ST CHARLES' CATHOLIC PRIMARY SCHOOL

CARE AND CONTROL POLICY

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AGREED: JANUARY 2018	REVIEWED: OCTOBER 2024	NEXT REVIEW: OCTOBER 2026

Our Mission at St Charles' Catholic Primary School is to…
LOVE, LEARN, GROW TOGETHER

ST CHARLES' CATHOLIC PRIMARY SCHOOL

CARE AND CONTROL POLICY (INCORPORATING PHYSICAL RESTRAINT)

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

The policy has been developed in response to DfE non-statutory guidance, 'The Use of Reasonable Force' (July 2013). It also takes cognisance of DfES, 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). Additionally, it follows the policies and guidance of Liverpool Local Authority and will be drawn to the attention of the Local Safeguarding Children Board.

The policy should be read in conjunction with other school policies relating to interaction between adults and pupils, including Behaviour and Discipline, Safeguarding and Health and Safety policies.

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 statement about the School's Discipline and Behaviour policy is made to parents in the School prospectus. This statement includes information on the use of reasonable force to control or restrain pupils. Parental consent is not required to restrain a pupil.

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. At St Charles' Catholic Primary School, we acknowledge that physical techniques are only part of a whole setting approach to behaviour management.

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.

Implications of the policy:

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 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.

Definitions of Positive Handling:

No legal definition of reasonable force within a school's context exists, however for the purpose of this policy and the implementation of it in St Charles' Catholic Primary School:

'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 at St Charles' Catholic Primary School 'must be proportionate to both the behaviour of the individual to be controlled and the nature of the harm they might cause'. (DfES/DOH Guidance for Restrictive Physical Interventions, July 2002).

This policy does more than simply outline the use of physical intervention at St Charles'. It aims to provide a transparent overview of how we use physical contact to both care for and, where appropriate, control our pupils. Working within philosophy of 'Every Child Matters' with a particular focus in relation to the strands of 'staying safe' and 'enjoying and achieving', our Care and Control policy 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.

Physical Contact:

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

[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.

possible, staff will always endeavour to use 'safe hugs' and the 'friendly hold' as defined in Team Teach training.

Physical Intervention/Control:
This may be used to divert a pupil from a destructive or disruptive action, for example 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'. The important factor within these situations is the compliance of the child as a result of the intervention.

Restrictive Physical Intervention/Restraint:
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 reported to parents and will be stored in an accessible way.

As indicated the level of compliance from the pupil determines whether or not the interaction is an intervention or a control/restraint. If in doubt, then staff should always record the incident using the school's standard recording form.

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 and that efforts have been made by them to ensure that pupils understands and follows the school's Behaviour and Discipline Policy.

Authorised staff:
At St Charles' Catholic Primary School, the power to use reasonable force applies to any member of staff, and any other person to whom the head has authorised to have control or charge of pupils. This can also include people to whom the head has given temporary authorisation to have control or charge of pupils such as unpaid volunteers.
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 school provides training for all staff and the Headteacher retains a list of all those staff trained. Supply staff may appear on the 'authorised persons list' and are made aware of the school's policy.

The Headteacher is responsible for making clear to whom such authorisation has been given, in what circumstances and 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 what 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 head teacher in the school will be accountable for their actions while in the school.

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 and training will be provided as part of on-going continued professional development for staff.

Physical techniques are not used in isolation and St Charles' Catholic 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.

In addition, procedures will be put in place to ensure that appropriate support is provided for staff and that following an incident pupil/staff relationship are rebuilt and repaired to ensure that a positive learning environment is maintained.

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.

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 against 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 assessment should identify the benefits and the risks associated with the strategies being proposed. Broad category risk assessments based on a 'traffic light system' of green for low risk, amber for increased risk and red for higher risk are accepted as they are easily understood by staff at all levels in the school.

Training in this area includes a comprehensive review of the agreed standard incident monitoring forms and any school-specific pupil level recording that is being used for planning and evaluating behaviour modification strategies.

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.

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 behavior continues
- A statement of intent that physical intervention may well be used alongside a reminder that holding will cease when the child shows compliance.
- Physical intervention. Reasonable force being used to prevent a child harming him or herself, others or property.

Restraint techniques seek to avoid injury to the pupils, but it is possible that bruising or scratching may occur accidentally, and these are not to be seen necessarily as failure of professional technique, but as a regrettable and infrequent side effect of ensuring that the pupil remains safe.

It is important to note the distinction between

- *seclusion* where an adult or child is forced to spend time alone against their will;
- *time out* which involves restricting the service user's access to all positive reinforcements as part of the behavioural programme;
- *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.

