Policy Title:	Care and Control Policy (incorporating Restrictive Physical Intervention)
Date of Issue:	10/03/2020
Date of Review:	Spring Term 2021
Author and Role:	Lancashire County Model, adopted by Bev Hennefer Headteacher
Ratified by:	Governors Policy Committee
Responsible Signatory:	Clive Gregory
Date of signature:	
Details:	This Policy: The policy has been prepared for the support of all teaching and support staff who come into contact with pupils and for volunteers working within the school to explain the school's arrangements for care and control. Its contents are available to parents and pupils. A copy of the School's Behaviour Policy is made to parents via the school website. The policy includes information on the use of reasonable force to control or restrain pupils.
Cross reference:	Behaviour Policy Health and Safety Policy Child Protection Policy Whistle blowing Policy Complaints Policy Single Equalities Policy

EQUALITY AND DIVERSITY STATEMENT

Royal Cross School is committed to the fair treatment of all in line with the Equality Act 2010. An equality impact assessment has been completed on this policy to ensure that it can be implemented consistently regardless of any protected characteristics and all will be treated with dignity and respect.

POLICY REVIEW

To ensure that this policy is relevant and up to date, comments and suggestions for additions or amendments are sought from users of this document. To contribute towards the process of review, please contact the author of the policy.

Lancashire County Council Education and Cultural Services Directorate

Policy on Care and Control of Pupils

Introduction

This policy has been prepared for the support of all teaching and support staff who come into contact with pupils and for volunteers working within Royal Cross to explain the school's arrangements for care and control. Its contents are available to parents and pupils. A statement about the Schools Behaviour policy is made to parents in the School prospectus. This statement includes information on the use of reasonable force to control or restrain pupils.

The policy has been developed in response to the recommendations of Circular 10/98 "The Use of Force to Control or Restrain Pupils", issued following the enactment of Section 550A of the 1996 Education Act. It also follows the policies of Lancashire Education and Cultural Services Committee.

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

The policy was prepared after staff discussion and was accepted by the Governing Body on 25th March 2020.
The responsible person for the implementation of the policy is Bev Hennefer, Headteacher.
The policy will be reviewed annually by the Headteacher and the Governing Body.

. **Purpose of Policy**

Good personal and professional relationships between staff and pupils are vital to ensure good order in our school. It is recognised that the majority of pupils in our school respond positively to the discipline and control practised by staff. This ensures the well-being and safety of all pupils and staff in 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:

(i) 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

(ii) are provided with appropriate training to deal with these difficult situations.

Individual members of staff cannot be required to use physical restraint.

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.

Reasonable force will only be used as a last resort when all other behaviour management strategies have failed or when pupils, staff or property are at risk.

Underpinning Values	**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. **Pupils attending this school and their parents have a right to:** • individual consideration of pupil 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 pupils and staff working in school; • expect Learner Support Plans to be designed to achieve outcomes that reflect the best interests of the child whose behaviour is of immediate concern and others affected by the behaviour requiring intervention; • be informed about the school's complaints procedure. The school will ensure that pupils understand the need for and respond to clearly defined limits, which govern behaviour in the school.
Using Force	No legal definition of reasonable force exists. The term 'reasonable force' covers the broad range of actions that involve a degree of physical activity. For the purpose of this policy and the implementation of it, in Royal Cross Primary School: • 'reasonable in the circumstance' means using no more force than is needed; staff members are expected to use the **minimum** degree of force for the shortest period of time only when it is necessary to prevent a pupil harming himself, themselves, or others, from damaging property, or causing disorder. • 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. • Staff would be expected to follow the pupil's Learner Supprt Plan in the first instance to manage an incident/challenging behaviour • If this was unsuccessful and the situation continues to escalate staff would then be expected to employ other Team Teach techniques that they have been trained in. **All the techniques used take account of a young person's;** • age • gender • level of physical, emotional and intellectual development • special needs • social context
Minimising the need to use force.	At Royal Cross School we constantly strive to create a calm environment that minimises the risk of incidents arising that might require the use of an intervention. In addition to this, pupils who regularly present with challenging behaviour have an individual Learner Support Plan and were necessary a Positive Handling Plan which details the approved holds (TEAMTEACH) approved by parents and to be used by named trained staff. School uses PHSE, Circle Time and Deaf Studies to help pupils learn about feelings and how to manage conflict, appropriate to their level of development.

