

CARE AND CONTROL POLICY



HAYDON SCHOOL

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CARE AND CONTROL POLICY (Incorporating Positive Physical Interventions) 2017 Use of reasonable force

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CARE AND CONTROL/use of reasonable force (incorporating Positive Physical Interventions)

‘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 has been updated following the DfE guidance: Use of reasonable force Advice for headteachers, staff and governing bodies July 2013

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 Safeguarding Lead)

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.
- 1.4 Haydon School does not require parental consent to use force on a student

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. Appropriate adjustments must be made for disabled students and children with special educational needs.
- Force is usually used either to control or restrain. This can range from guiding a student to safety by the arm through to more extreme circumstances such as breaking up a fight or when students need to be restrained to prevent violence or injury.
- Reasonable in the circumstances' means using no more force than is needed.
- Control means either passive physical contact, such as standing between students or blocking a student's path, or active physical contact such as leading a student by the arm out of the classroom.
- Restraint means to hold back physically or to bring a student under control. It is typically used in more extreme circumstances, for example when two students are fighting and refuse to separate without physical intervention

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- School staff should always try to avoid acting in a way that might cause injury, but in extreme cases it may not always be possible to avoid injuring the student

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 demonstrate how to use a musical instrument, to give first aid, 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.

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;

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- 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 All members of school staff have a legal power to use reasonable force.
- 7.2 The school will provide de-escalation strategies for all staff
- 7.3 Authorisation is not given to volunteers, students or parents. .

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 Headteacher's responsibility to ensure that colleagues from Support Services are aware of school policy and practice.

9. Training

- 9.1 Guidance will be given to all staff on use of reasonable force. No member of staff will be expected to undertake the use of positive physical intervention without appropriate guidance. 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 Haydon School acknowledges that physical techniques are only a part of a comprehensive approach to behaviour management.
- 9.2.1 Haydon School will review its Behaviour Policy annually
- 9.2.2 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
- 9.3 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.

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- 9.4 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.
- 9.5 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.
- 9.6 Where appropriate, risk assessments are written for individual students and where applicable these should be in addition to any Pastoral Support Plans/- Student Passports.
- 9.7 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.

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 - C4 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.

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11. Types of Incident

11.1 The following list is not exhaustive but provides some examples of situations where reasonable force can be used (DfE Use of reasonable force Advice for Headteachers, staff and governing bodies June 2013)

- Reasonable force can be used to prevent students from hurting themselves or others, from damaging property, or causing disorder
- In a school, force is used for two main purposes to control students or to restrain them
- The decision on whether or not to physically intervene is down to the professional judgement of the staff member concerned and should always depend on the individual circumstances
- remove disruptive students from the classroom where they have refused to follow an instruction to do so
- prevent a student behaving in a way that disrupts a school event or a school trip or visit
- prevent a student from leaving the classroom where allowing the student to leave would risk the safety or lead to behaviour that disrupts the learning of others
- prevent a student from attacking a member of staff or another student, or stop a fight in the playground
- restrain a student at risk of harming themselves through physical outbursts

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 'diffusion' 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.

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

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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.

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 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 on a positive handling form. The form will be numbered signed by the Headteacher and retained securely by the Designated Safeguarding Lead. The school will use SIMS to monitor this.

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- 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 Headteacher.
- 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 Headteacher 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
- 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.

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- 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
Safeguarding Policy
Screening, searching and confiscation Policy
Supporting Students with a medical condition

18. 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"/>	Medical Staff	<input type="checkbox"/>	Bound Book	<input type="checkbox"/>
Damage to property	<input type="checkbox"/>	Parent/Guardian	<input type="checkbox"/>	Accident Report	<input type="checkbox"/>
Criminal Offence	<input type="checkbox"/>	Social Worker	<input type="checkbox"/>	Medical Report	<input type="checkbox"/>
Serious Disruption	<input type="checkbox"/>	Placing Authority	<input type="checkbox"/>	RIDDOR	<input type="checkbox"/>
Absconding	<input type="checkbox"/>	Police	<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/TA	Risk rating 1 low – High 5