

CARE AND CONTROL POLICY



HAYDON SCHOOL

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CARE AND CONTROL POLICY (Incorporating Positive Physical Interventions)

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‘The use of Positive Handling to manage physically challenging behaviour.’

Introduction

The policy has been developed in response to DCSF circular November 2007 "The Use of Force to Control or Restrain Student", issued following the enactment of Section 93 of the 2006 Education and Inspections Act.

The policy should be read in conjunction with other school policies relating to interaction between adults and student.

The person responsible for implementing this policy is Jayne Guest (Designated Person for Child Protection)

Purpose of policy

Good personal and professional relationships between staff and students are vital to ensure good order in our school. It is recognised that the majority of students in Haydon School respond positively to the discipline and control practised by staff. This ensures the well-being and safety of all students and staff in Haydon School. It is also acknowledged that in exceptional circumstances, staff may need to take action in situations where the use of reasonable force may be required. Every effort will be made to ensure that all staff in this school clearly understand this policy and their responsibilities in the context of their duty of care in taking appropriate measures where reasonable force is necessary and are provided with appropriate training to deal with these difficult situations

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1. Objectives of the Policy

- To maintain the safety of students and staff
 - To prevent serious breaches of school discipline
 - To prevent serious damage to property
- 1.1 Individual members of staff cannot be required to use physical restraint. However, teaching staff should always operate with an appropriate 'Duty of Care'. They could be liable for a claim of negligence if they fail to follow the guidance within this policy.
- 1.2 The application of any form of physical control places staff in a vulnerable situation. It 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.
- 1.3 Reasonable force will only be used as a last resort when all other behaviour management strategies have failed or when students, staff or property are at risk.

2. Definitions of Positive Handling

No legal definition of reasonable force exists however for the purpose of this policy and the implementation of it in Haydon School:

- Positive handling uses the minimum degree of force necessary for the shortest period of time to prevent a student harming himself, herself, others or property.
- The scale and nature of any physical intervention must be proportionate to both the behaviour of the individual to be controlled, and the nature of the harm they might cause.

3. Physical Contact

Situations in which proper physical contact occurs between staff and student, eg: in the care of student with learning disabilities; in games/PE; to comfort student.

4. Physical Intervention

This may be used to divert a student from a destructive or disruptive action, for example guiding or leading a student by the hand, arm or shoulder with little or no force.

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5. Positive Physical Intervention

This will involve the use of reasonable force when there is an immediate risk to student, staff or property. It is important to note that the use of 'reasonable force' should be seen as a last resort. All such incidents must be recorded and stored in an accessible way. The incident must be recorded on the Serious Incident Record (Appendix 1) and passed to Jayne Guest.

The level of compliance from the student determines whether or not the interaction is an intervention or a method of physical control.

6. Underpinning Values

6.1 Everyone attending or working in this school has a right to:

- recognition of their unique identity;
- be treated with respect and dignity;
- learn and work in a safe environment;
- be protected from harm, violence, assault and acts of verbal abuse.

6.2 Students attending this school and their parents have a right to:

- individual consideration of student 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's policies;
- be informed about school rules, relevant policies and the expected conduct of all students and staff working in school;
- be informed about the school's complaints procedure.

6.3 The school will ensure that students are given support to understand the need for and respond to clearly defined limits, which govern behaviour in the school.

7. Authorised Staff

7.1 It is the head teacher's responsibility to authorise named staff to use reasonable positive physical interventions with students.

7.2 The school must provide training for all staff authorised by the Head Teacher and retain a list of all those staff trained and authorised. The list is reviewed on an annual basis (or more frequently if the context requires it).

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- 7.3 Authorisation is not given to volunteers, students or parents. The Head Teacher is responsible for making clear to whom such authorisation has been given, in what circumstances and settings they may use reasonable force and for what duration of time this authorisation will last. The Head Teacher will ensure that those authorised are aware of, and understand, what the authorisation entails. Those whom the Head Teacher has not authorised will only use intervention with a student when it is required as a last resort.