Some pupils may have sensory needs that can result in increased anxiety levels, and challenging behaviour. These pupils will have individualised support programmes to help encourage acceptance of behavioural boundaries and to self-regulate.

All staff are trained in skills to help them to defuse situations before behaviour becomes challenging and how to de-escalate incidents should they arise**.**

Where pupils need a more individual approach due to their specific needs, this is addressed through an individual **Positive Handling Plan** developed by specialist trained staff in consultation with parents.

This plan will detail the specific proactive strategies to support the pupil in developing positive patterns of behaviours.
It will also be specific about the reactive strategies, including the use/type of restrictive physical intervention (RPI), to be used to maintain the safety and well-being of all concerned, and the good order of the school.

Use of restrictive physical intervention will only be used when the risks involved in doing so are outweighed by the risks involved in not using restrictive physical interventions. It is always a last resort.

All staff must work within the framework of the policy.

Definitions of Positive Handling

Positive Handling
Positive Handling describes a broad spectrum of risk reduction strategies. They are based on a risk assessment and identify positive prevention strategies and how a pupil may need to be supported in a crisis.

Positive Handling at Royal Cross is seen as a proactive response to meet individual pupil needs. It is a holistic approach involving policy, guidance, management of the environment, and deployment of staff. It can be defined across 3 possible interventions:

(a) Physical Contact

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

(b) Physical Intervention

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

This technique cannot be emphasised enough and in the hands of a skilful practitioner many pupils can be deflected from a potentially volatile situation into a less confrontational situation i.e. it may be possible to “defuse” a situation by a timely intervention.

(c) Physical Control/Restraint/Restrictive Physical Intervention (RPI)

This will involve the use of reasonable force when there is an immediate risk to pupils, staff or property. All such incidents must be recorded on the **RF1 form** and attached to a critical incident on CPOMS alerting the Headteacher.

The incident MUST also be recorded in the schools **Serious Incident Book** - kept in the school office.

If anyone is injured an accident/incident report must also be completed on CPOMS. Incidents must be sent to the Headteacher as soon as possible, and by the end of the school day at the latest.

	Wherever force is required to overpower the will of the pupil then this should be defined as **restrictive physical intervention**.
Planned and emergency interventions.	**A planned intervention** - is one that is described/outlined in the pupil's Learner Support Plan. This should cover most interventions, as possible scenarios will be identified and planned for when the Plan is drawn up. These interventions may include the use of Team Teach techniques by trained, authorised key staff. **An emergency physical intervention** - may be necessary if a situation arises that was not foreseen or is uncharacteristic of the pupil. Members of staff retain their duty of care to pupils and any response, even in an emergency, must be **proportionate** to the circumstances. Staff should use the **minimum** force necessary to prevent injury and maintain safety, consistent with the training that they have received. In emergency situations where no Team Teach trained staff are available it may be necessary to call upon the support of other members of staff who have not received training. As soon as possible, trained staff should intervene and take over the management of the situation. Following any such incident, a Learner Support Plan will be devised (or the existing plan updated) to support effective responses to any such situations which may arise in the future. At Royal Cross assistance will be given from the school's SENCO.
Seclusion, Time out and withdrawal	**Seclusion**: where an adult or child is forced to spend time alone against their will in a locked room or room which they cannot leave. Seclusion is considered a form of restrictive physical intervention. **At Royal Cross we do not use seclusion.** **Time out:** This involves moving a pupil away from a situation that causes anxiety or distress to a location where he/she can be continuously observed and supported until he/she is ready to resume usual activities. This may involve a pupil choosing to spend time away from the situation or staff removing him/her from the situation to provide time to calm down or to prevent the situation from escalating. **Withdrawal**: which involves the withdrawal of attention or/and things a pupil finds rewarding. It may involve turning away from a child who is attention seeking or positioning a child away from a class group. This withdrawal of attention could also be achieved by sending a pupil to another location where he/she can be continuously observed and supported until he/she is ready to resume usual activities. In this case the pupil should be able to freely leave the room or area. This temporary restriction to the safe space area will be continually monitored by a member of staff, it is: • risk assessed • personalised • structured • reported, recorded and reviewed

