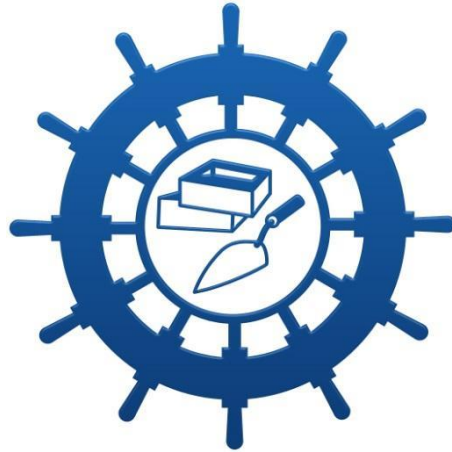


VICTORIA DOCK PRIMARY SCHOOL

PHYSICAL INTERVENTION POLICY



Working together for your children

Date Written: Spring 2020

To be reviewed: Spring 2021

To be read in conjunction with:

Child Protection Policy; Anti-Bullying Policy; Health and Safety Policy; Special Educational Needs Policy; Behaviour and Attitudes Policy; Accessibility Policy; Intimate Care Policy; Sex and Relationships Policy; Complaints Procedure; and Whistle Blowing Policy.

Safeguarding Team	
Headteacher	Antonia Saunders
Designated Safeguarding Lead	Claire Juggins
Deputy Safeguarding Lead	Gemma Hague
Safeguarding Lead Support	Paula Stephens
E-Safety Lead	Michael Hague
Designated Governor for Child Protection and Safeguarding	Andy Comfort
Behaviour Lead	Charlotte Heaton
SENCO	Louise Taylor
First Aid Leader	Julie Galloway

POLICY STATEMENT

It is recognised that the vast majority of pupils in our school respond positively to our school behaviour policy and conduct expectations. The well-being, welfare and safety of all pupils and staff at Victoria Dock Primary School are of paramount importance.

It is acknowledged that in exceptional circumstances, staff may need to take action in situations where the use of reasonable force may be required.

Victoria Dock Primary School acknowledges that physical techniques are only part of a whole-setting approach to behaviour management. Positive handling 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.

Victoria Dock Primary School does not support the routine use of physical interventions.

All staff at Victoria Dock Primary School understand that school cannot use force as a punishment; it is always unlawful to use force as a punishment.

Positive handling uses the minimum degree of force necessary for the shortest period of time to prevent a pupil harming themselves, 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

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.

Objectives:

The objectives of our policy are in maintaining our duty of care in:

- protecting the safety of all students;
- protecting the safety of staff;

- protecting the good order of the learning environment;
- preventing damage to property;
- preventing students from committing criminal acts.

In discharging that duty of care, staff might be required to use force for the purpose of preventing a pupil from, for example:

- self-harming;
- causing injury to other students or staff;
- causing personal injury;
- committing an offence;
- causing damage to property;
- engaging in any behaviour prejudicial to the maintenance of good order and discipline in the school or among any of its students.

DEFINITIONS

No legal definition of “reasonable force” exists however for the purpose of this policy and the implementation of it in Victoria Dock Primary School, the clarification provided in the DfE guidance document ‘use of reasonable force’, 2013 is used:

What is reasonable force?

- The term ‘reasonable force’ covers the broad range of actions used by most teachers at some point in their career that involve a degree of physical contact with pupils.
- Force is usually used either to control or restrain. This can range from guiding a pupil to safety by the arm through to more extreme circumstances such as breaking up a fight or where a student needs to be restrained to prevent violence or injury.
- ‘Reasonable in the circumstances’ means using no more force than is needed.
- As mentioned above, schools generally use force to control pupils and to restrain them. Control means either passive physical contact, such as standing between pupils or blocking a pupil's path, or active physical contact such as leading a pupil by the arm out of a classroom.
- Restraint means to hold back physically or to bring a pupil under control. It is typically used in more extreme circumstances, for example when two pupils are fighting and refuse to separate without physical intervention.
- School staff should always try to avoid acting in a way that might cause injury.
- It is acknowledged that in extreme cases it may not always be possible to avoid injury as an accidental consequence of the intervention.

