

Newton-le-Willows Primary School & Nursery



Care and Control (incorporating Physical Restraint) Policy

'The use of Positive Handling to support the management of physically challenging behaviour.'

Status:	STATUTORY		
Responsible Person/People:	Mrs Chisnall, Mrs McCormack Mrs Branch, Miss Bloor Mr Ibbotson, Mr Brown, School Staff		
Responsible Governor:	Mr Limb		
Approved by:	Mr. G. Limb	Signature: <i>Gary Limb</i>	Date: Spring 2024
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1. Introduction

The policy has been developed in response to 'The Use of Force to Control and Restrain Pupils' guidance (November 2007) issued following the enactment of Section 93 of the Education and Inspections Act 2006 and also takes into consideration the DfE, DOH Guidance for Restrictive Physical Interventions, 'Guidance on the use of restrictive physical intervention for children who display Extreme Behaviour in association with Learning Disability and/or Autistic Spectrum Disorder' (July 2002), DfE 'Use of Reasonable Force – Advice for Headteachers, Staff and Governing Bodies' (July 2013 and updated 2015), Behaviour and Discipline in Schools: Advice for Headteachers and School Staff (DfE 2022) and 'The Special Education Needs and Disability Code of Practice: 0-25 years' (DfE 2015). Additionally, it follows the policies and guidance of St. Helens Local Authority and will be drawn to the attention of the St Helens Safeguarding Children's Board.

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 Behaviour and Discipline Policy is made to parents on the school website. This policy includes information on the use of reasonable force to control or restrain pupils. This is a statutory requirement.

1. Aims

Newton-le-Willows Primary's School staffing team recognise that the use of reasonable force is only one of the last in a range of strategies available to secure pupil safety and well-being and also to maintain good order and discipline. Our policy on restraint should therefore be read in conjunction with other school policies relating to interaction between adults and pupils.

- Behaviour and Discipline Policy
- SEND Policy
- Safeguarding and Child Protection Policy
- School Complaints Procedure
- Equality Policy
- Health and Safety Policy
- Managing Allegations about People who work with Children and Young People
- Health and Safety Procedure – Dealing with Challenging Behaviour – CYPS 007
- Carrying an Offensive Weapon (Including Knives) Policy
- Children's individual positive handling plans and risk assessments

Specific Aims of the Restraint Policy

- To protect every person in the school community from harm
- To protect all pupils against any form of physical intervention that is unnecessary, inappropriate, excessive or harmful
- To provide adequate information and training for staff so that they are clear as to what constitutes appropriate behaviour and to deal effectively with violent or potentially violent situations.

3. 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 practiced 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. Newton-le-Willows Primary 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:

- (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.

4. Legislation and Guidance

Physical Restraint should be limited to emergency situations and used only as a last resort. Under the Children Order 1995, it is only permissible as described under the heading "Physical Control". Article 4 of the Education Order 1998 clarifies powers that already exist in common law.

Section 93 of the Education and Inspections Act 2006 enables school staff to use such force as is reasonable in the circumstances to prevent a pupil from doing, or continuing to do, any of the following:

- committing any offence (or, for a pupil under the age of criminal responsibility what would be an offence for an older pupil)¹;
- causing personal injury to, or damage to the property of, any person (including the pupil himself);
- prejudicing the maintenance of good order and discipline at the school or among any pupils receiving education at the school, whether during a teaching session or otherwise. (Section 93 of the *Education and Inspections Act 2006* makes it clear that force may be used to prevent behaviour that prejudices the maintenance of school discipline regardless of whether that behaviour would also constitute a criminal offence.)

The staff to which this power applies are defined in Section 95 of the Act. They are:

- any teacher who works at the school;
- any other person whom the head has authorised to have control or charge of pupils, including:
 - support staff such as learning support assistants, learning mentors and lunchtime supervisors;
 - people to whom the head has given temporary authorisation to have control or charge of pupils (e.g. catering or premises staff), and unpaid volunteers (e.g. parents accompanying pupils on school-organised visits). This does not include prefects.

