

# St Laurence Church Infant School

## Care and Control Policy (incorporating Physical Restraint)



Approved by:	Governing Board
Last revised on:	November 2023
Next review due by:	November 2026

## Introduction

This policy follows the guidance for 'The Use of Reasonable Force July 2013: [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/444051/Use\\_of\\_reasonable\\_force\\_advice\\_Reviewed\\_July\\_2015.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/444051/Use_of_reasonable_force_advice_Reviewed_July_2015.pdf) and The Education and Inspections Act 2006 section 93.

The policy should be read in conjunction with the school's Behaviour Regulation Policy.

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 the school to explain the school's arrangements for care and control. Its contents are available to parents and pupils.

## 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. St Laurence Church Infant School acknowledges that physical techniques are only part of a whole setting approach to behaviour management.

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.

## Implications of the policy

The Education and Inspections Act 2006 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 within school (this includes authorised out-of-school activities).
- self-injuring
- causing injury to others
- committing a criminal offence

**Individual members of staff cannot be required to use physical restraint.** However, as teaching and non-teaching staff work 'in loco parentis' and 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.

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 this 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.

## **Definitions of positive handling**

No legal definition of reasonable force exists, however for the purpose of this policy and the implementation of it in St Laurence Church Infant School:

- positive handling uses the minimum degree of force necessary for the shortest period of time to prevent a pupil 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.

### **1 Physical Contact**

Situations in which proper physical contact occurs between staff and pupils eg in the care of pupils and in order to support their access to a broad and balanced curriculum.

### **2 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 arm or shoulder where the pupil is compliant.

### **3 Physical Control/Restraint**

This will involve the use of reasonable force when there is an immediate risk to pupils, 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 be stored in an accessible way.

**The level of compliance from the pupil determines whether or not the interaction is an intervention or a control/restraint.**

## **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;
- 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.

### **Authorised staff**

In this school all staff are authorised to use reasonable force within the context of The Education and Inspections Act 2006 'The Use of Reasonable Force to Control and Restrain Pupils'.

The school provides training for authorised staff. Authorisation is not given to parents or volunteers.

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.

### **Staff from the LA working within the school**

Support Services will have their own policies for Care and Control of Pupils. When working within school it is the Headteacher's responsibility to ensure that colleagues from Support Services are aware of this policy and practice. In St Laurence Church Infant School all services will adhere to this policy.

### **Training**

Training for all staff will be made available and will be the responsibility of the Headteacher. No member of staff will be expected to undertake the use of reasonable force without appropriate training. Training will be delivered on a needs based approach and procedures are in place to monitor incidents.

All training will include theory on the following:

- Causes of challenging behaviour
- Primary prevention strategies
- Secondary prevention strategies
- Positive behaviour management
- De-escalation
- Risk assessment
- Behaviour support planning
- Restrictive Physical Intervention National perspective
- De - brief
- Effective review of policy following the training

Training in physical restraint at St Laurence Church Infant School is provided by Team Teach. In addition, procedures will be put 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.

All the techniques used take account of a young person's:

- age
- gender

- level of physical, emotional and intellectual development
- special needs or disabilities and the vulnerability which these entail
- social context

They should also provide a gradual, graded system of response.

Positive Handling Plans will be written by the SENCO with the class teacher and parents for individual children alongside One Page Profiles. The advice from outside agencies e.g. educational psychology may be sought.

Risk assessments need to be completed against each child when physical restraints may need to be used in the context of the identified target behaviour(s) and environments in which they occur. The assessment should identify the benefits and the risks associated with the strategies being proposed.

In line with the AET Autism Standards, we will ensure that our staff know that physical intervention is particularly difficult for pupils with autism and ensure that staff understand the legal framework of a positive handling intervention to respond in an appropriate way when managing behaviour.

Members of staff with day to day contact are able to build the relationship required to support the child in these circumstances as well as engage in appropriate reflection and repair following the incident.

### **Strategies for dealing with challenging behaviour**

Every effort will be made to resolve conflicts positively and without harm to pupils or staff, property, buildings or the environment. Reasonable Adjustments as outlined in the Equality Act 2010 should be planned for pupils with SEN or disabilities and outlined in their one page profile. Where unacceptable behaviour threatens good order and discipline and provokes intervention, some or all of the following approaches should be taken according to the circumstances of the incident and in association with the Education and Inspections Act 2006 Section 93.

- Verbal acknowledgement of unacceptable behaviour with request for the pupil 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.
- Warning of intention to intervene physically and that this will cease when the pupil complies. Assistance will be summonsed from a second authorised adult.
- Physical intervention. Reasonable force being used to prevent a child harming themselves, others or property.

### **Types of incident**

The incidents described in The Education and Inspections Act 2006 'The Use of Reasonable Force to Control and Restrain Pupils' 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 pupil is behaving in a way that is compromising good order or discipline.

Examples of situations which fall within one of the first two categories are:

- A pupil attacks a member of staff, or another pupil;
- Pupils are fighting;
- A pupil is engaged in, or is on the verge of committing, deliberate damage or vandalism to property;
- A pupil is causing, or at risk of causing, injury or damage by accident, by rough play, or by misuse of dangerous materials or objects;
- A pupil is running in a corridor or on a stairway in a way which he or she might have or cause an accident likely to injure him or herself or others;
- A pupil absconds from a class or tries to leave school (NB this will only apply if a pupil could be at risk if not kept in the classroom or at school).

Examples of situations which fall into the third category are:

- A pupil persistently refuses to obey an order to leave a classroom;
- A pupil is behaving in a way that is seriously disrupting a lesson

### **Recording and monitoring**

Whenever a member of staff has occasion to use reasonable force, this will always be recorded and documented following agreed procedures. Incidents requiring any type of restraint will be recorded using the approved proformas recommended as part of Team Teach training. The bound and numbered book for recording incidents is kept in the SENCO office. Copies of these records will be kept in individual children's files. A full narrative of the incident, including antecedents will be recorded on MyConcern, referencing the bound and numbered book record number with the title "Serious Incident" This will be "tagged" with the "physical intervention by staff" category.

A Schools - Accident, Incident and Near Miss Report Form will be completed and returned to the Local Authority in situations where injury has occurred to either members of staff or pupils. Where staff have been involved in an incident involving reasonable force they should have access to counselling and support.

Monitoring of incidents by SLT 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 may require the use of reasonable force.

Monitoring of incidents will take place on a regular basis and the results used to inform planning to meet individual pupil and school needs.

To support the Headteacher and school and ensure objectivity, a Behaviour Support Consultant may be involved with the monitoring process when a child is presenting with particularly challenging behaviour.

### **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:

- Review of Behaviour Programme
- Child Protection Procedure (this may involve investigations by Police and/or Children's Services)
- Staff or Pupil Disciplinary Procedure
- School Behaviour Regulation Policy

- Exclusions Procedure in the case of violence or assault against a member of staff

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 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.