



## **PHYSICAL INTERVENTION AND PHYSICAL CONTACT POLICIES**

### **Policy Statement**

Staff at this school are trained and dedicated to looking after pupils in their care. All Staff have a duty to intervene in order to prevent pupils from hurting themselves or causing harm to others. There may also be situations in which a child seriously disrupts good order in the school or causes damage to the property. If a member of staff ever needs to intervene physically they will follow the school's positive handling policy.

Effective date of this policy: February 2016

Date of Staff Discussion 8<sup>th</sup> February 2016

Person Responsible for this policy Head Teacher

Accredited training personnel in use TEAM TEACH

Person responsible for Health and Safety Head Teacher

Person Responsible for Child Protection Head Teacher

Date of next Policy Review May 2016

Location of incident folder Head Teachers Office

Location of incident recording sheets Head Teachers Office and 'shared online area'

Staff training Refresher Training Complete October 2015

### **School Expectation**

School Senior Leaders take seriously its duty of care towards pupils, employees and visitors to the school.

This policy has a clear focus.

- The first and paramount consideration is the welfare of the children and young people in our care.
- The second is the welfare and protection of the adults who look after them

Pupils sometimes present a risk to themselves other. Sections 550A of the Education Act 1996 describes the circumstances in which the teachers and others authorised by the Head Teacher may use reasonable force to control or restraint pupils. Examples of when such actions may be reasonable are to prevent injury to people, damage to property or break down of discipline. If a member of staff ever needs to intervene physically they will follow the school's positive handling policy as details in the staff practice guide. Any parents wishing to view this policy may do so on request.

### **Positive Behaviour Management**

The term "positive handling" includes a wide range of supportive strategies for managing challenging behaviour. The term "Physical Restraint" is used to overcome active resistance. All physical interventions at this school are conducted within the frame work of positive behaviour management. The school behaviour policy is indented to reward effort and application, and encourage pupils to take responsibility for improving their own behaviour. Part of our preventive approach to risk reduction involves looking for early warning signs, learning and communicating any factors which may influence behaviour and taking steps to divert behaviours leading towards foreseeable risk. Pupils are encouraged to participate in the development of their own Positive

Handling Plans by focusing on alternatives and choices. Parents are also encouraged to contribute. However if problems arise staff have an additional responsibility to support all pupils when they are under pressure and safely manage crisis if, and when they occur.

### **Training**

Teacher and anyone authorised by the Head Teacher who are expected to use planned physical techniques should be trained. This school had adopted the TEAM TEACH model training. Positive handling training is always provided by qualified instructors within rigorous guidelines. The level of training required is kept under review and may change in response to the needs of our pupils.

### **The Last Resort Principle**

At Shepwell we only use physical restraint when there is no other realistic alternative. This does not mean that we always expect people to methodically work their way through a series of failing strategies, before attempting an intervention in which they have some confidence. Nor does it mean always waiting until the danger is imminent, by which times the prospect of safely managing it may be significantly reduce.

National guidance is clear on this point -

“If necessary staff have the authority to take immediate action to prevent harm occurring even if the harm is expected to happen sometime in the predicted future.”

Para 10 page 4 Department of Health – 1997 – “The control of children in Public Care: Interpretation of the Children Act 1989” – London: HMSO

It does mean that we expect staff to conduct a risk assessment and chose the safest alternative. It also means that we expect staff to experiment and think creatively about any alternatives to physical intervention which may be effective.

### **Positive Handling Plans (to be included in all Care Plans/Pathway documents etc)**

Risk management is regarded as an integral part of behaviour management planning. All pupils who have been identified as presenting a risk should have a Positive Handling Plan. The plan details any strategies which have been found to be effective for that individual, along with any particular responses which are not recommended. If particular physical techniques have been found effective they should be named, along with alerts to any which have not proved ineffective or which caused problems in the past. Positive Handling Plans should be considered alongside the Statement/EHCP and any other planning documents which relate to the pupil. They should take into account of age, sex, level of physical, emotional and intellectual development, special need and social context. Positive handling Plans should results from multi-professional collaboration and be included in any Pastoral Support Plan or Pupil Pathway.