(NB: Qualified teachers have a statutory power to restrain whether authorised or not. If an individual working at the school is not a teacher, they must be authorised by the Head Teacher)

5. Definition of Positive Handling/Restraint and Reasonable Force

The DFE 'Use of Reasonable Force' guidance (July 2013) states that:

1. 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.
2. 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.
3. 'Reasonable in the circumstances' means using no more force than is needed.
4. 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.
5. 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.
6. School staff should always try to avoid acting in a way that might cause injury.

At Newton-le-Willows Primary School physical restraint is the positive application of force with the intention of protecting the child from harming him/herself, or others, or causing major damage to property or a safe environment.

¹ The age of criminal responsibility is currently 10 in England. For further information (and much else) provided by the National Youth Agency, see: <http://www.youthinformation.com> > Justice & Equality > Crime > Age of criminal responsibility.

Definitions of Positive Handling:

No legal definition of reasonable force within a school's context exists, however for the purpose of this policy -

'Reasonable Force 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'. (DfE/DOH Guidance for Restrictive Physical Interventions, July 2002).

This policy does more than simply outline the use of physical intervention at Newton-le-Willows Primary School. It aims to provide a transparent overview of how we use physical contact to both care for and, where appropriate control our pupils.

Our Care and Control policy (NB: DCSF talks about Care and Control rather the Physical Restraint) describes the acceptable physical interaction between staff and pupils on a daily basis. Based on the principles of moving from least intrusive to more restrictive holding we have divided interaction into three definable areas.

6. Why use restraint?

Physical restraint should avert danger by preventing or deflecting a child's action or perhaps by removing a physical object, which could be used to harm him / herself or others. It is only likely to be needed if a child appears to be unable to exercise self-control of emotions and behaviour. It is not possible to define every circumstance in which physical restraint would be necessary or appropriate, and staff will have to exercise their own judgement in situations which arise within the above categories.

Staff should always act within the school's policy on Behaviour and Discipline, particularly in dealing with disruptive behaviour.

Staff should be aware that when they are in charge of children during the school day, or during other supervised activities, they are acting in loco parentis and should, therefore, take reasonable action to ensure pupils' safety and well-being.

Failure to physically restrain a pupil who is subsequently injured or injures another, could, in certain circumstances, lead to an accusation of negligence. At the same time staff are not expected to place themselves in situations where they are likely to suffer injury as a result of their intervention.

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.

7. Physical Contact and Physical Intervention:

This refers to situations in which physical interaction occurs between staff and pupils to either care for pupils who may be distressed or have severe and profound learning disabilities, or in subject areas such as Physical Education, in order to promote inclusive learning opportunities and deliver the National Curriculum.

In addition, staff will also use positive touch to comfort pupils and as part of the PSHE/social curriculum in order to teach them more appropriate ways of seeking attention. Where possible, staff will always endeavour to use 'safe hugs' and the 'friendly hold' as defined in Team Teach training.

This may be used to divert a pupil from a destructive or disruptive action, for example prompting, guiding or leading a pupil by the arm or shoulder with little or no force. The techniques implemented here will include 'turn, gather, guide' and the 'friendly or small child hold'.

Adults may also need to 'block' an entrance/exit if a child is trying to abscond from the building. The important factor within these situations is the compliance and 'free will' of the child as a result of the intervention.

8. Physical Control and Restraint/Restrictive Physical Intervention:

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 are recorded and will be stored in an accessible way.

The following techniques are accredited by Team Teach and authorised for staff to use by the Headteacher. Whenever possible the following techniques will be used:

- Single Elbow (two person)
- Figure of Four (Two person)
- Small-person to beanbag (Two Person)
- Standing Double Elbow (One Person)
- Sitting Single Elbow (two person)

As indicated the level of compliance from the pupil determines whether or not the interaction is an intervention or a control/restraint. During these holds, the child does not have 'free will' to move. If in doubt, then staff should always record the incident using the schools standard recording form.

