Fulbridge Academy

Physical Intervention Policy

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Fulbridge Academy
Physical Intervention Policy

1. Introduction

This guidance should be read in conjunction with the LA document 'A Code of Conduct for Teachers and Other Employees Working with Young People'. Although the emphasis within this guidance is on physical intervention, all staff will recognise that the approaches described will generally only be appropriate as a last resort. They are not a substitute for the full range of professional approaches to behaviour management and techniques to minimise or avoid confrontation. In this context, the importance of training and professional development in minimising the need for physical intervention cannot be overemphasised.

2. Intent

At Fulbridge, we are committed to a consistent behaviour policy which encourages children to make positive behaviour choices and is clearly communicated and understood by pupils, parents and staff.

We aim to create a safe and secure environment where all can learn. On rare occasions, circumstances may result in a situation that requires some form of physical intervention by staff. This policy aims to produce a consistent school response to any incidents that may occur and make clear each person's responsibilities with regard to physical intervention.

3. Principles

Maintaining the personal safety of staff, pupils and visitors may, on occasion, require the use of some form of physical intervention when other approaches are either inappropriate or have been tried and found to be ineffective. Staff should adopt one or more of the approaches described below in order to control a situation involving risk to the safety of staff or pupils.

The judgement over which approach to adopt in any circumstance will be based on the professional experience and expertise of the member of staff concerned taking account of:

- Physical intervention should be used only as a last resort when other appropriate strategies have failed.
- Any physical contact should be only the minimum required.
- Physical intervention must be used in ways that maintain the safety and dignity of all concerned.
- Incidents must be recorded and reported to the senior leadership team as soon as possible
- Parents will be informed of each incident

It will also be recognised that the use of physical intervention outside the normal care programme for a student or pupil will generally require some form of debriefing for those involved.

4. Legal Framework

Section 93 of the Education & Inspections Act 2006 allows 'teachers and other persons who are authorised by the Principal who have control or charge of pupils to use such force as is reasonable in all the circumstances to prevent a pupil from doing, or continuing to do, any of the following: -

- causing injury to him/herself or others
- committing an offence
- damaging property
- prejudicing the maintenance of good order & discipline'

5. Guidance for schools

At Fulbridge Academy, we refer to the following document for guidance:

Use of reasonable force
Advice for headteachers, staff and governing bodies
DFE July 2013
Link to DFE Guidance

"This is non-statutory advice from the Department for Education. It is intended to provide clarification on the use of force to help school staff feel more confident about using this power when they feel it is necessary and to make clear the responsibilities of headteachers and governing bodies in respect of this power."

Key points

- School staff have a power to use force and lawful use of the power will provide a defence to any related criminal prosecution or other legal action.
- Suspension should not be an automatic response when a member of staff has been accused of using excessive force.
- Senior school leaders should support their staff when they use this power.

6. Definitions

There is no legal definition of "reasonable force".

However, there are two relevant considerations:

- The use of force can be regarded as reasonable only if the circumstances of an incident warrant it;
- The degree of force must be in proportion to the circumstances of the incident and the seriousness of the behaviour or consequences it is intended to prevent.

What is '**reasonable force'**?(according to DFE Guidance document July 2013) "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, but in extreme cases it may not always be possible to avoid injuring the pupil." Page 4

*What is **positive handling**?*

"Positive handling refers to a graduated approach that moves towards the control of extreme behaviour by adopting the least intrusive intervention for the shortest period of time to achieve the aim. It is one of the most efficient methods of training on how to control a disruptive pupil whilst protecting them, and remaining compliant with legislation." Wikipedia

*What is **physical restraint**?*

" 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."

"Restrictive Physical Intervention" is the term used to describe interventions where bodily contact using force is used to control or manage a child's behaviour/movements. It refers to any instance in which a member of staff authorised by the Principal has to use "reasonable force" to control or restrain students in circumstances that meet the following legally defined criteria

- Physical intervention should be used only as a last resort when other appropriate strategies have failed
- To prevent a child from committing a criminal offence *(this applies even if the child is below the age of criminal responsibility)*
- To prevent a child from injuring them self or others
- To prevent or stop a child from causing serious damage to property *(including the child's own property)*
- To stop the child from engaging in any behaviour which is prejudicial to maintaining the good order and discipline at the Academy

7. <u>Recommended Approaches</u>

The age, understanding, and competence of the individual student will be taken into account when using these approaches.

Talk and Warn

Whenever and wherever possible, situations involving potential conflict or confrontation should be talked through. Pupils obviously have to be in a receptive state for this approach to be successful. Staff present will form a judgement about the suitability of this approach.

Holding for security and to reduce anxiety where there is a potential for danger, even if the pupil is not yet out of control nor a particular source of danger to themselves or others at that time

This approach will be appropriate when the student is anxious or confused. There may be situations when holding in this way defuses or preempts an escalation to a more violent confrontation. It is important, therefore, to ensure that the use of this approach is not interpreted as initiating aggression.

Intervention when a pupil presents a danger to him/herself or others It will sometimes be necessary to intervene if a pupil is out of control and his/her behaviour poses a real or potential danger to himself or others. In some circumstances this may involve the combined efforts of more than one member of staff. If there is need for physical intervention, always ensure that there are 2 members of staff involved. All staff must be aware of the approaches which should be used and the type of techniques which might cause permanent injury, for example a neck lock, and which should therefore must not be used. There are no circumstances in which any necessary physical intervention can reasonably include striking a pupil, slapping or hitting. The following terminology is to be used when physical intervention is considered.