8. Staff from the LA working within the School

Support Services will have their own policies for care and control of students. When working within school it is the Head Teacher's responsibility to ensure that colleagues from Support Services are aware of school policy and practice.

9. Training

- 9.1 It will be the responsibility of the Head Teacher to arrange suitable training. Training for all staff will be made available. No member of staff will be expected to undertake the use of positive physical intervention without appropriate training. Prior to the provision of training, guidance will be given on action to be taken. Arrangements will be made clear as part of the induction of staff and training will be provided as part of on-going staff development.
- 9.2 Following a review of existing school practice(s), in consultation with governors/ staff and the LA, the school is committed to using Team Teach providing this approach continues to adopt the BILD Code of Practice on physical intervention.
- 9.3 Haydon School acknowledges that physical techniques are only a part of a whole setting approach to behaviour management. The governors of the school are committed to working within the LA's framework for accessing training in that:
- 9.3.1 It will review its Behaviour Policy on at least a two-year cycle.
 - 9.3.2 Negotiation will take place between the Vulnerable Children's Services (including Behaviour Support Services) and the Head Teacher and agreement will be reached in relation to the standard of behaviour management within the school before a formal application for training is made.
 - 9.3.3 Training will be delivered on a needs based approach and procedures are in place to monitor incidents, following a behavioural audit and implementation of appropriate risk management procedures. SIM's will be used to record and monitor such incidents.

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- 9.3.4 All training will include theory on at least the following:
- De-escalation
 - Causes of challenging behaviour
 - Prevention strategies
 - Positive behaviour management
 - Risk assessment
 - Behaviour support planning
 - De-brief following incidents
 - The law regarding positive handling
- 9.4 Physical techniques are not treated in isolation and the school is committed to ensuring that as a result of incidents, learning opportunities are created for students that allow them to 'own' and take responsibility for their behaviour.
- 9.5 In addition, procedures are also in place to ensure that appropriate support is provided for staff and that following an incident student/staff relationships are rebuilt and repaired to ensure that a positive learning environment is maintained.
- 9.6 All the techniques used take account of a young person's:
- age
 - gender
 - level of physical, emotional and intellectual development
 - special needs
 - social context
 - Also, they provide a gradual, graded system of responses.
- 9.7 Where appropriate, Positive Handling Plans are written for individual students and where applicable these should be in addition to any Pastoral Support Plans/IEPs.
- 9.8 Risk assessments need to be completed against each student when positive handling strategies may need to be used, in the context of the identified target behaviour(s) and environment(s) in which they occur. The assessment should identify the benefits and the risks associated with the strategies being proposed. Risk Assessment Form to be completed (Appendix 2)

10. Strategies for Dealing with Challenging Behaviour

- 10.1 As endorsed in the school's Behaviour for Learning Policy, staff consistently use positive strategies to encourage acceptable behaviour and good order.
- 10.2 Every effort will be made to resolve conflicts positively and without harm to student 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 adopted.

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Verbal acknowledgement of unacceptable behaviour with request for the student to refrain (this includes negotiation, care and concern).

Further verbal reprimand stating:

- That this is the second request for compliance
- An explanation of why observed behaviour is unacceptable
- An explanation of what will happen if the unacceptable behaviour continues. (Removal to the referral room, call a senior member of staff)
- Warning of intention to intervene physically and that this will cease when the student complies, if possible summon assistance from another member of staff or reception.
- Physical intervention: reasonable force being used to prevent a student harming him or herself, others or property.

11. Types of Incident

11.1 The incidents described in Circular 10/98 fall into three broad categories:

- Where action is necessary, in self-defence or because there is an imminent risk of injury
- Where there is a developing risk of injury, or significant damage to property
- Where a student is behaving in a way that is compromising good order or discipline.