It should be noted that **'Team Teach techniques seek to avoid injury to the service user, 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 service user remains safe.'**

9. Power to Search Pupils Without Consent

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

- knives and weapons
- alcohol
- illegal drugs
- stolen items
- tobacco and cigarette papers
- fireworks
- pornographic images
- any article that has been or is likely to be used to commit an offence, cause personal injury or damage to property
- any item banned by the school rules which has been identified in the rules as an item which may be searched for

Headteachers and authorised staff should risk assess whether the power to search pupils without consent may put them at risk of serious harm. In such circumstances, Headteachers and authorised staff may wish to enlist the support of a Police Officer to conduct the search.

9. 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 parents/carers and pupils understand the need for and respond to clearly defined limits, which govern behaviour in the school. In turn parents/carers will have committed themselves to promote the good behaviour of their child and that efforts have been made by them to ensure that he/she understands and follows the school's policies.

10. Authorised Staff:

At Newton-le-Willows Primary School, the power to use reasonable force applies to any staff, and or other person to whom the Headteacher has authorised to have control or charge of pupils. Authorisation is not given to volunteers or parents.

Supply staff will not appear on the 'authorised persons list' unless they can offer valid certification in the TEAM TEACH Approach and are familiar with the schools' policy.

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The power may be used where the pupil (including a pupil from another school) is on the school premises or elsewhere in the lawful control or charge of the staff member (e.g. a trip or visit).

The Headteacher is responsible for making clear to whom such authorisation has been given, in what circumstances and which 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 the steps to take in the case of an incident where control or restraint is needed.

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 school policy and practice. The Headteacher in the school will be accountable for their actions while in the school.

11. Training:

Training for all staff will be made available and is the responsibility of the Headteacher. Prior to any practical training, theoretical aspects of effective behaviour management will have been delivered and arrangements will be made clear, as part of the induction of staff, training will be provided as part of on-going continued professional development for staff.

In line with Local Authority advice, and as an accredited provider with the British Institute of Learning Disabilities (BILD), Newton-le-Willows Primary School, is committed to implementing the TEAM TEACH Approach, 'working together to safeguard people and services'. Further information in relation to TEAM TEACH can be found at www.team-teach.co.uk.

The school provides training for a number of designated staff in TEAM TEACH. The Headteacher/Behaviour Leader retains a list of all those staff trained and authorised. The list is reviewed on an annual basis (or more frequently if the context requires it).

Physical techniques are not used in isolation and Newton-le-Willows Primary School, is committed to ensuring that as a result of incidents learning opportunities are created for children that allow them to 'own' and take responsibility for their behaviour.

12. Types of Incident:

Examples of situations that may call for judgments of this kind include: -

- A pupil attacks a member of staff or another pupil.
- Pupils are fighting, causing risk of injury to themselves or others.
- A pupil is committing, or on the verge of committing, deliberate damage to property.
- A pupil is causing, or at risk of causing, injury or damage by accident, through rough play, or by misuse of dangerous material(s) object(s).
- A pupil absconds from a class or tried to leave school other than at an authorised time.

Refusal of a pupil to remain in a particular place is not enough on its own to justify use of force. It would be justifiable where allowing a pupil to leave would:

- a) Entail serious risks to the pupil's safety (taking account age and understanding), to the safety of other pupils or staff, or damage to property; or

b) Lead to a behaviour that prejudices good order and discipline, such as disrupting other classes.

- A pupil persistently refuses to follow an instruction to leave a classroom.
- A pupil is behaving in a way that seriously disrupts a lesson.
- A pupil is behaving in a way that seriously disrupts a school sporting event or school visit.

It is important to note that the use of reasonable force will only be applied at this school as a last resort, when all other alternatives have been exhausted and that any force used will be reasonable, proportionate and absolutely necessary.

13. Acceptable measures of physical intervention:

Best practice would advise that policies on restrictive physical interventions are expected to include reference to the following school procedures:

- Where appropriate, **Positive Handling Plans** are written for individual children and where possible, these will be designed through multi agency collaboration e.g. when devising Pastoral Support Plans.
- **Risk Assessments** are completed for each child when physical restraint may need to be used in the context of the identified target behaviour(s) and environments in which they occur. The assessments identify the benefits and the risks associated with the strategies being proposed.
- **Training** in this area includes a comprehensive review of the agreed serious incident monitoring/reporting forms and any school-specific pupil level recording that is being used for planning and evaluating behaviour modification strategies.