### **Alternatives to Physical Controls**

A member of staff who chooses not to make physical intervention can still take affective action to reduce risk. They can:

- Show care and concern by acknowledging unacceptable behaviour and requesting alternatives using negotiation and reason.
- Give clear directions to the pupil to stop.
- Remind them about rules and likely outcomes
- Make the environment safer by moving furniture and removing objects which could be used as weapons.
- Use positive touch to guide or escort pupils somewhere less pressured
- Ensure the Colleagues know what is happening and get help



### **Non-Violent Crisis Intervention**

- Be emphatic Try not to be judgmental of an individual's feelings. They are real – even if not based on reality – and must be attended to.
- Clarify messages. Listen to what is really being said. Ask reflective questions, use both silence and restatement.
- Respect personal space. Stand about 1m from the pupil in crisis. Encroaching on personal space tends to escalate a situation.
- Be aware of body position. Standing eye to eye, toe to toe or leaning your face towards pupils face sends a challenging message. Standing one leg length away and at an angle off the side is less likely to escalate the pupil's behaviour.
- Permit verbal venting when possible. Allow the pupil to release as much energy as possible by venting verbally. If this cannot be allowed, state directives and reasonable limits during lulls in the venting process.
- Set and enforce reasonable limits. If the individual becomes belligerent, defensive or disruptive, state limits and directives clearly and concisely.
- Avoid overreacting. Remain calm, rational and professional. How you, the staff, respond will directly affect the individual.
- Ignore challenging questions and verbal insults. When an individual challenges your position, questions your authority, verbally insults you etc redirect their attention to the issue at hand. Answering these questions or responding to insults often fuels a power struggle.
- Keep your nonverbal cues nonthreatening. Be aware of your body language, movement and tone of voice. The more an individual loses control the less he listens to your actual words. More attention is paid to your non-verbal cues (voices, body position, stance, tone of voice etc.)
- Use physical intervention as a last resort. Use the least restrictive method of intervention possible. Employing physical techniques on an individual who is only shouting can escalate the situation.

### **Modification to the Environment**

Ideally staff will not be waiting until a crisis underway before conducting a risk assessment of the environment. We know that some pupils at this school may exhibit extreme and possibly dangerous behaviour. In general it is good rule to keep the environment clutter free. This may mean giving consideration to secure storage for a range of everyday objects when they are not being used. For example:

- How is availability of pointed implements (including pens, pencils, compasses and darts) controlled?
- What small items are available to an angry pupil who may be tempted to use a small as missiles?
- What objects are available to be used as blunt instruments? • Do they all need to be left out all the time?
- Are there sharp edges or corners which present a risk?
- Is the design and arrangements of furniture safe and appropriate for pupils who exhibit extreme behaviour?
- Is there a comfortable place to sit with an agitated pupil?
- Are protocols in place to encourage angry pupils to take themselves to a safer place?

### **Well Chosen Words**

A well chosen word can sometimes avert an escalating crisis. When pupils are becoming angry there is no point in getting into an argument. Telling people to calm down can actually wind them up. Pointing out what they have done wrong can make things worse. The only purpose in communicating with an angry person is to prevent further escalation.

It is better to say nothing and take time to choose your words carefully than to say the wrong thing and provoke further escalation.

### **Protective Physical Intervention**

It is sometimes reasonable to use physical controls to prevent extreme behaviour from becoming dangerous provided that is an agreed part of the Care Plan. Examples of this are where pupil has shown ritual pattern behaviour, which in the past have led to the child becoming more distressed and violent. In such circumstances it may be reasonable to withdraw the child to a safer place when the pattern of behaviour begins, rather than wait until the child is distressed and out of control. The paramount consideration is that the action is taken in the interest of the child and it reduces, rather than increases, risk.

### **Reasonable and Proportionate**

Any response to extreme behaviour should be reasonable and proportionate. People should not react in anger. If they feel they are becoming angry they should consider withdrawing to allow someone else to deal with the situation. Where staff act in good faith, and their actions are reasonable and proportionate they will be supported. When physical controls are considered staff should think about the answers to the following questions:

- How is this in the best interest of the pupil?
- Why is a less intrusive intervention not preferable?
- Why do we have to act now?
- Why am I the best person to be doing this?
- Why is this absolutely necessary?

If staff can answer these questions it is more likely that a physical intervention will be judged to be reasonable and proportionate.

### **Help Protocol**

The expectation at this school is that all staff should support each other. This means that staff always offers help and always accept it. Help does not always mean taking over. It may just mean just staying around in case you are needed, getting somebody else or looking after somebody else's group. Supporting a colleague does not only mean agreeing with their suggestions and offering sympathy when things go wrong. Real support sometimes means acting as a critical friend to help colleagues become aware of possible alternative strategies. Good communication is necessary so that colleagues avoid confusion when help is offered and accepted.