Different types of physical contact with pupils:

- **Physical contact situations in which proper physical contact occurs between staff and pupil.** Examples of where touching a pupil might be proper or necessary: - Holding the hand of the child at the front/back of the line when going to assembly or when together around the school; - When comforting a distressed pupil; - When a pupil is being congratulated or praised; - To demonstrate how to use a musical instrument; - To demonstrate exercise or techniques during PE lessons or sports coaching; and - To give first aid.
- **Physical Intervention** This may be used to divert a pupil from a destructive or disruptive action, for example guiding or leading a pupil where the pupil is compliant.
- **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. If at all possible, more than one member of staff should be present if physical restraint is necessitated. The level of compliance from the pupil determines whether or not the interaction is an intervention or a restraint.

Strategies for Dealing with Challenging Behaviour and Escalating Situations

Staff consistently use positive strategies to encourage acceptable behaviour and good order, in line with the Victoria Dock Primary School Behaviour Policy. Every effort will be made to resolve conflicts positively.

Staff should be able to justify that strategies other than force have been attempted and proved ineffective or would have been impractical. Furthermore, staff should recognise that restraint is only a small part of a wider spectrum of positive framework that may include use of space, safe environments, diversions, calm stances and postures, non-threatening facial expressions, low tone, volume and pace in communication, careful use of words, and physical reassurance and prompts.

Consideration of these strategies should be maintained during and after the need for physical contact. As soon as it is safe, any hold or restraint should be gradually relaxed to allow the pupil to regain self-control. The pupil should be informed about what will happen next and be offered reassurance and encouragement to remain calm. In this way the pupil will be more likely to see the restraint as an act of care.

All members of school staff have a legal power to use reasonable force. (Section 93, Education and Inspections Act 2006).

The 1996 Education Act (Section 55O A) stipulates that:

A member of the staff of a school may use, in relation to any pupil at the school, such force as is reasonable in the circumstances for the purpose of preventing the pupil from doing (or continuing to do) any of the following, namely—

- (a) committing any offence,
- (b) causing personal injury to, or damage to the property of, any person (including the pupil himself), or
- (c) engaging in any behaviour prejudicial to the maintenance of good order and discipline at the school or among any of its pupils, whether that behaviour occurs during a teaching session or otherwise.

This applies where a member of staff is on the school premises and elsewhere at a time when, as a member of school staff, that adult has lawful control of the children concerned, for example, on a school trip.

The decision on whether to physically intervene is down to the professional judgement of the adult concerned. Whether the force used is reasonable will always depend on the particular circumstances of the case. The use of force is reasonable if it is proportionate to the consequences it is intended to prevent. This means the degree of force used should be no more than is needed to achieve the desired result. (DfE guidance document 'use of reasonable force', 2013).

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', it might be argued that failing to take action (including a failure to use reasonable force) may in some circumstances breach that duty. (DfE guidance document 'use of reasonable force', 2013).

AUTHORISED STAFF

Section 550A of the Education Act 1996 permits adults who have lawful charge or control of children to use reasonable force to control or restrain them. These include:

- Teachers;
- family support workers;
- teaching assistants;
- SMSAs;
- representatives from outside agencies;

- other adults who may be working with children either on school premises or accompanying them on out of school activities, e.g. during field trips or on school journeys.

Wherever possible physical restraint should only be used by those with appropriate training. However, it is acknowledged this may not always be possible and physical restraint may be used as an emergency measure by someone without appropriate training to ensure the safety of children in their care. Any physical intervention should be conducted making reasonable adjustment for students with SEN or disabilities. In this instance, someone with appropriate training should be called for immediately.

RECORDING

Victoria Dock Primary School keeps a record of all incidents where physical intervention involving the use of force against resistance from a child has been necessary (see Appendix 3). The record should be completed by the end of the working day on which the incident took place. A member of the Senior Leadership Team will be told at the earliest possible time after an incident. The adult involved may seek guidance from a senior colleague and/or their trade union representative before filling in their report.

A member of the Senior Leadership Team will discuss the incident with any children or staff who were present and, where appropriate, collect a written account from them. In line with our commitment to working with parents, we aim to maintain an open discussion during any relevant procedure which may follow an incident.

The school will regularly review the number and type of incidents in which physical intervention and/or restraint has been necessary. This will be used to ensure that there is adherence to this policy and to identify improvement needed in other policies and procedures of the school.