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 in the form of a **de-brief**.

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

- age
- gender
- level of physical, emotional and intellectual development
- special needs
- social context

They also provide a gradual, graded system of response.

14. Strategies for dealing with challenging behaviour:

As endorsed in the school's Behaviour and Discipline Policy, staff utilise consistent positive strategies to encourage acceptable behaviour and good order.

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 should be taken according to the circumstances of the incident.

- **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 a repeated request for compliance:
 - an explanation of why observed behaviour is unacceptable:
 - an explanation of what will happen if the unacceptable behaviour continues.

- A **statement of intent** that physical intervention may well be used alongside a reminder that holding will cease when the child shows compliance. If possible, summon assistance from another member of staff close by and alert a member of the Senior Leadership Team.
- **Physical intervention.** Reasonable force being used to prevent a child harming him or herself, others or property.

Training in physical intervention given to staff includes sections on the current legal framework, background, theory and rationale behind the TEAM TEACH.

Acceptable Measures of Physical Intervention

- Strategies for **preventing the occurrence** of behaviours, which precipitate the use of a physical intervention.
- Strategies for **'de-escalation' or 'diffusion'**, which can avert the need for a physical intervention.
- Procedures for post incident support and **de-briefing** for staff, children, service users and their families.
- The concept of reasonable force where 'reasonableness' is determined with reference to all the circumstances, including:
 - The seriousness of the incident.
 - The relative risks arising from using a physical intervention compared with using other strategies.
 - The age, cultural background, gender, stature and medical history of the child or service user concerned.
 - The application of gradually increasing or decreasing levels of force in response to the person's behaviour.
- The approach to risk assessment and risk management employed.
- The distinction between: -
 - *'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.
 - *'Time Out'* which involves restricting the service user's access to all positive reinforcements as part of the behavioural programme in a room or area which they may freely leave.
 - *'Withdrawal'* which involves removing the person from a situation which causes anxiety or distress to a location where they can be continuously observed and supported until they are ready to resume their usual activities.

(NB: A distinction needs to be made between emergency situations, when time out can be used only once and foreseeable circumstances when time outs need to be planned, monitored and recorded - Section 3.13 DfES/DOH, July 2002)

- The distinction between *planned* physical interventions (where incidents are foreseeable) in that they have occurred previously and a response planned following an appropriate risk assessment and the use of force in *emergency* situations (which cannot reasonably be anticipated).
- **First aid procedures** to be employed and those responsible for implementation in the event of an injury or physical distress arising as a result of a physical intervention.
- Policies should clearly describe **unacceptable practices** that might expose service users or staff to foreseeable risk of injury or psychological distress.

Whenever possible, assistance will be sought from another member of staff.

Teachers or other staff whose job includes responsibility for pupils cannot lawfully be prevented from using reasonable force. The absence of accredited training does not preclude a member of staff from using reasonable force when needed.

15. GUIDANCE FOR SCHOOLS ON THE USE OF SECLUSION/SUPPORT ROOMS

Introduction

This Guidance is used in conjunction with the 'Guidance for developing a school policy on the use of force to Control or Restrain Pupils'. Schools should not have a policy of 'no physical contact'.

Removal to a seclusion or support room is one strategy used within the range of restrictive physical interventions. Seclusion or support rooms are specifically designated and designed areas. The design of Newton-le-Willows support rooms reflect the principles underpinning de-escalation techniques used in Team Teach.

Positive Handling at Newton-le-Willows Primary School is seen as a proactive response to meet individual pupil needs and any such measures will be most effective in the context of the overall ethos of the school, the way that staff exercise their responsibilities and the behaviour management strategies used.

However, it is important to note that there are very special laws that must be taken into account when considering the legality of a policy using support rooms as a policy for behaviour control.

Under Section 93 Education and Inspections Act 2006, staff in schools have a legal power to use reasonable force in order to keep children and others safe or to prevent disruption to a learning environment.

Defining Restraint, Restrictive Physical Intervention (RPI) and the use of Reasonable force.

