



## DERWENT VALE PRIMARY & NURSERY SCHOOL

### POLICY FOR CARE, CONTROL & PHYSICAL INTERVENTION

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**Derwent Vale Primary & Nursery School Policy for 'Care, Control & Physical Intervention' has been devised with due consideration to and in line with guidance given in: -**

DfES Circular 10/98 Section 55A of the Education Act 1996: 'The Use of Force to Control or Restrain Pupils'

CCC 'Care, Control & Physical Intervention' Guidelines 1999.

DfES Revised SEND Code of Practice 2015.

DfES 'Guidance on the Use of Restrictive Physical Interventions for Staff Working with Children and Adults who Display Extreme Behaviour in Association with Learning Disability and/or Autistic Spectrum Disorders'.

Derwent Vale Primary & Nursery School Health & Safety Policy.

# CARE, CONTROL & PHYSICAL INTERVENTION

*Derwent Vale Primary & Nursery 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 the DfE and LEA advice, and always ensuring minimal risk of injury to pupils and staff.*

## The Role of The Headteacher

It is the overall responsibility of the Headteacher to ensure that the staff and pupils of Derwent Vale Primary & Nursery School are safe in their learning or working environment.

In order to maintain the personal safety of staff, pupils and visitors to the school, it may, on occasion, require the use of some form of restraint or physical intervention when other approaches are either inappropriate or have been tried and been found to be ineffective.

It is the responsibility of the Headteacher to provide policy, guidance and training in the techniques of Physical Intervention.

## The Role of the Staff

Schools owe a duty of care to their pupils. The duty of care requires that reasonable measures be taken to prevent harm.

It may be appropriate to employ restrictive physical intervention to prevent a significant risk of harm to others.

## Authorised Staff

The Headteacher has authorised all qualified teachers, Teaching Assistants and Classroom Assistants to use physical intervention, as a last resort only, to protect themselves, other individuals or property from harm/damage.

It may be appropriate on occasion to extend authorisation to other adults. This will be at the discretion of the Headteacher and only when the Headteacher has satisfied him/herself that the person concerned has received the necessary training and is aware of both the authorisation and the limitations on the 'reasonable' use of force.

## When is Physical Intervention Considered Reasonable?

Teachers and other authorised persons may reasonably consider the use of Physical Intervention **ONLY** in the following types of incident and **ONLY after all other care and control methods have been tried and have failed**:

- Risk to the safety of staff, pupils, visitors and members of the general public. This includes a pupil who may cause harm to themselves by their actions.
- Risk of serious damage to property,
- Behaviour that is seriously prejudicial to good order and discipline within the school body, on or off site, or the committing of a criminal offence.

## 'Reasonable' Force

Approaches to physical intervention that will generally be considered reasonable include:

- Physically interposing between pupils
- Blocking a pupil's path
- Holding (this term is taken to include only the sort of hold a reasonable parent might use with his/her own child. It does not refer to specific techniques of physical restraint that in untrained hands may pose a risk of injury.)

- Pushing - only to be used as a last resort and only in case of immediate risk to life or of serious injury, such as pushing a child out of the way of an oncoming car for example.
- Pulling
- Leading a pupils by the hand or arm
- Shepherding a pupil away by placing a hand in the centre of the back
- Using more restrictive holds ONLY in extreme circumstances & as a last resort.

Staff must remember throughout an incident that the principle purpose is to **restore personal safety and security for all concerned and to reduce the anxiety of any pupil involved.**

As much as possible, opportunities should be taken to say this to the pupil throughout the incident in order to reassure them of the reason for the physical intervention i.e. to protect themselves and/or others.

Wherever possible, any physical intervention that might be necessary is better applied by a member of staff who hasn't been involved in any confrontation leading up to the need for restraint as colleagues called upon to assist, may be able to bring a calmer approach to the incident.

As soon as it is safe to do so the intervention should be gradually eased to allow the pupil to regain his/her self-control.

### **'Unreasonable' Force**

Approaches to physical intervention that will be considered unreasonable, other than in the most extreme emergency situations to prevent the risk of serious injury or loss of life, include:

- Holding a pupils round the neck, or by the collar, or in any other way that might restrict the pupil's ability to breath
- Slapping, punching or kicking a pupil
- Twisting or forcing limbs against a joint
- Tripping a pupil
- Holding a pupil by the hair or ear, and holding a pupil face down on the ground.

