

PHYSICAL INTERVENTION POLICY

FOREST OAK SCHOOL



Presented to Governors: Spring 2013
Adopted: June 2013

Background

We define restrictive physical intervention as follows:

Restrictive physical intervention is when a member of staff uses force intentionally to restrict a child's movement against his or her will.

All staff within this setting aim to help children take responsibility for their own behaviour. We do this through a combination of approaches, which include positive role modelling teaching an interesting and challenging curriculum setting, and enforcing appropriate boundaries and expectations and providing supportive feedback. More details about this and our general approach to promoting positive behaviour can be found in our behaviour policy.

There are times when children's behaviour presents particular challenges that may require restrictive physical intervention. This policy sets out our expectations for the use of such intervention. It is not intended to refer to the general use of physical contact which might be appropriate in a range of situations, such as:

- giving physical guidance to children (for example in practical activities and PE)
- providing emotional support when a child is distressed
- providing physical care (such as first aid or toileting)

This policy is consistent with our Child Protection and Equal Opportunities policies, and with national and local guidance for schools on safeguarding children. We exercise appropriate care when using physical contact (there is further guidance in our Child Protection policy); there are some children for whom physical contact would be inappropriate (such as those with a history of physical or sexual abuse, or those from certain cultural/religious groups). We pay careful attention to issues of gender and privacy, and to any specific requirements of certain cultural/religious groups.

Principles for the use of restrictive physical intervention in the context of positive approaches

We only use restrictive physical intervention where the risks involved in using force are outweighed by the risks involved in not using force. It is not our preferred way of managing children's behaviour. Restrictive physical intervention may be used only in the context of a well-established and well implemented positive behaviour management framework with the exception of emergency situations. We describe our approach to promoting positive behaviour in our Behaviour Policy. We aim to do all we can in order to avoid using restrictive physical intervention. We would only use restrictive physical intervention where we judge that there is no reasonably practicable less intrusive alternative. However, there may be rare situations of such concern where we judge that we would need to use restrictive physical intervention immediately. We would use restrictive physical intervention at the same time as using other approaches, such as saying, "Stop!" and giving a warning of what might happen next. Safety is always a paramount concern and staff are not advised to use restrictive physical intervention if it is likely to put themselves at risk.

Duty of care

We all have a duty of care towards the children in our setting. This duty of care applies as much to what we don't do as what we do do. When children are in danger of hurting themselves or others, or of causing significant damage to property, we have a responsibility to intervene. In most cases, this involves an attempt to divert the child to another activity or a simple instruction to "Stop" along

with a warning of what might happen next. However, if we judge that it is necessary, we may use restrictive physical intervention. This duty of care also extends beyond our site boundaries when we have control or charge of children off site (e.g. on trips or on transport).

Reasonable force

When we need to use restrictive physical intervention, we use it within the principle of reasonable force. This means using an amount of force in proportion to the circumstances. We use as little force as is necessary in order to maintain safety, and we use this for as short a period as possible.

When can restrictive physical intervention be used?

The use of restrictive physical intervention may be justified where a pupil is at risk of:

- committing an offence (or, for a pupil under the age of criminal responsibility, what would be an offence for an older pupil)
- causing personal injury to, or damage to the property of, any person (including the pupil himself); or
- prejudicing the maintenance of good order and discipline at the school or among any pupils receiving education at the school, whether during a teaching session or otherwise.

This duty of care also extends beyond our site boundaries: there may also be situations where we need to use restrictive physical intervention when we have control or charge of children off site (e.g. on trips). We never use restrictive physical intervention out of anger or as a punishment.

In some situations staff may move a young person to a safe place if they are unwilling to move themselves and they are putting themselves or others in danger or seriously compromising the learning of their peers.

Reasonable force may also be used in exercising the statutory power, introduced under section 45 of the Violent Crime Reduction Act 2006 (and re-enacted by Section 242 of the ASCL Act 2009), to search pupils without their consent for weapons. Head teachers and authorised staff can use force as is reasonable given the circumstances to conduct a search for the following prohibited items (Section 550ZB of the Education Act 1996): knives and weapons, alcohol, illegal drugs, stolen items, tobacco and cigarette papers, fireworks, pornographic images, any article that has been or is likely to be used to commit an offence, cause personal injury or damage to property. Reasonable force may be used by the searcher. Where resistance is expected school staff may judge it more appropriate to call the police or their PCSO.