Physical Intervention and Restrictive Physical Intervention have been jointly defined by the Department for Children, School and Families (formally DfES) and the Department for Health.

Restrictive physical interventions involve the use of force to control a person's behaviour and can be employed using bodily contact, mechanical devices or changes to the person's environment (Guidance on the use of Restrictive Physical Interventions for Staff working with children and Adults who display extreme Behaviour in Association with learning Disability and/or Autistic Spectrum Disorders); (DfE LEA/0242/2002).

Therefore, it is acknowledged that removing a pupil from a classroom to a support room is a recognised restrictive physical intervention.

Guidance from the DFE states that:

There is no legal definition of when it is reasonable to use force. That will always depend on the precise circumstances of individual cases. To be judged lawful the force used would need to be in proportion to the consequences it is intended to prevent. The degree of force used should be the minimum needed to achieve the desired result. Use of force could not be justified to prevent trivial misbehaviour.

Relevant Legislation

The use of all forms of physical intervention and physical contact are governed by the criminal and civil law. The unwarranted or inappropriate use of force may constitute an assault. In addition it may infringe the human rights of a child or young person.

As included in the DFE 2010 Guidance on 'The use of force to control or restrain pupils', seclusion should only be considered in exceptional circumstances and it is an offence to lock a person in a room without a court order. Therefore, at no time should the door be locked as to do so is unlawful and can amount to the false imprisonment of a pupil.

However, the use of Restrictive Physical Intervention can be justified:

- In school and education settings. Section 93 of the Education and Inspections Act 2006 allows the use of reasonable force;

The 2010 Guidance, referring to the 2002 Guidance principles states;

1. The use of seclusion (where a person is forced to spend time on their own against their will) is a form of physical intervention and should only be considered in exceptional circumstances. The right to liberty is protected by criminal and civil law and seclusion outside the Mental Health Act should always be proportionate to the risk presented by the pupil.
2. Section 93 of the Education and Inspections Act 2006 enables school staff to use reasonable force to prevent a pupil from:-
 - a. committing a criminal offence;
 - b. causing personal injury to damage to property;
 - c. prejudicing the maintenance of good order and discipline at the school or among the pupils, whether during a teaching session or otherwise.
3. There is a common law power to detain persons who are a danger to themselves or others insofar as this is shown to be necessary (normally used in the mental health context). Two conditions must be fulfilled:
 - There must be a 'necessity to act when it is not practicable to communicate with the assisted person'; and
 - The decision of the House of Lords that action taken must be such as the reasonable person would in all the circumstances take, acting in the best interests of the assisted person

Principles

A number of key principles underpin the use of a support room or seclusion room. However, in all cases the use of Restrictive Physical Intervention has to be justified by there being;

- The likelihood of injury to the child or young person, or
- The likelihood of injury to others, or
- The likelihood of serious damage to property
- Physical restraint of pupils is, at times, required. Staff must be trained in techniques such as TeamTeach and the principle of de-escalation before removing a child to a support room/seclusion room.
- Any single incident requires an individual assessment of the circumstances at that time. Paragraph 34 of the 2010

Guidance provides more detail on risk assessments and schools must refer to this information.

The use of Restrictive Physical Intervention is also governed by the principles of legal and ethical practice.

The intervention should:

- Be in the best interests of the child or young person (The Children Act 1989)
- Be reasonable and proportionate to the circumstances, (law relating to use of force)
- Use the minimum force necessary for the minimum time necessary.
- Be based on a comprehensive risk assessment, (1974 Health & Safety Act)
- Have regard for young people or adults present, and
- Respect the safety and dignity of all concerned.
- This sanction must only be used in 'exceptional' circumstances. These circumstances can be defined as a pupils' behaviour being so persistent and targeted that the only way to maintain their safety, and that of others, is to withdraw them to a place where risk can be reduced and the individual supported. This is done when, despite a high adult to pupil ratio, it is not possible to avoid injury. The support room would only be used as a remedy or last resort, when the team of highly trained staff can no longer maintain a safe environment.
- Parental consent must be secured and ongoing partnership working with parents, the use of the support room must be permitted by the parents. Schools must outline the techniques underpinning the use of physical intervention and must assure parents of the ongoing training, monitoring, evaluation, recording and reporting on the use of the support room.