	This strategy is documented in the child's best interests, with the aim of preventing the risk of harm. This would include the risk of physical or psychological harm and the risk of harm to a safe environment.
Authorised Staff	In Royal Cross School some key staff are specifically trained and authorised by the Headteacher to use reasonable force to manage or control pupils. Within Royal Cross School, this authorisation is extended to the following trained staff (TEAMTEACH): **Sofia Parveen, Deputy Head & SENCO, Debbie Cartwright Support Staff; Lisa Dewhurst, HLTA** **Authorisation is not given to volunteers or parents.** The Headteacher is responsible for making clear to whom such authorisation has been given, in what circumstances and settings they may use force and for what duration of time this authorisation will last. The Headteacher will ensure that those authorised are aware of, and understand, what the authorisation entails. Those whom the Headteacher has not authorised will be told what steps to take in the case of an incident where control or restraint is needed, for example to contact an authorised member of staff. **Supply staff will not be authorised** to use reasonable force unless they are familiar with this school's policy and **have undertaken training.** The Headteacher will maintain a list of those who have been authorised and training which has been provided. This list will be reviewed termly.
Staff from the Authority Working Within School	Support Services will have their own policies for care and control of pupils, but service staff will, whilst on school premises, be expected to be aware of and operate within the policy of this school.
Training	Training for **all** staff will be the responsibility of the Headteacher. No member of staff will be expected to undertake the use of reasonable force without appropriate training. **RPI - TEAMTEACH** This training will be refreshed as needed to ensure training is up to date and current. No member of staff will be expected to use Team-teach techniques 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. Royal Cross Primary School is committed to using Team Teach where physical intervention is required. Team Teach Ltd is a training provider that is accredited through the British Institute of Learning Difficulties (BILD) and adheres to their Code of Practice on physical intervention.

	Key school staff working directly with pupils receive the 6 hour Foundation Course in Team Teach as the school is considered to be a low risk setting. This is in line with County guidance and Team Teach policy.
Strategies for Dealing with Challenging Behaviour	Staff consistently use positive strategies to encourage acceptable behaviour and good order appropriate to the age, maturity, communication and learning needs of the pupils. **See the school's Behaviour Policy for guidance and strategies.** Every effort will be made to resolve conflicts positively and without harm to pupils 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 may be taken according to the circumstances of the incident: ***Reference the Behaviour Policy for more guidance.***
PREVENTION Primary Prevention	**This is achieved by** • The use of appropriate communication methods • Maintaining a positive culture • The deployment of appropriate staffing numbers • The deployment of appropriately trained and competent staff • Developing staff expertise through a programme of Continuous Professional Development • Clear and consistent expectations with lots of positive reinforcement • Avoiding situations and triggers known to provoke challenging behaviour • Creating opportunities for choice and achievement • Exploring pupils' preferences relating to the way/s in which they are managed. • Promote positive relationships
Secondary Prevention	This involves the recognition of the early stages of a behavioural sequence that is likely to develop into violence or aggression and employing 'diffusion' techniques to avert any further escalation. This form of physical intervention may involve staff: • escorting a pupil • physically interposing themselves between pupils • blocking a pupil's path • shepherding a pupil away • supportively holding a pupil to keep them or others safe until they have regained control of themselves or can be supported to an area to calm down. Where there is clear, documented evidence that particular sequences of behaviour escalate rapidly into violence, the use of a restrictive physical intervention (RPI) at an early stage in the sequence may, potentially, be justified if it is clear that: • Primary prevention has not been effective, and • The risks associated with NOT using a RPI are greater than the risks of using a RPI, and • Other appropriate methods, which do not involve RPI, have been tried without success.
Judgements	*It may be necessary to make a judgement about the relative risks and potential benefits arising from activities which might provoke challenging behaviours compared with the impact on the pupil's overall quality of life if such activities are not allowed.*

