harm (detail)	

Praise points	<ul style="list-style-type: none"> • •
Strengths	<ul style="list-style-type: none"> • •
Environmental factors to consider	<ul style="list-style-type: none"> • •
Strategies to be avoided	<ul style="list-style-type: none"> • •

Build up of key behaviours / triggers	Risk reduction measures
Low level behaviours <ul style="list-style-type: none"> • • • 	
Medium level behaviours <ul style="list-style-type: none"> • • • 	

High level behaviours • • •	
Debrief preferences	

Signatures of all involved in supporting child:

Parent / Carer:

Date:

Child (if appropriate):

Date:

Plan Co-ordinator:

Date:

Class Teacher:

Date:

Teaching Assistant/s:

Date:

Others:

Date:

This form can also be found in Appendix E of the document: Cambridgeshire policy and guidance on the Effective Management of Behaviour. Including Restorative Approaches and Appropriate use of Physical Intervention (Cambridgeshire County Council, June 2013)

Appendix Two: Risk Assessment for Early Years Settings (CCC June 2013)

Name:

Risk Factor:				
Potential hazardous and risky activities identified	Risk to child	Risk to others	Procedure	Benefits to child

Risk Assessment completed by:

Date:

Parent/Carers signature:

Review date:

This form can also be found in Appendix F of the document: Cambridgeshire policy and guidance on the Effective Management of Behaviour. Including Restorative Approaches and Appropriate use of Physical Intervention (Cambridgeshire County Council, June 2013)

Policy Name: Physical intervention with pupils

Policy Date: March 2018



EQUALITY IMPACT ASSESSMENT for SCHOOL POLICIES

		Yes / No	Comments
1.	Does the Policy/Guidance affect one group less or more favourably than another on the basis of:	No	
	• Age (for policies affecting staff)	No	
	• Disability	No	
	• Sex	No	
	• Gender reassignment	No	
	• Pregnancy/maternity	No	
	• Race (which includes colour, nationality and ethnic or national origins)	No	
	• Sexual orientation	No	
	• Religion or belief	No	
	• Marriage / civil partnership	No	
2.	Is there any evidence that some groups are affected differently?	No	
3.	If we have identified potential discrimination are any exceptions reasonable, legal and justifiable?	No	
4.	Is the impact of the policy/guidance likely to be negative?	No	
5.	If so, can the impact be avoided?		
6.	What alternatives are there to achieving the policy/guidance without the impact?		
7.	Can we reduce the impact by taking different action?		

Equality Impact Assessment carried out by: Janet Scally/Finance & Personnel Committee

Date: October 2014, reviewed March 2015 & April 2018