

FLITWICK LOWER SCHOOL

Policy



Physical Intervention and Handling Policy

This policy cannot be taken as an authoritative interpretation of the law, and we must be mindful of Section 550A of the Education Act 1996 and any subsequent legislation or judgments – Section 93 of the Education and Inspections Act 2006 replaces Section 550A

Rationale

Children and young people need to be safe and aware of how they should behave. Some (generally only a few and very occasionally) lose control and need someone else to supply it. They need to know we are able to control them safely and confidently. Our pupils nearly always respond well to the school rules and conventions. Situations in which physical intervention may be needed are, therefore, likely to be relatively few in number. All our staff need to be safe and confident in how they manage inappropriate behaviour.

They have to be clear about the options open to them when all the normal systems have failed or when there is a clear emergency in which, for example, talking calmly to someone in danger is irrelevant. They need to be free of undue worries about the risks of legal action against them if they use appropriate physical interventions, and need to know that the governors and the Local Authority will offer support if they are challenged.

Parents and carers need to know that their child and those who are teaching him or her are safe and free from disruptive influences or danger. They also need to know that they will be properly informed if their child is the subject of physical intervention, and they need to know the nature of the intervention and the rationale for its use.

This policy connects to and is consistent with our other policies, especially those on Positive Behaviour, Health and Safety, Safeguarding and Child Protection, to which reference can be made.

Our Approach: Prevention is Better than Cure

We always try to avoid using physical interventions and regard them as a last resort for a small minority of situations. We provide a properly planned and differentiated curriculum that provides appropriate levels of challenge to all pupils, and maintain an effective school positive behaviour policy that is known and understood by all staff and pupils.

Physical intervention is our method of last resort, after all other approaches have been tried or in situations of clear danger or extreme urgency. We utilise only the minimum force required to resolve the situation safely. How we respond always has regard to the circumstances and to the age and understanding of the child or young person.

Where there is a foreseeable risk that a pupil could behave in such a way as to require restrictive physical intervention, we undertake a risk assessment in order to balance the risks to the pupil and to others of intervening or not. Planning is also undertaken to see if trigger situations can be avoided and other positive strategies employed to lessen the likelihood of such incidents occurring.

Who May Use Physical Intervention and When

The law allows “*teachers and other persons who are **authorised** by the **Headteacher** to have control or charge of pupils to use such force as is **reasonable** in all the circumstances to prevent a pupil from doing, or continuing to do, any of the following:*

- *committing a criminal offence (including behaving in a way that would be an offence if the pupil were not under the age of criminal responsibility)*
- *injuring themselves or others*
- *causing damage to property (including the pupil’s own property)*
- *engaging in any behaviour prejudicial to maintaining good order and discipline at the school or among any of its pupils, whether that behaviour occurs in a classroom during a teaching session or elsewhere.”*

All staff authorised to use physical intervention are listed in the office.

Ref 1098, Section 550A, Education Act 1996

At Flitwick Lower school, teachers, teaching assistants, learning assistants, are authorised by the Head teacher, to have control of pupils and must be made aware of this policy and its implications. School staff are also, like everyone else, allowed to use reasonable force (the minimum necessary) to defend themselves.

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We take the view that staff are not expected to put themselves in danger, and that removing pupils and themselves from a source of danger is a proper thing to do. We appreciate the integrity of our staff and value their efforts to rectify situations that are difficult and in which they exercise their duty of care for their pupils. We do not, however, require them to go beyond what is reasonable. In particular it is acceptable for any member of staff to decide that they will not use physical intervention for personal reasons.

Acceptable Physical Interventions

Reasonable force is not defined legally in isolation. It must be justified as appropriate by the circumstances. We will use only the minimum force that is needed to restore safety or appropriate behaviour, and we take account of the age, understanding and gender of the pupil.

Acceptable forms of intervention in this school include:

- leading or guiding a pupil by the hand or arm, or shepherding them with a hand in the centre of the back
- holding a pupil who has lost control until they are calm and safe
- physically moving between and separating two pupils
- blocking a pupil's path
- use of reasonable force to remove a weapon or dangerous object from a pupil's grasp
- where there is immediate risk of injury, any necessary action this is consistent with the concept of 'reasonable force' – i.e. to prevent a pupil running into a busy road or hitting or hurting someone
- using more restrictive holds in extreme circumstances (trained staff only).