Staff at Shepwell School will say 'Help's available' to staff to offer support or to intervene as directed by the staff involved in the incident.

If a member of staff is concerned about an ongoing incident and feel that staff involved should move away for a break they will say 'MORE HELP'. On this signal staff involved will move away and let new staff take over. Use of 'MORE HELP' will be followed up in a post incident meeting when staff will be asked to explain their concerns and matters arising will be resolved as needed.

### **The Post Incident Support Structure for Pupils and Staff**



Following a serious incident it is the policy of this school to offer support for all involved. Take time to recover from a serious incident. Until the incident has subsided the only priority is to reduce risk and calm the situation down. Staff should avoid staying or doing anything which could inflame the situation during the recovery phase. Immediate action should be taken to ensure medical help. A list of First Aiders is displayed around the school. All injuries should be reported and recorded using the school systems. (Minor injuries should be recorded in the incident book. Serious injuries will need to be reported to the LEA who will complete the RIDOR forms for the school. HS1 forms are available from the Head Teacher who will ensure they are sent to the LEA Health and safety Department.) It is important to note that injury in itself is not evidence of malpractice. Even when staff attempt to do everything right things can go wrong. Part of the post incident support for staff may involve a reminder of this, as people tend to blame themselves when things go wrong. Time needs to be found to repair relationships. When careful steps are taken to repair relationships a serious incident does not necessarily result to long term damage. This is an opportunity for learning for all concerned. Time needs to be given to following up incidents so that children have an opportunity to express their feelings, suggest alternative courses of action for the future and appreciate other people's perspective.

#### **Follow up**

Following up an incident consideration may be given for conducting a further risk assessment, reviewing the Positive Handling Plan, behaviour management policy or this positive handling policy. Any further action in relation to a member of staff, or an individual pupil, will follow the appropriate procedures. (See staff and pupil disciplinary policy.) When time and effort are put into a post incident support structures the outcome of a serious incident can be learning, growth and strengthened relationships.

#### **Recording**

Whenever overpowering force is used the incident must be recorded using the approved forms. The bound book is kept in the Head Teachers Office and incident sheets are kept in the head Teachers Office.

All staff involved in an incident should contribute to the record which should be completed within 24 hours

- Read through the school recording form carefully.
- Take time to think about what actually happened and try to explain it clearly. Names should be completed in full and all forms should be signed and dated. Bear in mind these records will be retained and cannot be altered. (They will be kept for many years and could form part of an investigation at some time in the future.)
- Serious incident reports should not be completed until the individuals concerned have recovered from immediate effects of the incident. They should not be rushed.
- A concise record should be written into bound incident book, which can refer to supporting incident sheets and other relevant information
- A copy of the current Positive Handling Policy is archived alongside the individual records each year.

### **Unreasonable force**

It is not reasonable to use force simply to enforce compliance in circumstances where there is no risk. Nor it is reasonable to use any more force than necessary to achieve a reduction in risk. Under no circumstances should pain be deliberately inflicted or should pupils be deliberately subjected to undignified or humiliating treatment (this should not be confused with the unavoidable discomfort associated with some approved techniques for disengaging from assaults such as bites and grabs).

Staff must apply strategies and approved holds in line with Team Teach Training the following are not permitted under any circumstances:

- Holding a pupil around the neck, or by the collar or any other way which might restrict the pupil's ability to breathe.
- Slapping, punching or kicking a pupil.
- Twisting or forcing limbs against a joint
- Tripping up a pupil
- Holding or pulling a pupil by the hair or ear
- Holding a pupil face down towards the ground

Other than one off emergency measure to protect health and safety, force should never be used to keep a pupil secluded. Seclusion is only lawful by specific court order and cannot become part of a planned strategy at this school.

