



Physical Intervention Policy

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The Latest DfE guidelines for behaviour and discipline in school is: Behaviour and Discipline in Schools (January 2016)

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/488034/Behaviour_and_Discipline_in_Schools__A_guide_for_headteachers_and_School_Staff.pdf

The latest DfE guidance on 'Use of reasonable force in schools' (July 2013 reviewed 2015)

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/444051/Use_of_reasonable_force_advice_Reviewed_July_2015.pdf

The latest DfE guidance is 'Searching, Screening and Confiscation.' January 2018

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/674416/Searching_screening_and_confiscation.pdf

In November 2007 (* - see notes at the end of the document) the Department for Children, Schools and Families stated clearly for the first time that, '...no school should have a policy of no physical contact.'

We believe that there are some exceptional circumstances in which physical contact is necessary in order to meet the emotional, safety and care needs of children. The circumstances depend on the age, understanding and individual needs of the child. The paramount consideration is the welfare of the child. This policy is intended to safeguard the welfare of the child and protect staff by describing the circumstances in which physical contact may be necessary, and how we can act safely and preserve the pupil's dignity.

Longfield Academy takes great pride in achieving excellence through care and the pastoral system is an integral part of the daily running of the school. All staff have a duty of care towards all pupils and our duty is to ensure that all pupils have access to a safe learning environment. This policy has been devised collectively by our staff to support and guide our understanding of when and what physical contact is appropriate, and how we can keep everyone safe when managing challenging behaviour. This policy should be read alongside our School Discipline Policy

This policy aims to ensure that: -

- The welfare of the child comes first and takes precedence
- We comfort children who are in need of comfort
- We care for children who cannot care for themselves
- We may touch children to demonstrate physical techniques
- We hold children when it is absolutely necessary to keep them and others safe
- We endeavour to maintain dignity for children and staff

Examples of circumstances in which physical contact may be necessary, wherever possible and practicable consent should always be sought: -

- Prompting – This should only be done once consent is obtained from the child
- A tap on the arm or a pat on the back. (Can include 'communicating physical presence' – drawing / diverting attention.)
- Guiding – leading by the hand, arm or shoulder
- Supporting - assisting with or demonstrating moves in P.E., dance and drama, or teaching physical skills through guided action, such as handwriting (for pupils with Special Educational Needs and Disability (SEND))
- Reassuring / comforting – an arm round the shoulder, patting or placing a reassuring hand on the upper arm or back
- Providing intimate care and / or medical treatment – e.g. washing / changing, or contact appropriate as stated in the child's Care Plan
- Providing minor first aid – cleaning cuts and grazes

In a situation where it is absolutely necessary to physically intervene in order to disengage a child from dangerous, harmful or inappropriate physical contact and / or where there is serious risk that the child will hurt somebody or themselves, care must be given to ensure that the child is only held for the minimum time necessary, justifiable and proportionate in those circumstances.

Staff have a duty and responsibility to keep children safe. Sometimes things happen quickly. In an emergency, providing staff act instinctively, reasonably and in good faith, prioritising the best interests of the child, they will be supported. If there is time to think they should conduct a quick risk assessment and try to choose the best option for the child and others at risk (as below). Wherever possible, staff can decide to wait, call for help, move objects or remove other children from the situation. Physical intervention should not be used if any other reasonable option is available.

Staff have the legal power to physically intervene in order to stop a child from hurting others or themselves, damaging property, committing an offence or causing serious disruption (see below). However, whenever force is used it should be the minimum necessary to achieve the desired result; i.e. in the circumstances it should be reasonable, proportionate, justifiable and necessary. In every case a range of de-escalation strategies should be attempted before any physical intervention is considered unless the situation requires immediate action.

Safeguarding Children and Staff

If there is a need to guide or hold a child, staff should aim to touch only the shoulders, elbows and arms and wherever possible, this should be done in conjunction with explaining to the child the reason for your actions for example “I’m just going to put my hand on your shoulder to move you to the side”.

In any event, the clear rules about any physical intervention need to be explained to the child as soon as practicable. Any physical contact should be avoided in situations that are private and in areas where there is no open access. Whenever possible a second member of staff should be present.