### **Risk Assessment**

In the case of emergency intervention staff will make a risk assessment at the time, comparing the risk associated with intervention against the risk of not intervening.

In the case of planned interventions staff involved with the pupil will meet with the Health & Safety Officer (The Headteacher) to carry out a risk assessment. A Behaviour Management Plan will be put in place in such situations.

### **Training**

TEAM TEACH Training has been undertaken by ALL STAFF (Head Teacher, Teachers, Teaching Assistants, Lunchtime Supervisors). Team Teach Training will be updated every three years.

### **Planning For Incidents**

Individual Behaviour Management Plans will be put in place for those pupils who routinely require control or physical intervention.

Such plans will be discussed beforehand with parents or carers so all parties are clear about how their child will be managed in school.

The details contained in Behaviour Management Plans will be communicated to all parties likely to come into contact with such pupils.

### **Emergency Action**

A 'Red Card' system is firmly in place in school as a 'low key' means of summoning assistance from other adults. This system is used so other pupils are not alarmed in an otherwise emergency situation.

All adults employed by the school have a 'Red Card' to call for assistance. All staff aware of another member of staff in difficulty have a responsibility to provide assistance, support and a presence, provided that this does not compromise other pupils' safety or well-being.

### **Audience Control**

When the 'Red Card' has been issued, the teacher sending the red card needs to determine whether it would be helpful to remove the audience (class) or to remove the pupil in need of physical intervention from the audience.

The deciding factor will inevitably be the willingness to co-operate on the part of the pupil in need of physical intervention.

If the pupil refuses to leave the classroom and the rest of the class or staff are in danger or it is likely to lead to a serious disturbance if the pupil remains in the room, then and only then can a slightly greater use of force be applied to remove the pupil from the room.

The teacher must judge each incident individually and take appropriate action.

### **Recording Incidents**

All incidents that result in interventions outside the normal care programme for individual pupils should be recorded in detail on the Cumbria County Council incident report form.

The member of staff involved in the original incident should complete the report. Contemporaneous signed and dated notes should also be completed by all members of staff involved as witnesses or in providing additional support.

Where there is a **planned intervention programme** (Behaviour Management Plan), agreed and discussed beforehand with parents, it is sufficient to record the use of the programme in the following format:

- When?
- By whom?
- For what reason?

An individual behaviour record book should be set up for this purpose.

### **Recording Incidence of Violence at Work**

All paid employees of Cumbria County Council must complete Form p17 in respect of any incident of violence or threat of violence at work.

This is in addition to any 'Report of Accident' (Personal Injury), Form P25, which may have been completed.

**All completed forms must be given to the Headteacher.**

### **Debrief**

A debriefing session should always take place following an incident that has led to the use of physical force. This should involve the pupils (if he/she is able to participate in such a debrief taking into account any learning difficulties), the member(s) of staff concerned and witnesses to the incident.

Parents and carers should always be informed of any incident in which their child is involved where physical intervention was required, unless this has been previously agreed in the Behaviour Management Plan.

Action to be taken after incidents involving the use of physical intervention is outlined in Cumbria County Council Education Service 'Positive Handling, Support and Intervention Policy and Guidance' Handbook.

### **Action In Self-Defence**

A member of staff has the right to defend his/herself from an assault. All staff should understand the legal limits to self-defence that requires that only a response that is reasonable, in all circumstances, will be recognised as justified in any subsequent legal action.

### **Complaints**

Any use of physical force may lead to complaints, however, staff who follow the guidance in this policy and ensure that their actions are always proportionate to the incident and not the result of an emotional or angry response to a provocative act, should be in a good position to demonstrate the reasonableness of their actions in any subsequent investigation.

### **Physical Contact with Pupils in Other Circumstances.**

Physical contact may be necessary when demonstrating exercise or moves in lessons such as PE or when giving treatment in first aid.

Young children or those with physical difficulties may need physical prompts to help them.

When a pupil is in distress or needs comforting they may need to be hugged or held to show support.

Teachers must use their own professional judgement when they feel a pupil needs this kind of physical contact.

### **Recommended & Accepted Approaches**

Only Team Teach approved approaches may be used for care, control and physical intervention.

All staff have passed accredited Team Teach training and may use Team Teach approaches on pupils who routinely require control or physical intervention.

All staff have a legal duty of care to protect children from harm and this has been outlined earlier in this policy.