Unplanned restrictive physical intervention may become necessary when a child or young person behaves in an unexpected way, the child or young person may not have a Positive Handling Plan and trained staff may not be on hand.

The duty of care still remains if appropriately trained staff are not on hand to assist the child or young person. The response must be reasonable, proportionate, and necessary and use the minimum force necessary to prevent injury and maintain

safely, consistent with the circumstances and with any training the staff may have received. However, to take no action where the outcome is that a child injures himself or another, including staff, could be seen as negligent in legal terms.

Newton-le-Willows Primary School will, in exceptional circumstances, withdraw a child from class or elsewhere in the school in line with its duty of care. Any such action will only be taken if it is deemed reasonable, proportionate and absolutely necessary. This may include separating the child from other pupils, and guiding them to a 'quiet room' or other safe area if the pupil is likely to endanger themselves or others by:

- Risk to self or others
- Risk to the safe physical environment
- Risk to the psychological distress
- Prevention of psychological distress
- Prevention of physical harm
- Prevention of criminal offence
- Temporary loss of competence or capacity

If the 'Quiet Room' is used a member(s) of staff will normally accompany the child into the room and employ approved positive handling techniques if necessary, until the situation is judged to have calmed down. In exceptional circumstances, a child may request the staff member to leave the room.

Staff will ask the child 'Do you want time on your own?' If the child replies 'yes' staff will leave the room, but the child will be monitored at all times from the outside of the room. Staff will re-enter the room after short periods and dynamically risk assess the current situation.

Further language use which can be drawn upon during physical intervention is outlined in Appendix 2.

In the most exceptional of circumstances if accompanying a child into the room is assessed as likely to put a member of staff at risk of serious injury, staff may stay outside the room. However, this will not be standard school procedure and reasons for this will be clearly given when the incident is recorded. Pupils will always be observed and in view at all times, even if staff remain outside the room. Pupils will never be locked in a room. Time in the quiet room will never be used as a punishment.

A pupil should remain in the quiet room for the shortest possible time and, without exception, no longer than is necessary to calm down to a safe level. Withdrawal of a pupil in class will always be used as an intervention or last resort, where de-escalation or other less restrictive strategies have been unsuccessful, and where there is a real risk of significant harm to others or school property

Withdrawal to a quiet room is different from time out. This can be initiated either by a child or adult as part of an overall behaviour plan. It is used to prevent a child behaving in such a way that disrupts the learning or providing an opportunity to cool off and/or reflect about their behaviour.

Should a pupil be withdrawn from class, the Headteacher or a member of the Senior Leadership Team needs to be informed immediately.

Parents/carers need to be informed if a child has accessed the 'Quiet Room'. Parents/carers should be given the opportunity to view the room if they wish and parents should be involved in fully discussing the incident. This will normally be carried out by a member of the Senior Leadership Team.

All withdrawals from class should be recorded to include a start and end time of time in the room. Additionally, a record of strategies that were employed in an effort to de-escalate the situation prior to pupil withdrawal and the names of staff involved. This should be recorded on the Positive Handling Form/CPOMS.

Following a withdrawal from class, a full debriefing session will be undertaken for the pupil and staff involved and the child's risk assessment and Positive Handling Plan revised accordingly. If a risk assessment indicates that future use of the 'quiet room' or arrangements for pupil withdrawal from class might be necessary this will be discussed with parents/carers and written into the child's positive handling plan. If possible, a positive handling plan should normally be signed by the parent/carer

Action after an incident:

Where pupils/staff have been involved in an incident involving physical intervention or reasonable force they should have the opportunity for a brief period of rest and relaxation and in the case of more serious incidents, access to counselling and support if deemed necessary following the debriefing process.

The Headteacher will ensure that each incident is reviewed and investigated further if 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 the pupil's IEP/IBP/BSP/Positive Handling Plan and Risk Assessment.
- School Behaviour and Discipline Policy
- Suspension and Exclusion Policy
- Safeguarding and Child Protection Policy
- Consultation if the appropriate outside agencies for example Behaviour Improvement Team
- Managing Allegations Against Staff Policy

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.

