



Waterloo
Primary Academy

Control and Restraint Policy

Approved & Adopted: January 2013

Responsible Personnel: Pastoral Team

Policy Last Reviewed/Approved: December 2022

Review Period: Annual

Review Date: December 2023



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Academy
Trust

Introduction

Blackpool Children's Services recognises the right of every person to be protected from harm and, for that reason, seeks to protect all children and young people against any form of physical intervention which is either unnecessary, inappropriate (either to the individual or in the prevailing circumstances) excessive or unlawful.

It is acknowledged that some staff in our schools and services deal on a day to day basis with groups of children and young people some of whom may exhibit disturbed, distressed and distressing behaviours. Blackpool Children's Services seeks, therefore, to assist all staff in preserving good order and discipline and in promoting and maintaining an environment conducive to meeting the children's needs, and is aware that there are occasions when adults touch children and young people in ways which are entirely appropriate. There is also a need to minimise the risk to staff of false accusations of improper conduct towards a pupil and to ensure that staff members feel confident about appropriate action in very difficult circumstances.

Good practice indicates that parents and carers should be involved in the behavioural management of their child. They should be made aware of the school or service's policy regarding restraint of pupils who exhibit disruptive, self injurious or violent behaviour. A statement about the School's Behaviour Policy is made to parents in the School's prospectus. All parents and carers should be involved immediately a serious incident occurs and should have access to the formal procedures for reporting and recording such an incident.

The policy has been developed in response to the recommendations of Circular 10/98 "The Use of Force to Control or Restrain Pupils", issued following the enactment of Section 550A of the 1996 Education Act. It also follows the policies of Blackpool Education Committee.

The policy should be read in conjunction with Child Protection and Anti-Bullying school policies.

This policy was shared with staff and was accepted by the Governing Body in June 2012

The Governors of Waterloo Academy reviewed and accepted all Blackpool Borough Policies

The responsible person for the implementation of the policy is the Head of School The policy will be reviewed annually by the Head of School and the Governing Body.

Purpose of Policy

Good personal and professional relationships between staff and pupils is 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 practised 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.

Every effort will be made to ensure that all staff in this school:

- (i) clearly understand this policy and their responsibilities in the context of their duty of care in taking appropriate measures where reasonable force is necessary and
- (ii) are provided with appropriate training to deal with these difficult situations.

However individual members of staff will not be required to use physical restraint but must ensure that appropriate assistance is immediately available.

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 the 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

Definitions

Physical Contact

Situations in which physical contact occurs between staff and pupils, eg, in the care of pupils with physical and/or learning disabilities; in games/PE; to comfort pupils.

Physical Intervention

This may be used to divert a pupil from a destructive or disruptive action, for example guiding or leading a pupil by the hand, arm or shoulder with little or no force.

Physical Control/Restraint

This will involve the use of reasonable force when there is an immediate risk to pupils, staff or property. All such incidents must be recorded. It is not possible to set out comprehensively when it is reasonable to use force, or the degree of force that may reasonably be used. It will always depend on all the circumstances of the situation.

Underpinning Values

Everyone attending or working in this school has a right to:

- Have their unique identity recognised
- 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 and their parents have a right to:

- individual consideration of pupil need
- expect staff to undertake their 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 pupils understand the need for (and respond to) clearly defined limits which govern behaviour in the school.

Parents should have committed themselves through the Home-School Agreement and the Good Behaviour Book to ensure the good behaviour of their child and that he/she understands and follows the Schools' Behaviour Policy.

Authorised Staff

All staff members are authorised to use reasonable force to ensure the safety of themselves and others. Where possible, trained members of staff should be used for control and restraint. Restraints are to be used as a last resort.

Where possible, supply staff should not use reasonable force unless there is no alternative and there is a significant risk of harm. Established staff should be called upon where possible.

The Head of School will maintain a list of those who have been authorised and training which has been provided. This list will be reviewed annually.

Staff from the Authority working within the school

Support Services will have their own policies of care and control of pupils but service staff will refer situations/incidents to established Waterloo staff.

Training

Training for staff will be made available where appropriate and will be the responsibility of the Head of School. No member of staff will be expected to undertake the use of force without appropriate training, unless failing to act would cause a compromise of safety.

Strategies for dealing with challenging behaviour

Staff consistently use 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. We understand that all behaviour is communication and often there is an un-met need.