Physical Intervention

Physical intervention can be regarded as any physical contact, however minimal, that is intended to redirect or stop someone from doing what they would otherwise have done. This would include communicating physical presence (drawing / diverting attention), prompting or supporting an action, or guiding / directing someone to move in a different direction, or when a child’s actions are such that it is reasonably believed that a child may harm or pose a serious risk to themselves or others. In all cases de-escalation techniques should be used as a first priority and throughout any incident.

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Objectives

- We manage challenging behaviour using a range of strategies informed by our collective understanding of behaviour, welfare and pastoral support
- Children must be treated fairly and with courtesy and respect. We model good conduct at all times, and work for effective outcomes for **all. Challenging** behaviour is often the result of a breakdown in communication. We aim to understand what function a behaviour serves, and to facilitate the child learning more socially acceptable means of expressing their needs
- We aim to teach children to understand behaviour and make positive choices to moderate and control their own behaviour. We never plan for mere containment, although some exceptional circumstances may dictate it has to be our priority

Minimising Risk and the Need to use Force

In all cases, our aim is that any escalating conflicts should be resolved without the need for physical intervention. Establishing and maintaining good relationships with children is crucial to positive and effective behaviour management. We use de-escalation strategies, including diversion, distraction, diffusion and negotiation to prevent violence and reduce the risk of injury to children and staff. (See staff responses below.) Supporting each other as a team helps to keep children and staff safe.

Incidents that May Require the use of Force - by Authorised Staff

Teachers, and others employed or volunteering in a school, have the right in law to use such force as is reasonable, proportionate and justifiable in the circumstances to prevent a pupil from doing or continuing to do, any of the following: -

- committing a criminal offence
- injuring themselves or others
- damaging property
- prejudicing the maintenance of good order and discipline (at school or among any pupils under their supervision out of school, such as on route home or on outings)

It must be shown that the situation could not be resolved safely without the use of force – i.e. it was necessary - and that the force used was reasonable and proportionate to the dangers / risks. A pupil may be physically restrained, or an adult may protect themselves, only to the extent of using the minimum degree of force that is needed in the circumstance to affect the restraint, and only 'as a last resort'. Anyone who is physically attacked has a right in common law to defend themselves. However, we expect staff to keep everyone safe, and use balanced judgment based on dynamic risk assessment in all situations. If it is possible, we should remove ourselves from the immediate vicinity, or from the attacker, without putting others at risk. Pupils with SEND / Additional Educational Needs (AEN), have the right to be treated no less favourably than their peers, and staff have a legal duty to make reasonable adjustments to ensure they are.

Reasonable Force

There is no legal definition of what is 'reasonable', nor what is 'necessary' or 'proportionate'. A behaviour which may normally seem trivial could be more serious if the circumstances change – such as a child running in a crowded corridor. Staff need to use their knowledge of behaviour management, knowledge of the child (including any SEND needs), the agreed strategies detailed in the child's Risk Assessment / Care Plan (if there is one), and the current environmental constraints, to dynamically assess the risks, and select from a range of optional strategies. The risk assessment is 'dynamic' because circumstances continue to change and require continuous re-evaluation of all factors in order to maintain safety for all concerned. We aim to use the least intrusive and least restrictive intervention - using the minimum reasonable force for the shortest time. Physical interventions should not deliberately cause pain. Also, it is against the law to use Restrictive Physical Intervention as a form of punishment.

Deciding Whether to use Reasonable Force

We expect staff to use all available means to avoid physical intervention wherever possible. Verbal and non-verbal communication should be the first line of approach. Physical interventions should only be used as a last resort and in any case in conjunction with other strategies designed to help pupils learn alternative, more acceptable behaviours. Every situation escalating towards a possible crisis requires dynamic risk assessment to decide on the safest course of action for all concerned (see 'Reasonable Force' above). Any physical intervention should be justifiable as in

the best interest of the pupil. Even where physical intervention is legally permitted and seems appropriate, it may not be safe or in the best interests of the pupil or others; we may have to focus instead on removing others from harm or making the environment safer.