Recording

Where physical control or restraint has been used, a record of the incident will be kept. This record is made on the school's 'Serious Incident/Physical Intervention Form' (Appendix A). The information on the 'Serious Incident/Physical Intervention Form' is then transferred to the 'Serious Incident Book' also known as the Bound Book. This is a hard backed book with numbered pages, retained by the Headteacher.

Appropriate documentation will be completed as soon as possible after the incident, normally prior to staff going off duty and be signed by all staff involved and the Headteacher.

All adults involved in and/or observing the incident are required to complete the relevant paperwork. The young person, if deemed appropriate, is also welcome to contribute their account in whatever way is appropriate.

The incident will be reported to the parent/carer of child. In this case 'parent' has the meaning given by section 576 of the Education Act 1996 and so will also include people having day-to-day care of the child and the Local Authority where the child is the subject of a care order.

Section 576 also deems the Local Authority as a 'parent' in the case of children who are looked after under section 20 of the Children Act 1989. If it is likely that reporting an incident to a parent will result in significant harm to the child, then the incident should be reported to the Local Authority.

The appropriate Health and Safety Accident/injury form will be completed and returned to the Local Authority in situations where injury had occurred to either members of staff or pupils.

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 Procedure. If necessary, the complaint will be dealt with by the Staff Disciplinary Procedures and/or Safeguarding and Child Protection Procedures.

"If the way in which an incident has been managed gives cause for concern, or if there is an allegation made against a member of staff that comes to the Headteacher's attention, then the LSCB Procedures for Managing Allegations Against Staff should be applied. The Headteacher needs to consider whether the member of staff has:

- Behaved in a way that has harmed, or may have harmed a child
- Possibly committed a criminal offence against or related to a child
- Behaved towards a child or children in a way that indicates s/he is unsuitable to work with children.

In each of these circumstances, a discussion with the Local Authority Designated Officer (LADO) or their representative within the Safeguarding Children Unit is necessary."

Monitoring incidents:

Whenever a member of staff has occasion to use reasonable force, this will always be recorded and documented following agreed procedures. 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 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. A Register of False Accusations made against staff will be maintained as an additional safeguard for staff working in this difficult area.

To support the Headteacher and school and ensure objectivity, the school will liaise with the Local Authority Inclusion Officer and the Behaviour Improvement Team to monitor incidents of physical interventions. In addition, at Newton-le-Willows Primary School, Mr Limb (Chair of Governors) and Mrs Charleston (Safeguarding, SEND and Behaviour Governor) supports this process by undertaking annual audits and monitoring of incidents. Incidents and findings from monitoring is also fed back to the Headteacher and Governing Body.

This policy has been reviewed in light of DfE guidance, latest initiatives and any Local Authority policy and procedures. The policy cross references all statutory policies and in particular the Safeguarding and Child Protection Policy.

Newton-le-Willows Primary School is committed to the principle of equality for all pupils irrespective of race, religion, gender, language, disability or family background, and to the active support of initiatives designed to further this principle. We believe that equality is at the heart of good educational practice. All pupils are of equal value and deserve equal access to every aspect of school life. They have equality to learn and work towards their highest possible levels of achievement. The vision and values which we uphold as a school help to emphasise equality for all staff, pupils, parent/carers and visitors at all times. All personnel are responsible for ensuring that we implement the equality policy.

Equality means that discrimination on the basis of race, religion, gender, sexuality, language, disability or family background is not acceptable.