### **Important point:**

- The use of any degree of force is unlawful if the particular circumstances do not warrant the use of physical force.
- Physical force cannot be justified in a situation that could clearly be resolved without force
- Physical force cannot be justified to prevent a pupil from committing a trivial misdemeanour.
- Any force used must always be the minimum needed to achieve the desired result

### **Health and Safety**

If dangerous behaviour presents significant risks of injury to people, there is a legal Health and Safety issue to be addressed. Dangerous behaviour should be regarded just as seriously as dangerous equipment. Dangerous occurrences should be reported to the responsible person for Health and Safety in the school. We all have a shared responsibility to identify risk, communicate potential risks and take active steps to reduce risk wherever possible. We recognise that it is not possible to entirely remove risk. Sometimes things go wrong even when we make the best efforts to do the right thing. Sometimes we are faced with unpalatable choices. In these circumstances we have to try to think through the outcomes of the options available, balance the risks and choose whatever course of action seems to involve the least risk. As a minimum requirement, in order to comply with Health and Safety legislation, each employee has a responsibility to ensure that they are conversant with school policy and guidance, and to co-operate to make the school safer. It is also a requirement that they participate in training if they are directed to do so. This does not necessarily mean that all staff can be involved in all the physical activities. The non physical aspects of positive handling training are crucially important too. When considering a pupil's behaviour staff should think about the following questions:

- Can we anticipate a Health and Safety issue related to this pupil's behaviour?
- Have we got all the information we need to conduct a risk assessment?
- What further steps can we take to prevent dangerous behaviour from developing?



### **Risk Assessment**

Informal risk assessments should be a routine part of life for staff working with pupil who may exhibit extreme behaviour. Responsible staff should think ahead to anticipate what might go wrong. If a proposed activity or course of action involves unacceptable risk the correct decision is to do something else. Factors which might influence a more immediate risk assessment, and therefore a decision about how to intervene, might include the state of health and fitness of the staff member, their physical stature, competence and relationships with the pupils concerned. Confidence and competence are often related to the level of staff training. Other than in emergency, staff should only attempt physical controls when are confident that such action will result in a reduction of risk. When faced by extreme behaviour, or even in a fight situation, the judgment may be that becoming involved the member of staff will increase the chance of somebody getting hurt. In this case the correct decision is to hold back from physical controls.

### **Responding to Unforeseen Emergencies**

Even the best planning systems cannot cover every eventuality and the school recognises that there are unforeseen or emergency situations in which staff have to think on their feet. It is not enough to thoughtlessly apply rules without thinking through the likely consequences. The key principles are that any intervention should be:

- In the best interest of the child
- Reasonable and appropriate
- Intend to reduce risk
- The least intrusive and restrictive of those options available which are likely to be effective

Whenever physical intervention had to be made there should be verbal warning. Where possible staff should always attempt to use diversion or diffusion in preference to physical interventions. They should only use the techniques and methods approved in this school. In general if staff act in good faith, and their actions are reasonable and proportionate, they will be supported.

### **Other physical contacts with pupils.**

There are occasions when physical contact with a pupil may be appropriate or necessary other than those covered by section 550A. All staff should be aware of the distinction between Physical contact or touch, used appropriately in everyday situations to support encourage, guide or comfort a pupil, and the use of force to restrict movement or to disengage from pupils whose behaviour presents a clear risk of injury. Most of our pupils will benefit from adults physically interacting with them as part of the way we support and teach. These interactions are routine and will include a wide range of appropriate physical prompts:

- Holding a pupils hand (not pulling or lifting by the arm or hand)
- Guiding a pupil by linking arms, placing a hand on the pupils shoulder, back or elbow (not pushing or lifting)
- To demonstrate exercises or techniques during PE lessons, sports coaching CDT, Music and movement.
- A member of staff has to give first aid
- To physically prompt or help pupils with special educational needs, toileting, showering, changing at swimming.
- Where a pupil is distress and needs comforting

In some cases physical contact may not be welcomed or advisable:

- Some pupils may be particularly sensitive to physical contact because of their cultural back ground
- Some pupils may have been abused and are particularly vulnerable (staff must be made aware of these pupils)
- Physical contact with pupils reaching or going through adolescence must be carefully considered
- Some pupils may be particularly sensitive to physical contact due to sensory issues relating to their individual learning needs (e.g. some pupils with ASD can be very sensitive to physical contact)

### **Monitoring and Evaluation**

The Head Teacher will ensure that each incident is reviewed and instigate further action required.

### **Complaint**

If there is an allegation of inappropriate or excessive use of force following an incident. The school has a formal complaints procedure. Pupils / Parents / carers should be reminded of the procedure and encourage to use appropriate channels. The complaint policy applies equally for staff. We are an open school and promote transparent policy and practice in order to protect interest of pupils and staff alike. Any staff concerns regarding the welfare of children should be taken to the designated person for child protection. Any safety concerns should be reported to the designated person for health and safety.

Author Stephen Pritchard-Jones

Review/Agreed by Governors: May 2016

Review.....May 2018