Claire Juggins is responsible for ensuring the forms are viewed and signed and logging them in the bound and numbered book. .

A behaviour chronology sheet will be issued to record guides or escorts.

RISK ASSESSMENT

When it is likely that a child's behaviour may necessitate the use of physical intervention and/or restraint as one of the reactive strategies, a risk assessment must be carried out using the format in Appendix 4.

POSITIVE HANDLING PLAN

When the Individual Education Plan and risk assessment indicate the likely need for school staff to hold or restrain a child to prevent an injury, the school should record this in a Positive Handling Plan. The information in the risk assessments will help to inform this plan which will outline:

- Who has been consulted about the plan.
- The type of physical intervention to be used.
- Which adults are authorised to use this intervention.
- Parental consent for the plan.
- Headteacher authorisation for the plan.

The recommended format for a Positive Handling Plan is included in Appendix 5.

POWER TO SEARCH PUPILS WITHOUT CONSENT

In addition to general power to use reasonable force, the Headteacher and authorised staff can use such force as is reasonable given the circumstances to conduct a search for the following 'prohibited items.'

- knives or weapons
- alcohol
- tobacco and cigarette papers
- fireworks
- illegal drugs
- stolen items
- pornographic images
- any article that the member of staff reasonably suspects has been, or is likely to be used
 - i) to commit an offence,
 - ii) to cause personal injury to, or damage to the property of, any person (including the pupil)
- Principal and authorised staff can also search for any item banned by the school rules which has been identified in the rules as an item which may be searched for.

School staff can confiscate any prohibited items found as a result of a search.

The Headteacher must ensure the person carrying out the search is of the same sex as the pupil, and the search must be carried out in the presence of another adult also of the same sex as the pupil. Pupils cannot be required to remove any clothing other than outer garments. If pupil's possessions are searched this must also be done in the presence of another adult. The person carrying out the search is able to use such force as is reasonable in the circumstance for exercising that power.

Furthermore, the Education Act 2011 allows staff to lawfully search electronic devices, without consent or parental permission, if there is a suspicion that the pupil

has a device prohibited by school rules, or the staff member has good reason to suspect the device may be used to:

- cause harm,
- disrupt teaching,
- break school rules,
- commit an offence,
- cause personal injury, or
- damage property.

SHARING OF INFORMATION

All members of the school community should know of the existence of this policy. In principle, as few people as possible should know of any specific incident and staff should maintain confidentiality to the greatest possible extent. This is to enable governors and staff involved in any consequence or complaint to do so without having acquired hearsay knowledge.

MONITORING INCIDENTS WHERE PHYSICAL RESTRAINT IS USED

The headteacher/deputy headteacher will monitor records of any incidents in order to:

- Identify any patterns of behaviour resulting in the use of physical intervention.
- Review the levels of staff awareness of and compliance with the school policy.
- Inform staff training needs.
- Explore the relationship between the use of physical intervention and behaviour in school.

ACTION AFTER AN INCIDENT

The headteacher/deputy head will ensure that each incident is reviewed, investigated and recorded as stated above. If further action is required, this will be pursued through the appropriate procedures which may include: - Child Protection Policy – Behaviour Policy - Local Authority Exclusion Procedure.

It is the responsibility of the class teacher/support staff to ensure a phone call is made to the student's parents/carers on the day of the incident(s). One call is sufficient for multiple incidents.

If it is likely that the student would come to significant harm as a result of such a phone call, then the incident would not be reported to the parents/carers but would be reported to the Local Authority Safeguarding Officer.

Data Protection/GDPR: The school allows full on-site access for parents/carers/professionals to the positive handling forms and bound book where the information relates to their own children/clients.

In order to maintain data protection integrity for other children and staff who might be mentioned in these documents we do not allow the forms or copies of such to be taken off-site.

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. Complaints following a dispute about the use of physical intervention by an adult should be pursued in accordance with the Complaints Procedure.

ADVICE FOR STAFF

At Victoria Dock Primary School, we believe that physical intervention and/or restraint should be the last resort. In the majority of cases de-escalation and diffusion are the appropriate methods of dealing with situations that might result in a threat to the health and safety of any individuals. On extremely rare occasions it may be appropriate for staff to intervene physically with or between pupils. These include:

- Injury, or risk of injury, to another pupil
- Injury, or risk of injury, to a member of staff
- Serious damage to property

Any intervention should be a last resort and be proportionate, reasonable and appropriate, and be done with the aim to reduce not provoke.