11.2 Examples of situations that fall within one of these categories:

- a student attacks a member of staff, or another student
- students are fighting
- a student is engaged in, or is on the verge of committing, deliberate damage or vandalism to property
- a student is causing, or at risk of causing, injury or damage by accident, by rough play or by misuse of dangerous materials or objects

12. Acceptable Measures of Physical Intervention

12.1 The school will put in place systems for managing and reviewing the following:

- Strategies for preventing the occurrence of behaviours that precipitate the use of a physical intervention
- Strategies for 'de-escalation' or 'de-fusion' that can avert the need for a physical intervention
- Procedures for post incident support and de-briefing for staff, students, service users and their families.

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12.2 The concept of reasonable force where 'reasonableness' is determined with reference to all the circumstances, including:

12.2.1 The seriousness of the incident:

12.2.2 The relative risks arising from using a physical intervention compared with using other strategies

12.2.3 The age, cultural background, gender, stature and medical history of the student or service user concerned

12.2.4 The application of gradually increasing or decreasing levels of force in response to the student's behaviour

12.2.5 The approach to risk assessment and risk management employed

12.2.6 The distinction between:

- **seclusion** where an adult or student is forced to spend time alone against their will in a locked room or room which they cannot leave (NB: this is not a permissible form of control);
- **time out** which involves restricting the student's access to all positive reinforcements as part of the behavioural programme;
- **withdrawal** which involves removing the student from a situation which causes anxiety or distress to a location where they can be continuously observed and supported until they are ready to resume their usual activities.

12.2.7 The distinction between **planned** physical interventions (where incidents are foreseeable in that they have occurred previously and a response planned following a risk assessment) and the use of physical interventions in **emergency** situations (which cannot reasonably be anticipated)

12.2.8 First aid procedures to be employed and those responsible for implementation in the event of an injury or physical distress arising as a result of a physical intervention

12.2.9 Unacceptable practices that might expose service users or staff to foreseeable risk of injury or psychological distress.

(para 10.8 page 19 DfES Guidance. Ref:LEA/0242/2002)

12.3 Wherever possible assistance will be sought from another member of staff

12.4 Positive handling at Haydon school is seen as a proactive response to meet individual student needs and any such measures will be most effective in the

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context of the overall ethos of the school, the way that staff exercise their responsibilities and the behaviour management strategies used.

13. Recording

- 13.1 Where positive handling strategies and/or physical control has been used, a record of the incident **must** be kept. This record **must** be made in the school Serious Incident Book. This is a hard-backed book, with numbered pages, retained by the Head Teacher containing a brief reference to the detailed Positive Handling Form (which must be returned to the LA) and (Health & Safety/Incident Forms as appropriate).The school will use SIMS to monitor this.
- 13.2 The Positive Handling Form will be completed as soon as possible after the incident, normally prior to staff going off duty and be signed by all staff involved and the Head Teacher.
- 13.3 After the review of the incident, copies of the Positive Handling Form will be placed on the student's file.

14. Monitoring Incidents

- 14.1 Whenever a member of staff has occasion to use positive physical interventions, this will always be recorded and documented following agreed procedures. 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 student(s) whose behaviour may require the use of a Positive Handling Plan and further positive handling strategies.
- 14.2 Monitoring of incidents will take place on a regular basis and the results used to inform planning to meet individual student and school needs.

15. Action After an Incident

- 15.1 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 student, this will be pursued through the appropriate procedure:
 - Review of Behaviour Programme
 - Child Protection Procedure (this may involve investigations by Police and/or Social Services)
 - Staff or Student Disciplinary Procedure
 - School Behaviour for Learning Policy
 - Exclusions Procedure in the case of violence or assault against a member of staff
 - Notification to parents

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- 15.2 The member of staff will be kept informed of any action taken
- 15.3 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

16. Complaints

- 16.1 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.
- 16.2 Any complaints about staff will be investigated through the School's Complaints Policy. If necessary, the complaint will be dealt with by the Staff Disciplinary Procedures and/or Child Protection Procedures.