The use of any form of physical intervention potentially carries the risk of allegations of abuse against staff. However, staff are equally open to accusation of a failure of 'Duty of Care' if a child / pupil suffers as a result of a refusal to intervene physically where it probably would have kept them safe. Where a pupil has a sensory or physical disability, or a learning difficulty, particular care will be required to ensure that the pupil understands what is happening and to ensure that our actions are not discriminatory. In recording incidents, we should include any reasonable adjustments that were made in managing the child's behaviour. We need to pause for 'thinking time', be confident in our reasoning for choosing to use physical intervention, and clearly communicate our positive intent wherever possible; in crisis management we are judged by what we feel, think, say, do and record. (See reporting and reporting below.)

Avoiding Confrontation - Staff Responses to Escalating Aggression

We should explore the interaction between environmental setting conditions and personal factors for each pupil who presents challenging behaviours, modifying conditions to reduce the likelihood of such behaviour.

We look for the earliest signs of possible crisis - distress, agitation, anxiety and building anger or aggression. We look for changes in behaviour, rather than just types of behaviour. We employ defusing, diversion and other de-escalating techniques continually throughout the interaction, including any physical intervention, until the pupil is calm.

Do (whenever possible):

- Intervene early to avoid reaching crisis level
- Consider the age, maturity and ability of the pupil
- Remain calm and appear confident throughout. Maintain control of your own communication style and physical presence. (If you are not calm, seek help.)
- Use open and positive body language
- Maintain a safe distance between you and the child, at least one arm's length, and talk quietly. Sit down or get down to the pupil's level, if appropriate
- Use simple language / instruction and repeat this calmly until the child does as asked
- Avoid an audience
- Acknowledge the pupil's emotional state and state clearly the offer of your support
- Encourage talk, and be prepared to listen
- Allow time and space
- Restate clearly your reasonable expectations
- Offer a choice of exit strategy to allow the child to maintain their dignity
- Divert the focus if possible, by suggesting a different activity or interest
- If physical intervention becomes necessary, use the minimum force required to control the situation for the minimum amount of time, continue to use de-escalation strategies and verbal communication to enable release as soon as possible
- Continue attempting to calm the pupil down, making it clear that restraint will cease when it appears safe to do so and the pupil is demonstrating calm and self-control

- Be prepared to lose face where necessary. If you think a change of staff may help defuse the situation, ask someone else to take over
- Remember that no one person has all the answers; teamwork is the best approach and helps keep everyone safe.

Do Not (whenever possible): -

- Appear angry or aggressive. Don't take angry comments personally
- Invade personal space. (Don't back the pupil into a corner - literally or metaphorically.)
- Shout or try to 'volume match'. (This is likely to be ineffective in avoiding or deescalating conflict – this is different from shouting to draw attention to stop a child doing something dangerous.)
- Use personal comments
- Make promises you cannot keep
- Ask 'open' questions e.g. 'Why?' or 'Are you....?'
- Insist on 'getting your own way'
- Lock a pupil in a room or block their exit - unless in exceptional circumstances. (See 'Seclusion' below.)
- Chase a pupil who runs / walks away, unless (exceptionally) the risk to which they will be exposed seems greater than the risks inherent in a pursuit
- Attempt physical intervention before adequate assistance is on hand, unless it is obviously essential to intervene
- Expect to manage all incidents successfully.

These examples would NOT be regarded as acceptable:

- Striking, slapping or kicking a pupil
- Pulling a pupil's hair or ear
- Squeezing or holding a pupil's neck
- Shaking a pupil
- Lifting a pupil off the ground to intimidate
- Forcing a pupil's arm up behind their back
- Holding a pupil's face down on the ground.

NB When dealing with a distressed pupil who is attempting to leave the premises and may well put themselves at risk, best judgement and knowledge of pupil is invaluable. On such an occasion it would be seen to be best practice to alert the member of staff with whom the pupil has the closest relationship with.

Power to Search Pupils Without Consent

In addition to the general power to use reasonable force described above, Head Teachers 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.

Force cannot be used to search for items banned under the school rules.

Seclusion

It is against the law to lock a pupil alone (where no adult is present) in a room or bar their exit, except by presenting a physical barrier in an emergency. As there is no clear legal definition of the term ‘in an emergency’, we as a staff team agree the first serious occurrence of the pupil’s behaviour may constitute an emergency; any repetition would create a degree of predictability that should trigger the formulation of a Positive Handling Plan.