Serious incident book reference number:				
Name of child:		Date:		
Location of incident				
Names of staff using the measure:				
Names of staff present:				
Start time of incident:	Duration of measure of restraint:	*Any Injuries: Child Other	Medical Check: Offered Accepted	Incident Reviewed with Young Person: Offered Accepted
End time of incident:				
Any Injuries * -complete accident book or online form within 24hours if necessary.				
Details of the child's behaviour leading to the use of the measure:				
Details of any methods used to avoid the need to use that measure. Please tick:				
Verbal advice and support <input type="checkbox"/> Firm clear instructions <input type="checkbox"/> Negotiation <input type="checkbox"/> Limited Choices <input type="checkbox"/>				
Distraction <input type="checkbox"/> Diversion <input type="checkbox"/> Reassurance <input type="checkbox"/> Planned Ignoring <input type="checkbox"/> Contingent Touch <input type="checkbox"/>				
Calm talking/stance <input type="checkbox"/> Patience <input type="checkbox"/> Withdrawal Offered <input type="checkbox"/> Withdrawal Directed <input type="checkbox"/>				
Swap Adult <input type="checkbox"/> Reminders about Consequences <input type="checkbox"/> Humour <input type="checkbox"/> Success Reminders <input type="checkbox"/>				
Additional information:				
Tick the level of potential risk.		Who was at risk?		
Low <input type="checkbox"/> Medium <input type="checkbox"/> High <input type="checkbox"/>				
Why was the measure necessary? - please tick		Describe your dynamic risk assessment and why you honestly believed that the measure you chose was in the best interests of the child		
Risk to Self Risk to Others Risk to Safe Physical Environment Risk to Safe Psychological Environment Prevention of Psychological Distress Prevention of Physical Harm Prevention of Criminal Offence Temporary loss of competence or capacity.				

Controlling Risk - describe any changes you made to routines, personnel or the environment in an attempt to reduce the risk happening:	External Agencies Informed - please tick and date when informed. Medical Staff Parent/Guardian Social worker Placing authority Police	Supporting Records Completed - please tick and date when completed. Bound Book Accident Book Medical Report RIDDOR Formal statement
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A description of the physical intervention used (please tick):

Single Elbow (two person)

Figure of Four (Two person)

Small-person to beanbag (Two Person)

Standing Double Elbow (One Person)

Sitting Single Elbow (two person)

What did you do? What did you say?

Was the measure effective?

Signed : _____ **Date:** _____

PLEASE PASS IMMEDIATLEY TO: Miss Branch, Mrs Chisnall, Mrs McCormack Mr Ibbotson or Mr Brown

Staff member to inform parent/carer on day of incident.....**Date**.....

Parent's signature..... **Name**..... **Date**

Headteacher's signature.....**Date**

Please pass in person to Miss Branch, Mrs Chisnall, Mrs McCormack or another member of SLT once signed by parent/carer. Nominated staff member to review risk assessment and positive handling plan (within 24-48 hours).

Careful Use of Language during Physical Intervention.

It is important to choose words carefully during an incident, in the post incident discussion and in the written record. The following points and phrases may be of help during an incident:

- **Remember to speak clearly, confidently and remain calm.**
- **Ensure you use the child's name.**

It may help to use the following dialogue:

- **'John. I can see you are upset.'**
- **'John. I am here to help.'**
- **'Talk and I will listen.'**
- **'John come with me, let's go to the quiet room.'**
- **'We care too much to allow children to be out of control...'**
- **'We hold people to keep them safe...'**
- **'We hold people to stop them from hurting...'**
- **'We hold people when they cannot hold themselves safely...'**
- **'We hold safely and securely...'**
- **If the child is pacing, staff should avoid walking back and forth with the child this can be intimidating.**

The following points and phrases may help during an incident when helping a colleague:

- **Allow others to offer and accept help**
- **The words 'help' and 'more' should be flash words for staff to know support is available, needed or should be taken up.**
- **Staff offering help should state 'Mrs Smith, I am available to help.'**
- **Staff may reply saying 'Thank you Mrs Jones, you can help by...'** The member of staff can then give directions as to the type of help they require for example, help by watching. At this point the staff member has autonomy over the situation.
- The word **more** should provide a pause point for the member of staff currently dealing with the situation. Support from colleagues should be accepted when this word is used. For example **'Mrs Smith, I am available for more help.'**
- **'What do you suggest Mrs Jones.'** This puts a focus on team help, autonomy passes over allowing the member of staff to suggest alternative strategy.

'How about if I sit with John..... And I'll catch up with you later.' This example provides us with a subtle way of helping a colleague out of a situation with respect and dignity.