To Guide- Is not contact- body language and gestures. The child is compliant and following instructions.
To Escort. Physical contact made-assisting with movement toward a direction. There is limited force used and the child is needing direction rather than guiding.
To Move. The adult is in control and the child is being moved in a specific direction and there is considerable resistance.

Audience Control

Since it is well established that a pupil's behaviour is often adversely affected by the presence of an audience it will generally be helpful to remove the audience, or, if this is not possible, to remove the pupil in question from the audience. In a classroom environment, those within the immediate vicinity should be diverted to a safer area.

Under no circumstances should this result in the pupil being taken into a closed room by a single member of staff. Another member of staff should be present or a door left open so that others are aware of the situation.

8. <u>SEND</u>

At Fulbridge, we acknowledge our legal duty to make reasonable adjustments for disabled children and children with special educational needs.

Pupils who have SEND and require support with their behaviour will have details regarding this on their Learning Plan or EHCP. Staff should understand the child's needs and have access to the information but can still use reasonable force if required.

9. Roles and responsibilities

Principal and Senior Leadership Team will:

- Ensure that the school is a safe place for all pupils and staff.
- Lead the implementation of the contents of this policy and communicate its contents to all members of the school community.
- Ensure incidents are recorded appropriately.
- Ensure that all staff members receive sufficient training to be equipped to deal with incidents that require physical intervention and restraint.
- Ensure that staff receive appropriate support following an incident.

Members of Staff will:

- Follow the support plans for those with recognised emotional/behavioural difficulties.
- Inform senior staff of any incidents involving physical intervention or restraint.
- Communicate effectively and promptly with parents.
- Upload all incidents to the child's CPOMs record. Communicate any concerns to the Principal.

Parents should:

- Attend meetings arranged by members of staff and cooperate in devising strategies and planned responses which will support the child.
- Communicate any concerns to an appropriate member of staff.

10.Staff Training

Schools need to make their own decisions about staff training. The headteacher should consider whether members of staff require any additional training to enable them to carry out their responsibilities and should consider the needs of the pupils when doing so.

Some local authorities provide advice and guidance to help schools to develop an appropriate training programme.

At Fulbridge Academy we access a range of training for staff including whole staff Safeguarding Training and specific members of staff may be chosen to attend Team Teach Training or other similar positive handling training courses in order to support other staff in de-escalation techniques and positive handling situations.

11.Additional Advice for Employees

In determining which approach or combination of approaches from those listed above should be followed, staff are expected to apply professional judgement to determine the level of danger to the pupil or to others, including themselves.

Physical intervention, when applied, should be passive in intent. Its purpose must only be to limit the pupil's ability to hurt themselves or others with minimum

application of force and through the limitation of movement rather than by physical blows. As soon as it is safe to do so the intervention should be gradually eased to allow the pupil to regain self-control.

Whenever circumstances allow, assistance should be sought from other members of staff at an early stage. All staff aware of another member of staff in difficulty have a responsibility to provide assistance, support and a presence provided that this does not compromise other pupil's safety or well being.

Audience control presents particular problems. A useful contribution for an assisting member of staff may well be to remove the audience. However, it is important to note that removing the child from the environment may, in some cases , be easier. Should an attempt be made to remove the offending pupil this will almost inevitably require the use of greater force.

Staff must remember throughout an incident that the principal purpose is to restore personal safety and security for all involved and to reduce the anxiety of the pupil. Whilst this will be difficult to acknowledge at times, opportunities should be taken to say this to the pupil, calmly and gently, at appropriate stages during any incident.

All staff who need to know should be made aware of each incident. All incidents, which result in interventions outside the normal 'learning plan'' for individual pupils, should be recorded. Documentation in relation to such incidents should be alerted to the Principal.

It is recommended that the normal care programme for pupils with particular physical or learning disabilities, who routinely require control or physical intervention, should be discussed in advance with parents or carers. In such circumstances, it would not be necessary to record each incident where routine control or intervention is used.

Departures from the routine should, of course, be recorded and discussed with parents or carers.

A full debrief of the incident which has led to the use of physical intervention should be led by the Principal or a senior member of staff. This will include the student if they are able to participate in such a debrief, taking into account any learning difficulties, the member of staff concerned and, especially in more serious cases, witnesses to the incident.

Parents and carers should be routinely informed of any incident in which their child is involved in an incident where physical intervention was required.

None of these approaches prevent a member of staff defending him/herself if assaulted. However, all staff should understand the legal limits to self-defence, which require that only a response which is reasonable in the circumstances will be recognised as justified in any subsequent legal action. Pre-emptive attacks are unlikely ever to be recognised by a court as reasonable.

12.Complaints and Allegations

If a parent or carer has any concern or complaints regarding the care or welfare of their child, an appointment can be made by them to speak to any member of the senior leadership team or the office manager who will be able to offer advice on formal procedures for complaint if necessary.

All complaints are taken seriously and are heard through the school's complaints policy and procedure.

13.Review and Implementation

Unless otherwise required, this policy will not be reviewed for a period of three years. It is the responsibility of **all staff** including the Senior Leadership Team to ensure this policy is fairly implemented in the day to day running of the academy.