All staff owe a duty of care to pupils. To take no action, where the outcome is that a pupil injures him/herself, or another, including staff, could be seen as negligence.

Members of staff facing confrontational situations with pupils are reminded that the following behaviours can either reduce or inflame incidents, and that a brief moment of risk assessment may allow the time to decide on the appropriate action necessary.

Staff are strongly advised not to physically stop pupils from leaving their room. They should give a clear choice and spell out consequences, but unless there is a risk of injury should never block a pupil's exit.

Remaining calm – the ability to try and remain calm and appear relaxed is less likely to provoke. A relaxed posture and a non-threatening (CALM) stance, i.e. not toe-to-toe, are recommended.

Awareness of space – try to be aware of the space around you and avoid stepping into another individual's personal/intimate space. Try to take a step back outside the circle of danger.

Pacing and chasing – angry people often pace around in tense situations and staff should try to avoid the temptation to follow as they attempt to help them calm down. This can be counter-productive as it may trigger an animal chase response and drive the other person away. Where possible it is preferable for the staff member to stand still, speaking calmly, clearly and confidently – or even sit down.

Intonation - when people are anxious or angry they tend to talk faster, higher and more loudly. In a potential crisis situation staff need to deliberately speak slower, lower and more quietly

Help Script

- Connect by using pupil's name
- Recognise the feelings
- Tell the pupil you're there to help
- You talk and I will listen
- Give direction

Diffusing body language responses

- Social distance
- Sideways stance, step back
- Intermittent eye contact
- Relaxed body posture
- Palms open
- Calm stance

Values of stepping back from a situation, both physically and emotionally:

- Allows a more considered response
- Time to make a 'dynamic' risk assessment and seek assistance
- Allows other person 'take up' time to make their own choices

Application of Force (DfES advice to schools 10/98) Staff should NOT act in a way that might reasonably be expected to cause injury. This includes:

- Slapping, punching, kicking or tripping a pupil
- Twisting or forcing limbs against joints
- Indecently touching, holding or pulling a pupil by the hair or ear
- Other than in circumstances that are exceptional, using reasonable force to hold a pupil face down on the ground

In the event of a serious incident e.g. a fight, staff should:

- Make their presence felt – “stop fighting, stop fighting”
- Send for assistance
- Spell out sanctions
- Remove the ‘fuel’ by clearing the ‘audience’ away
- Be a witness
- Intervene physically if confident and having assessed the degree of risk, but should not ignore or walk away.

Appendix 2

Do	Don't
Appear calm and relaxed.	Appear afraid and unsure of yourself; appear bossy, arrogant; assume an "I don't give a damn about you" attitude.
Keep the pitch and volume of your voice down.	Raise your voice.
<p>Feel comfortable with the fact that you are in control (if you control yourself, you control the situation);</p> <p>project a calm assured feeling that you will see the situation through to peaceful end no matter what happens.</p>	Appear to expect an attack (or you will have one).
Talk <u>with</u> the pupil.	Give commands; make demands.
<p>Be very matter of fact if the pupil becomes agitated;</p> <p>be sensitive and flexible yet consistent; be aware of body language;</p> <p>Monitor breathing (chest movements) which can cause aggressive responses.</p>	<p>Make threats (Especially any that you are not absolutely sure that you can carry through!);</p> <p>Maintain continuous eye contact; Gesticulate; (this may provoke confrontation).</p>
Stay close to the pupil and attend to him/her.	Turn your back or leave; invade the pupil's personal space.