It is also acceptable for doors to have double or high locks to ensure pupil safety, or for external doors to be locked for security purposes, if a member of staff is always with the pupils in such circumstances.

Staff may move, defend themselves, lead, restrain or block someone, bearing in mind the whole time their own safety as well as that of others and of the child who is the subject of any restraint or other intervention.

It is **unacceptable** and likely to be illegal or grounds for disciplinary action for staff to use any physical intervention designed to cause pain or injury, including:

- any form of corporal punishment, slapping, punching or kicking
- holding by the neck or collar, or otherwise restricting the ability to breathe
- holding by the hair or an ear
- twisting or forcing limbs against a joint
- tripping up a pupil or holding an arm out at neck or head height to stop them
- holding a pupil face down on the ground or sitting on them
- shutting or locking a pupil in a room, except in extreme situations whilst summoning support.

Staff should also avoid touching or holding a pupil in a way that might be considered indecent. Physical interventions are permitted to achieve a search of clothing or property if staff have good reason to believe that a weapon or dangerous drugs are being concealed.

Using Physical Intervention

Except in cases where there is immediate danger, we would normally try other ways of resolving or de-escalating a situation.

These could include:

- calmly restating the rules and expectations for the situation
- removing other pupils from the situation and thus from danger or from being an audience
- use of physical proximity, but not in a threatening way
- encouraging the pupil to withdraw to a safer and calmer situation
- calling another adult for support or to take over.

If more than minor physical intervention is judged to be necessary, the teacher or adult in charge should:

- send for the assistance of another adult (for support or to take over, and as a witness)
- remove other pupils from the scene if possible
- continue to talk calmly to the pupil explaining what will happen, and under what circumstances the physical intervention will cease (but not in a threatening way)
- use the minimum force necessary and cease the intervention as soon as it is judged safe

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- not act punitively in any way verbally or physically.

In some circumstances we may consider it appropriate to call the police.

Recording

Following a significant incident of physical intervention, when a pupil has resisted or challenged and force has been used, the teacher or adult responsible should as soon as possible inform the Head teacher or in his/her absence the designated senior member of staff.

A Physical Intervention form (Appendix A) will be completed by the member of staff concerned within 24 hours and attached to the to the Physical Intervention Records Book which is held by the Head teacher The contents of the incident book shall be reviewed on a half termly basis and appropriate action taken.

The report must be signed and dated by the member of staff and countersigned that it has been read by the Headteacher or in her absence the designated senior member of staff who will:

- discuss the incident with the pupil as soon as possible
- interview staff involved and any other witnesses
- inform the pupil's parents/carers and social worker if relevant
- record any disagreements expressed by the pupil or adults about the event
- Take any appropriate further action, liaising with the LA, governors or unions as appropriate, and acting within the LA's Child Protection Procedures.

We report individual incidents, if and when they occur, to the governing body via the Chair and to the termly Staffing and Curriculum Committees, without identifying the pupil.

We also report incidents to the Education Health and Safety Team using the Report of Violent Incident Form when a member of staff has been threatened, attacked or otherwise harmed.

Planning for Physical Intervention

Where we think a pupil might require physical restraint, we plan in advance and know who will do what. This planning includes helping pupils to avoid provoking situations, helping them find success and minimise frustration, and develop our own skills. It also helps us to see better where we can head off difficulties when we spot them early enough. The plan will include:

- involving the parents and the pupil to gain their views and to ensure that they are clear about what specific action the school might need to take
- a risk assessment that considers carefully the likely outcomes to the pupil and others of undertaking intervention or not
- managing the pupil through a positive handling plan (Appendix B) (e.g. reactive strategies to de-escalate a conflict, at what stage and what types of holds to be used
- Identifying key staff who should know exactly what action they should be taking. Any member of staff who may have to use a physical intervention should always be fully briefed about the child in question, and it is best if they are well known to the child
- ensuring that additional support can be summoned if appropriate
- Identifying training needs and updates.