Who can use restrictive physical intervention?

If the use of restrictive physical intervention is appropriate, and is part of a positive behaviour management framework, a member of staff who knows the child well and has been Team Teach trained should be involved. Team Teach is BILD and DfE accredited training in the use of physical interventions. However, in an emergency, by law any of the following may be able to use reasonable force (Use of Force Guidance 4/12):

- any teacher who works at the school, and

- any other person whom the Principal has authorised to have control or charge of pupils, including:
 - (a) support staff whose job normally includes supervising pupils such as teaching assistants, learning support assistants, learning mentors and lunchtime supervisors;
 - and
 - (b) people to whom the Principal has given temporary authorisation to have control or charge of pupils such as paid members of staff whose job does not normally involve supervising pupils (for example catering or premises-related staff) and unpaid volunteers (for example parents accompanying pupils on school-organised visits) but not prefects.

Planning around an individual and risk assessment

In an emergency, staff do their best, using reasonable force within their duty of care. Where an individual child has an individual positive behaviour management plan, which includes the use of restrictive physical intervention, we ensure that such staff receive appropriate training and support in behaviour management as well as restrictive physical intervention. We consider staff and children's physical and emotional health when we make these plans and consult with the child's parents/guardians.

In most situations, our use of restrictive physical intervention is in the context of a prior risk assessment which considers:

- What the risks are
- Who is at risk and how
- What we can do to manage the risk (this may include the possible use of restrictive physical intervention)

We use this risk assessment to inform the positive handling plan that we develop to support the child.

Recording and reporting

After using restrictive physical intervention, we ensure that the Principal is informed as soon as possible. We also inform the parents by phone (or by letter or note home with the child if this is not possible). In rare cases, we might need to inform the police, such as in incidents that involve the possession of weapons. This would be in line with our general practice, and Section 45 of the Violent Crime Reduction Act 2006.

Supporting and reviewing

After a restrictive physical intervention, we give support to the child so that they discuss how they felt before during and after an incident. We help them to link their behaviours to their feelings and try to plan a more effective way of managing these feelings and experiences in the future. We try to ensure pupils have some understanding of why staff took the necessary actions. If required, the first aid checks will be offered.

We also support adults who were involved, either actively or as observers, by giving them the chance to talk through what has happened with the most appropriate person from the staff team.

A key aim of our after-incident support is to repair any potential strain to the relationship between the child and the people that were involved in the restrictive physical intervention. After a restrictive physical intervention, we consider whether the Individual Behaviour Plan and Positive Handling Plan needs to be reviewed so that we can reduce the risk of needing to use restrictive physical intervention again. In the event of a first occasion of using a restrictive physical intervention with a pupil, this is considered to be an emergency or unplanned response. After this event, staff would consider whether a Positive Handling Plan should be implemented to ensure that challenging behaviour is planned for and managed consistently and effectively to support all members of the school.

Monitoring

We monitor the use of restrictive physical intervention in our school. The Principal and Lead Team Teach Tutor are responsible for reviewing the records on a termly basis, and more often if the need arises, so that appropriate action can be taken. The Principal monitors records as they occur and staff bring incidents to the Principal's attention so the Principal can countersign the Bound and Numbered record. The information is also used by the governing body when this policy and related policies are reviewed.

Concerns and complaints

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

If a child or parent has a concern about the way restrictive physical intervention has been used, our school's complaints procedure explains how to take the matter further and how long we will take to respond to these concerns. Where there is an allegation of assault or abusive behaviour, we ensure that the Principal is immediately informed. We would also follow our child protection procedures. If the concern, complaint or allegation concerns the Principal, we ensure that the Chair of Governors is informed. If parents/carers are not satisfied with the way the complaint has been handled, they have the right to take the matter further as set out in our complaints procedure.

The results and procedures used in dealing with complaints are monitored by the governing body.

Reviewing this policy - see cover for dates of review.

Subject to approval by Governors 2012/13