Visits out of school	Our equal opportunities policy states that all pupils should be included in all curriculum activities. However, Health and Safety remains a priority and staff should carry out risk assessments for each pupil prior to each visit into the community. Due consideration should be given to the following: • Is the pupil able to cope with the demands of the proposed visit? • Are there sufficient, suitably trained staff - particularly if there should be an incident? • How will you contact school to get extra help if necessary? • How will you get back?
Escalating Situations	The 1996 Education Act (Section 550A) stipulates that reasonable force may be used to prevent a pupil from doing, or continuing to do any of the following: • engaging in any behaviour prejudicial to maintaining good order and discipline at the school or among any of its pupils, whether the behaviour occurs in a classroom during a teaching session or elsewhere (this includes authorised out-of-school activities); • self-injuring or placing himself or herself at risk; • injuring others; • causing damage to property, including that of the pupil himself or herself; • committing a criminal offence (even if the pupil is below the age of criminal responsibility).
Types of Incidents	The incidents described in Circular 10/98 fall into three broad categories: 1. where action is necessary in self-defence or because there is an imminent risk of injury; 2. where there is a developing risk of injury, or significant damage to property; 3. where a pupil is behaving in a way that is compromising good order or discipline.
Risk Assessment.	Both challenging behaviour and restrictive physical interventions will involve a risk – to both staff and pupils. A risk assessment aims to balance these risks. The aim this policy is to reduce the risks associated with pupils' challenging behaviour as far as is reasonably practicable. Pupils whose challenging behaviour may pose a risk to staff or pupils will be the subject of a Risk Assessment and will have a Plan drawn up. These will be shared with all staff on the resource room noticeboard and kept with personal learning plans.
Health and Safety of Staff	*Under the Health and Safety at Work Act, employees have a responsibility to report any circumstances which give rise to an increased risk to their Health and Safety.* *Staff who have, or acquire, permanently or temporarily, any medical condition have a duty to report these to the Headteacher immediately as there may be an impact on their own safety and that of colleagues and/or pupils.*
Acceptable measures of physical intervention	**The use of any degree of force can only be deemed reasonable if:** 1. it is warranted by the particular circumstances of the incident; 2. it is delivered in accordance with the seriousness of the incident and the consequences which it is desired to prevent; 3. it is carried out as the minimum to achieve the desired result;

4. the age, understanding and gender of the pupil are taken into account;
5. it is likely to achieve the desired result.

Wherever possible assistance should be sought from another member of staff before intervening.

Physical intervention uses the minimum degree of force necessary for the shortest period of time to prevent a pupil harming himself, herself, others or property.

Any such measures will be most effective in the context of the overall ethos of the school, the way in which staff exercise their responsibilities and the behaviour management strategies used. Wherever reasonable force is used, staff must keep talking / signing to the pupil.

Recording

Where physical intervention has been used to manage a pupil, a record of the incident **MUST** need to be kept.

Where physical control or restraint has been used a record of the incident **MUST** be kept. This record should be made in the school's black Serious Incident Book, statutory for all special school provision. This is a hard-backed book, with numbered pages, kept in the office.

This record should include:

- name of pupil
- date, time and place of incident
- a brief description of the incident and actions taken.

The **Incident Book** report will be completed as soon as possible after the incident, prior to staff going off duty and be signed by all staff involved and the Headteacher.

In addition, specific details of the use of reasonable force will be recorded on **Form RF1** which will include:

- how the incident developed;
- attempts made to calm the situation;
- names of any staff or pupils who witnessed the incident;
- the outcome of the incident including any injuries sustained, by any pupil or member of staff;
- any damage to property which has resulted;
- whether/how parents have been informed;
- and, after investigation, a summary of actions taken.

Staff may find it helpful to seek advice from a senior colleague or representative of their professional association/union when compiling a report. They should also keep a copy of the report.

A Health and Safety Accident/Incident **Form (HS1)** MUST also be completed and returned to the Local Authority.

After the review of the incident, copies of **Form RF1** will be placed on the pupil's file and uploaded onto the pupil's record on CPOMS.