Training

We are clear that training of staff is vital in this area if we are to be seen to adopt the best practice and maintain a record of safe management of all school situations. We, therefore, make allowance for the following kinds of training:

- awareness training – for governors, staff and parents/carers
- general training on behaviour management for all staff (not just teachers)
- training on avoiding and coping with crisis/difficult/physically challenging events for identified pupils
- specific Team Teach training and skill development on use of the some basic 'breakaway' or 'hold' techniques that are safe and useful to know, for all or some staff
- We believe that skills need to be developed and renewed and therefore renew training yearly and or where necessary on a rolling programme alongside our Child protection and safeguarding training.

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Complaints

Complaints will be dealt with by a committee of the Governing Body. The use of restrictive physical interventions must always be considered within the wider context of other measures. These include establishing and maintaining good relationships with pupils and using diversion, diffusion and negotiation to respond to difficult situations. Use of physical intervention that is unwarranted, excessive or punitive is not acceptable. Failure to comply with this principle, when considering or using physical force, should be dealt with under the schools disciplinary procedures.

References

Reference can be made to the following documents :

- DfEE Circular 10/98 'Section 550A of the Education Act 1996: The Use of Force to Control or Restrain Pupils' http://www.dfes.gov.uk/circulars/10_98/part1.htm.
- Education and Inspections Act 2006 -

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| Policy Agreed by staff: | March 2010 |
| Policy Agreed by Governors: | |
| Last Review Date: | December 15 |
| Next Review date: | July 17 |
| Signed: | |

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Appendix A

Flitwick Lower School

Record of Physical Intervention

Please complete as soon as possible after the incident and return to the Head Teacher.
It is recommended that staff seek advice from a senior colleague when completing the report.

Name of pupil..... Class.....

Date of incident..... Time of incident.....

Staff involved.....

Staff witnesses.....

Pupil witnesses.....

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| <p>Description of the events leading up to the incident, and de-escalation techniques used prior to the restraint and how the student responded.</p> |
| <p>Justification for the use of physical restraint.</p> <ul style="list-style-type: none"> <input type="checkbox"/> Physical safety of the pupil <input type="checkbox"/> Physical safety of another pupil <input type="checkbox"/> Pupil safety or a member of staff at risk <input type="checkbox"/> Pupil intending to harm themselves <input type="checkbox"/> Prevent/interrupt serious damage to property <input type="checkbox"/> Prevent absconding <input type="checkbox"/> Prevent serious disruption to a safe learning environment <input type="checkbox"/> Other, please specify. |
| <p>Description of physical intervention used (identify staff involved, name of hold or description)</p> |
| <p>Length of time of physical intervention</p> |
| <p>Description of pupil's response to physical intervention.</p> |
| <p>Details of any injuries sustained or complained of by staff or pupil, or damage to property and action taken.</p> |
| <p>Follow up, including post incident support and any disciplinary action against pupil/s</p> |

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| | |
|---|--------------------------|
| Debriefing with pupil | |
| Date: | By whom? |
| Action: | Time: |
| Debriefing with staff | |
| Date: | By whom? |
| Action: | Time: |
| Parents informed | By whom? |
| Date: | Time: |
| Views expressed: | |
| Has any complaint been lodged: (details not recorded here) | |
| Report compiled by: | Report countersigned by: |
| Name and role: | Name and role: |
| Signature: | Signature: |
| Date: | Date: |

Action taken by the Head Teacher:

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Appendix B

Positive Handling plan

Name:..... Class.....

Date.....

Trigger Behaviours: (describe common behaviours/ situations which are known to have led to positive handling being required. When is such behaviour likely to occur?)

Topography of behaviour: (describe what the behaviour looks / sounds like?)

Preferred supportive and intervention strategies: (describe strategies that, where and when possible, should be attempted before positive techniques are used)

- Reassurance
- Negotiation
- Choices/ limits
- Humour
- Verbal advice and support
- Distraction
- Consequences
- Planned ignoring
- Distraction (known key words, objects, etc)
- Withdrawal
- Success reminders
- Transfer of another adult
- Time out offered/ directed
- Others

Please state at least three praise/ strengths: Areas that can be developed and built upon

- 1.
- 2.
- 3.

Medical conditions that should be taken into account before physically intervening: i.e. Asthma, brittle bones etc.

Preferred handling strategies: (describe the preferred holds, standing, sitting, ground, stating number of staff, what 'get outs' that can be used when holding.

De- briefing process following the incident (what care is to be provided?)

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It is agreed that the positive handling plan outlined above be put into place.

Please sign

print name

Date:

School:

Parents/ carers