17. Other Relevant Policies

Other relevant policies that cross reference with this one are:

Behaviour for Learning Policy
Health & Safety Policy
Child Protection Policy

18. Policy on Care and Control of Students

19. Model Statements for Parents on the use of Reasonable Force for Inclusion in School Prospectus

If staff become aware of, or have a need to become involved in, situations where a student may be at risk of hurting themselves or others or, if the behaviour of a student seriously disrupts good order in the school or causes damage to property, staff may need to take steps to intervene physically. In such circumstances, staff will follow the school's policy for dealing with such situations. Any parent wishing to view this policy may do so on request.

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Document History

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Appendix 1 – Serious Incident Record

Serious Incident Record				No:
Name of Young Person:				
Location of Incident:			Date:	
Full Names of Staff Involved:				
Start Time of serious Incident:	Duration of any Restraint:	Any Injuries	Medical Check:	Incident reviewed with Young person:
Hr <input type="text"/> Mins <input type="text"/>	Mins <input type="text"/>	Child <input type="text"/> Other <input type="text"/>	Offered <input type="text"/> Accepted <input type="text"/>	Offered <input type="text"/> Accepted <input type="text"/>
Nature of Risk		External Agencies Informed		Supporting Records Completed
Injury to person <input type="checkbox"/>	Damage to property <input type="checkbox"/>	Medical Staff <input type="checkbox"/>	Parent/Guardian <input type="checkbox"/>	Bound Book <input type="checkbox"/>
Criminal Offence <input type="checkbox"/>	Serious Disruption <input type="checkbox"/>	Social Worker <input type="checkbox"/>	Placing Authority <input type="checkbox"/>	Accident Report <input type="checkbox"/>
Absconding <input type="checkbox"/>		Police <input type="checkbox"/>		Medical Report <input type="checkbox"/>
				RIDDOR <input type="checkbox"/>
				Formal Statement <input type="checkbox"/>
Environments and Triggers:				
Describe what was happening and what led up to a dangerous situation:				
Circle the level of potential risk.				
<input type="checkbox"/> Low <input type="checkbox"/> Medium <input type="checkbox"/> High				
Circle and/or describe precisely what the risk was.				
<input type="checkbox"/> Verbal abuse <input type="checkbox"/> Slap <input type="checkbox"/> Punch <input type="checkbox"/> Bite <input type="checkbox"/> Pinch <input type="checkbox"/> Spit <input type="checkbox"/> Kick <input type="checkbox"/> Hair Grab				
<input type="checkbox"/> Neck grab <input type="checkbox"/> Clothing grab <input type="checkbox"/> Body holds <input type="checkbox"/> Arm grab <input type="checkbox"/> Weapons/Missiles				
Other:				
Who was at risk?				
Controlling Risk				
Describe any changes you made to routines, personnel or the environment in an attempt to reduce the risk of this happening.				

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DIVERSION, DISTRACTIONS AND DEESCALATION ATTEMPTED

- Verbal advice and support Firm clear directions Negotiation Limited Choices
- Distraction Diversion Reassurance Planned Ignoring Contingent Touch
- C.A.L.M. talking/stance Take up Time Withdrawal Offered Withdrawal Directed
- Transfer Adult Reminders about Consequences Humour Success Reminders

Other:

PHYSICAL INTERVENTION STRATEGIES ATTEMPTED

- Help Hug Cradle Hug Wrap Sitting Wrap Double Elbow Half Shield
- Sitting Double Elbow (Single Person) Single Elbow (Two person)
- Sitting Single Elbow (Two person) Figure of Four (Two person)

Other:

Signed:

Dated:

Comment:

Signed:

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Appendix 2.

Risk Assessment Form

Lesson	Hazard I.E. LATHE, KNIFES	Existing measures to control risk Time out/LSA	Risk rating 1 low – High 5