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:

- acknowledge that the child is in crisis, asking what has happened and what do they need
- verbal acknowledgement of unacceptable behaviour, with request for the pupil to refrain
- further verbal reminders, an explanation of why observed behaviour is unacceptable, an explanation of what will happen if the unacceptable behaviour continues
- warning of intention to intervene physically, if the child cannot regulate and there is still a safety concern

Physical intervention. Reasonable force uses the minimum degree of force to prevent a child harming him or herself, others or property.

Escalating situations

The 1996 Education Act (Section 550 A) stipulates that reasonable force may be used to prevent a pupil from doing, or continuing to do any of the following:

- engaging in any behaviour prejudicial to maintaining good order and discipline at the school or among any of its pupils, whether the behaviour occurs in a classroom during a teaching session or elsewhere (this includes authorised out-of-school activities);
- self-injuring or placing him or herself at risk;
- injuring others;
- causing serious and significant damage to property, including that of the pupil himself or herself;
- committing a criminal offence (even if the pupil is below the age of criminal responsibility).

Types of incidents

Although not an exhaustive list, physical intervention could be used:

- where action is necessary in self-defence or because there is an imminent risk of injury
- where there is a developing risk of injury, or significant damage to property
- where a pupil is behaving in a way that is compromising good order or discipline

Examples of situations:

- a pupil attacks a member of staff, or another pupil;
- pupils are fighting;
- a pupil is engaged in, or is on the verge of committing, deliberate damage or vandalism to property;
- a pupil is causing, or at risk of causing, injury or damage by accident, by rough play, or by misuse of dangerous materials or objects;
- a pupil is running in a corridor or on a stairway in a way which he or she might have or cause an accident likely to injure him or herself or others;
- a pupil absconds from a class or tries to leave school (NB this will only apply if a pupil could be at risk if not kept in the classroom or at school).
- a pupil persistently refuses to obey an order to leave a classroom;
- a pupil is behaving in a way that is seriously disrupting a lesson.

Acceptable measures of physical intervention

The use of any degree of force can only be deemed reasonable if:

- it is warranted by the particular circumstances of the incident

- it is delivered in accordance with the seriousness of the incident and the consequences which it is desired to prevent
- it is carried out as the minimum to achieve the desired result
- the age, understanding and gender of the pupil are taken into account
- it is likely to achieve the desired result.

Wherever possible assistance should be sought from another member of staff before intervening.

Physical intervention uses the minimum degree of force necessary for the shortest period of time to prevent a pupil harming himself, herself, others or property.

This form of physical intervention may involve staff doing one of the following

- physically interposing themselves between pupils
- blocking a pupil's path, if leaving an area would create a greater risk (on some occasions, it may be safer to allow a child to leave an area than to block or contain)
- escorting a pupil
- shepherding a pupil away.

In extreme circumstances, trained staff may need to use more restrictive holds.

Any such measures will be most effective in the context of the overall ethos of the school, the way in which staff exercise their responsibilities and the behaviour management strategies used. Wherever reasonable force is used, staff must keep talking to the pupil.

Recording

Where physical intervention has been used to manage a pupil, a record of the incident **may** need to be kept. Where physical control or restraint has been used a record of the incident **will** be kept. This record should be made to My Concern log which will include:

- name of pupil
- date, time and place of incident
- a brief description of the incident and actions taken.

The Bound and Numbered Book 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 Head of School and should be available to governors.

Staff may find it helpful to seek advice from a senior colleague or representative of their professional association/union when compiling a report. They should also keep a copy of the report.

Where staff have been involved in an incident involving reasonable force they should have access to counselling and support. Within the school, this will be made available through the Head of School.

Action after an incident

The Head of School will ensure that each incident is reviewed and investigated further as required. If further action is required in relation to a member of staff or a pupil, this will be pursued through the appropriate procedure:

- child protection procedure (this may involve investigations by police and/or Social Services)
- staff facing allegations of misconduct procedure
- staff or pupil disciplinary procedure
- school behaviour policy
- suspension procedure

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

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 dealt with under the School's Complaints Procedure.

The Chair of Governors will be informed of complaints but other governors will not be involved as a complaint may require further action on their part.

Monitoring of incidents

Whenever a member of staff has occasion to use reasonable force, this will always be recorded and documented. Monitoring of incidents will help to ensure that staff are following the correct procedures and will alert the Head of School to the needs of any pupil(s) whose behaviour can only be contained by the use of reasonable force.

This process will also address patterns of incidents and evaluate trends which may be emerging.