Reporting	All incidents recorded on a **RF1 form** and entered into the Serious Incident Book MUST be reported to parents. This should be by telephone and written details of the incident sent home to parents. Monitoring of incidents will take place on a regular basis by the Headteacher and SENCO. The Headteacher will present an annual summary of incidents that have involved the use of force to the Governing Body Health and Safety (resources) Committee
Support Following Incidents	Physical techniques are not used in isolation and the school is committed to ensuring that as a result of incidents learning opportunities are created for children that allow them to take responsibility for their behaviour at a level appropriate to their stage of development. Whilst the physical techniques are intended to reduce risk, there is always risk when two or more people engage to use force to protect, release or restrain. Team Teach techniques seek to avoid injury, 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 user remains safe. Any such injury will be reported using the **Record of First Aid Treatment** and a **HS1 form**. In addition, procedures are in place to ensure that appropriate support is provided for staff and that following an incident pupil/staff relationships are rebuilt and repaired to ensure that a positive learning environment is maintained. Where staff have been involved in an incident involving reasonable force, they should have access to counselling and support. Within the school, this will be made available through the Headteacher. Staff may also contact the Directorate Stress line and/or the County Council's Welfare and Counselling Section. *Welfare Counselling telephone no (01772) 263331* *Stress Line (01282) 692079*
Action after an Incident	The Headteacher 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 pupil, this will be pursued through the appropriate procedure: • Child Protection Procedure (this may involve investigations by Police and/or Social Services) • Staff Facing Allegations of Abuse Procedure • Staff or Pupil Disciplinary Procedure • School Behaviour Policy • Exclusions Procedure The member of staff will be kept informed of any action taken. 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.
Complaints	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. Any complaints about staff will be dealt with under the School's Complaints Procedure.

	The Chair of Governors will be informed of complaints but other governors will not be involved as a complaint may require further action on their part.
. **Monitoring of Incidents**	Whenever a member of staff has occasion to use reasonable force, this will always be recorded and documented. Monitoring of incidents will help to ensure that staff are following the correct procedures and will alert the Headteacher to the needs of any pupil(s) whose behaviour can only be contained by the use of reasonable force. This process will also address patterns of incidents and evaluate trends which may be emerging.
Whistleblowing	Whilst the training in TEAM TEACH provided to key staff, encourages the use of help protocols and reflective practice, it is acknowledged that under some circumstances, restrictive physical intervention can be misapplied. Staff are reminded that part of their duty of care to pupils includes the requirement to report any such matters which cause them concern in relation to pupil management and welfare. Any such concerns should be raised with the Head/Deputy or Chair of Governors in order to allow concerns to be addressed and practice improved.

RF1 FORM

LANCASHIRE EDUCATION AND CULTURAL SERVICES DIRECTORATE

POLICY ON CARE AND CONTROL OF PUPILS

NAME OF SCHOOL (OR SERVICE): ……

RECORD OF THE USE OF REASONABLE FORCE

Reference should be made to the School's Policy on Care and Control of Pupils (Paragraph 12. Recording) before completing this report form. This report should normally be completed as soon as practically possible after the incident.

Name of Pupil _____ Registration Group/Class _____

Date and Time of Incident _____ am/pm Place _____

Reporting Staff _____ _____

Staff Witnesses _____ _____

Child Witnesses _____ _____

1. RECORD OF INCIDENT

Reason why reasonable force was thought necessary:

Was the child concerned liable to injury? Yes / No

Were other children liable to injury? Yes / No

Were staff liable to injury? Yes / No

Was property about to be damaged? Yes / No

Was good order prejudiced? Yes / No

Other reasons: _____

_____

1.1 **Concise details of how the incident began, nature of pupil behaviour, the use of techniques other than physical control to defuse the situation, and measures taken to avoid harm to the pupil.**

1.2 **Description of physical intervention/control/restraint used, including the degree of force used, how that was applied, and for how long.**

1.3 **Record of any injuries to pupils/staff (a body map should be attached [LACPC Multi-Agency Policy, Guidance and Procedures]).**

1.4 **Record of any damage to property.**

1.5 **Measures taken to ensure that the pupil was calmed after the incident.**

1.6 **Signature** _____

Time _____ **am / pm** **Date** _____

Report passed to _____ **Designation** _____

2. ACTION TAKEN BY HEADTEACHER/DEPUTY HEADTEACHER/SENIOR MANAGER

2.1 Name _____ Designation _____

2.2 Incident Book completed Yes / No

Signed by Headteacher Yes / No Head to initial action ☐

Parents informed Yes / No

Incident discussed with pupil Yes / No

Time _____ Date _____

Other Professionals informed Yes / No

Name	Designation	Date Informed

2.4 Action Log (any other actions taken/follow up from other professionals etc)

Date **Summary of Actions/Reports**

Serious Incident Book

Entry No.	Date	Staff Signature	Time	Place	Name of Pupil (where appropriate)	Serious Incident	Headteacher/Deputy/Governor Filed	Signed