<p>Be patient; if a pupil's agitation increases to the verge of attack:</p> <p>* Acknowledge his/her feelings;</p> <ul style="list-style-type: none"> • Continue with a matter of fact attitude; • Always leave the pupil an avenue of escape. 	<p>Display emotion; argue; corner the pupil physically or psychologically.</p>
<p>Where possible, remain seated as long as the pupil does; avoid crowding.</p>	<p>Get up and move towards the pupil.</p>
<p>Stay near him/her, about one arm's length away; stand to one side; give the pupil more space if appropriate.</p>	<p>Give up.</p>
<p>Seek to relax your muscles and keep them under control.</p>	<p>Tense your muscles.</p>



Log No:		Positive Handling Record	Date	
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Child's name		Staff involved		Witnesses	
Location/Lesson		Start time		Duration of restraint	

Reason for RPI					
Criminal Offence		Injury to:	Other child/ren Adult/s Self	Serious disruption	
Absconding				Damage	

Incident

Diversion, Distraction and De-escalation employed							
Verbal advice & support		Firm clear directions		Negotiation		Limited choices	
Distraction		Diversion/Diffusion		Reassurance		Planned ignoring	
CALM stance & talk		Take-up time		Humour		Withdrawal offered	
Withdrawal directed		Transfer adult		Reminders about consequences		Success reminders	

Physical strategies employed							
Single elbow(1 person)		Single elbow(2 person)		Sitting single elbow (2 person)		Half shield	
Double elbow (1 person)		Double elbow (2 person)		Punch/kick response		Wrap	
Sitting wrap		Small child escort		Fight response			
Other							

PHP amended?	NO		YES		Reason
Positive Debrief	NO		YES		

Positive debrief: repair, reflection and rebuilding of relationships is an essential element in the positive handling response.

Signatures	Date	Signatures	Date
Monitor Signature			

RISK ASSESSMENT

Risk Assessment Completed by:	
Name of Child:	
Child's Date of Birth:	Class:
Ethnicity:	Gender:

Identification of Risk		
Describe the foreseeable risks:		
Is the risk:	potential	occurring
Assessment of risk		
In which situations does the risk usually occur?		
How likely is it that the risk will occur? (unlikely, possible, probable, likely)		
If the risk arises, who is likely to be injured or hurt?		
What kinds of injuries or harm are likely to occur?		

How serious are the adverse outcomes? (severe, substantial, minor, minimal)

Risk Reduction Options

What actions are being taken to minimise the level of risk?
(Consider changes to environment, awareness of triggers, de-escalation strategies, varying staff deployment, varying teaching group/size, access to quiet area)

Any immediate actions to be taken, by whom and by when?

Signed:

Role:

Date:

Copy to:

Positive Handling Plan



Name:

DOB:

ENVIRONMENTS & TRIGGERS - Describe the situations which have led to a dangerous incident in the past.

-

This can result in:

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RISK - Circle (or make bold) the level of potential risk

Frequency	<i>Low</i>	<i>Medium</i>	<i>High</i>
Severity	<i>Low</i>	<i>Medium</i>	<i>High</i>

Circle (or make bold) and/or describe precisely what might happen (st = staff, ch=children)

Slap	Punch	Bite	Pinch	Spit	Kick
Hair grab	Neck grab	Clothing grab	Body holds	Arm grab	Weapons/Missiles

PREVENTION - Describe any changes to routines, personnel or environment which might reduce the risk of this happening.

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Positive debrief **must** be used following a crisis.

Use language of success, reference to PEARL and points.

DIVERSION AND DISTRACTIONS - Describe interests, words, objects etc which may divert attention from an escalating crisis.

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DE-ESCALATION – Describe any strategies which have worked in the past or should be avoided.

	Try	Avoid		Try	Avoid
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Verbal advice and support			Limited choices		
Firm clear directions			Distraction		
Negotiation			Diversion		
Reassurance			Withdrawal Directed		
Planned ignoring when safe			Transfer Adult		
C.A.L.M. taking/stance			Reminders about Consequence		
Take up Time			Humour		
Withdrawal Offered			Success Reminders		

PHYSICAL INTERVENTION – Describe any strategies which have worked in the past or should be avoided.					
	Try	Avoid		Try	Avoid
Standing Wrap if size appropriate			Help Hug		
Sitting Wrap if size appropriate			Cradle Hug		
Standing Double Elbow			Small child escort		
Standing Single Elbow			Half shield		
Standing Single Elbow (2 person)			Other Time Out (removed to less stimulating Environment but supervised and Supported)		
Sitting Single Elbow (2 person)					

LISTENING & LEARNING - Describe any strategies which have worked in the past.

-

Or those which should be avoided.

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RECORDING AND NOTIFICATIONS REQUIRED			
Name	Status	Signed	Date

Placing Authority		Social Worker		Educational Psychologist	
Parents/Guardians		Doctor/Nurse		Others	