Removal from a room to a quiet area can be used to help de-escalate conflict, by isolating a pupil from a trigger or an audience, to re-focus attention, reducing stimulation and anxiety. The rationale for using ‘seclusion’ needs to be clear and unambiguous, and at least two staff should ideally be involved.

This space can be used for ‘Time out’, pre-planned and written into a pupil’s Risk Assessment where they exist.

Child Specific Risk Assessment

For some children and young people behaving in an obstructive, harmful or dangerous fashion is a regular response to certain situations. For any pupil assessed as being at greatest risk of needing a physical intervention we construct a Child Specific Risk Assessment that clearly indicates strategies to manage potential incidents, this is created in consultation with the pupil and their parents / carers.

A Child Specific Risk Assessment Should: -

- Bring together contributions from key partners working in partnership
- Include potential risks; include risk assessments where necessary
- Alert people to risks
- Examine options for responding to these challenges including techniques for de-escalation

- Advise against strategies which have been ineffective in the past
- Include preferred strategies and suggest ideas for the future
- Be agreed and signed by all parties involved, particularly the pupil and parent / carer
- Be communicated to all who work with the pupil
- Be reviewed regularly

Where risks are known, staff will be deployed to ensure that they are available to respond to any incident which requires physical intervention. Staff will not normally be expected to work alone in isolated situations with pupils whose behaviour is such that the likelihood of confrontation is increased.

Post-Incident Support / Teaching

After an incident involving physical intervention, once heightened emotions have reduced, the pupil and staff involved should be offered an appropriate de-briefing (listening and learning process). We need to consider appropriate recovery times for those involved and the possibility of the need for continuing support / counselling.

To enable the most effective learning process, we need to:

- Listen actively (using positive listening skills)
- Resist the temptations to interrupt, to 'fill silences' or to 'tell our own story'
- Examine the emotions / feelings of the pupil and understanding of cause / effect rather than factual accuracy
- Record the views of those involved, particularly the pupil, the level of understanding and learning achieved, and agreed future actions. This must all be fully and accurately recorded on CPOMS

After any incident a discussion should take place between all staff involved, reflecting on actions and effectiveness/outcomes. This discussion should be non-judgemental; the incident should be seen as a learning experience for the staff involved, which impacts on the practice, procedures and policy of the school. Concerns should be reported to senior managers for future training or policy development.

Reporting and Recording

All incidents of seriously challenging behaviour must be fully recorded on CPOMS as soon as practicable.

Any incident where a child has been physically restrained must be reported immediately to the trust positive handling trainer Mandy Payne

The CPOMS report must include: -

- Full details of the incident (including precursors and strategies used, non-physical and physical intervention)
- Include the child's voice
- Any debrief (if able / willing to give)
- Communication with parents / carers and others

- Any medical attention given / needed by the child or adult
- Include a positive handling if appropriate

A full account of the incident (and actions taken and follow-up) will be provided to the pupil's parents / carers at the earliest opportunity, if possible before the pupil leaves the school. In the first instance telephone, then follow up with a letter, offering a personal meeting.

When writing up serious incidents staff should be clear about the reason physical contact was necessary. A typical account should attempt to answer the following questions:

- a) When you made a risk assessment** what were you thinking about?
- b) How was this in the best interests of the child concerned?
- c) Why did you think you could accomplish it safely?
- d) What did you expect to happen?
- e) What actually happened?

Monitoring Incidents / Reviewing Procedures

The Head of School / Positive Handling trainer will oversee CPOMS records after a serious incident has occurred where any form of physical restraint is required

They will analyse the data and report the patterns of incidents involving the use of physical intervention to the Board of Directors as appropriate

Regularly incidents are reviewed, and an Interim Report is published internally within school and may be shared with the Darlington Behaviour and Attendance Partnership and other interested parties.

Training

All staff have had de-escalation training. There is clearly communicated expectation that staff do not use any form of physical intervention under any circumstances where any other intervention would achieve a positive outcome.

Any member of staff who has no other option but to physically intervene will have a detailed de brief with Mrs A Payne and this will be fully recorded on CPOMS. A reparation meeting will also be offered to the staff member and the child.