At St Charles' Catholic Primary School pupils are NEVER secluded.

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) or object(s).

- A pupil absconds from a class or tries to leave school other than at an authorized time. Refusal of a pupil 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:
    - 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
    - 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.

Wherever possible, assistance will be sought from another member of staff.
Positive Handling at St Charles' Catholic 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.

A specific script used by staff at St Charles' Catholic Primary School in order to support each other is the 'Help Protocol'. The following provides an aide memoir of this script: -

Help Protocol
'Hello Mr. Mrs. (name of staff)', where appropriate the pupil should also be engaged by the use of their name. 'Would you like some help?'.

The response from the member of staff should always be – 'Yes please'.

'How can I help?' is the question that should then be posed allowing the member of staff originally involved in the incident to retain control of the situation.

'You can help by….' enables effective support to be provided for all concerned.

Recording:
Where physical control or restraint has been used a written record of the incident will be kept. This record should be made in the school Serious Incident, bound and numbered, Book, statutory for all special school provision. This is retained by the Head teacher. In addition, a Recording and Reporting Form, see Appendix 1, will also be completed.

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 recording form. The young person is also welcome to contribute their account in whatever way is appropriate.

The incident will be reported to each parent by telephone initially by the Headteacher. This will be followed up by letter. In this case "parent" has the meaning given by section 576 of the Education Act 1996, and so will 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 pupil, then the incident should be reported to the Local Authority.

After the review of the incident, a copy of the details will be placed on the pupil's file. A Health and Safety Accident/Incident Form will be completed and returned to the Authority in situations where injury has occurred to either members of staff or pupils.

Action after an incident:
Where staff have been involved in an incident involving 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.

The Head teacher 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, which may include one or more of the following:

- Review of the pupil's One Page Profile/Behaviour Plan/Positive Handling Plan.
- School Behaviour Policy
- Exclusions Procedure
- Child Protection Procedure
- Staff or Pupil Disciplinary 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 investigated through the School's Complaints Policy. If necessary the complaint will be dealt with by the Staff Disciplinary Procedures and/or Child Protection Procedures.

Monitoring incidents:
Whenever a member of staff has occasion to use reasonable force, this will always be recorded in writing and documented following agreed procedures. Monitoring of incidents will help to ensure that staff are following the correct procedures and will alert the Head teacher 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 Improvement Partner to the school will be involved with the monitoring process. In addition, at St Charles' Catholic Primary School, Mrs. N. McCloy is the named Governor who supports this process by undertaking termly audits of incidents and feeding back findings to the Headteacher and Governing Body.
APPENDIX 1

St Charles' Catholic Primary School

ST CHARLES' CATHOLIC PRIMARY SCHOOL
CARE AND CONTROL OF PUPILS

RECORD OF THE USE OF RESTRAINT

SECTION ONE

SERIOUS INCIDENT BOOK REFERENCE NUMBER ……

Reference should be made to the School's Policy on Care and Control before completing this report form. **This report should be completed as soon as practically possible after the incident.**

Name of Pupil…….....

Registration Class…….....

Date and Time of Incident…….... ….am/pm

Place and Activity…….....

Reporting Staff …….....

Job / Role …….....

Other adult(s) involved in incident……. ……..

…….....……

…….....……

Legal status …….. Ethnicity ……..…….

1.RECORD OF INCIDENT

Why was the use of reasonable force in the best interests of the pupil?

Why? (Dynamic Risk assessment)
Was the pupil concerned liable to injury?

Yes / No

Were other pupils liable to injury? Yes / No

Were staff /people liable to injury? Yes / No

Was property about to be damaged? Yes / No

Was good order prejudiced? Yes / No

Other? Please describe below Yes / No

1.1 Concise details of how the incident began and presenting behaviours?

1.2 Strategies other than restrictive physical intervention that were used - Please tick

Verbal/nonverbal advice and support	Humour
Reassurance	Options (offered)
Calm talking/communication /help script	Distraction
Time out (offered)	Time out (directed)
Step away/move away	Help Protocol
Pupil(s) told to stop fighting	
Other: Please describe	

1.3 Description of graded restrictive physical intervention used

Approx duration of physical intervention ……

1.4 Record of any immediate injuries to pupil

Action Taken

Time of check……. Staff name ……..

Record of later check
…….

Time of check…… Staff name ……..

1.5 Were any other pupils injured? YES/NO
Name(s)……
……
…….

1.6 Were you injured? YES/NO

1.7 Were any other adults injured? YES/NO

Name(s)…….
……..

1.8 Record of any damage to property

1.9 Measures taken to ensure that the pupil was calmed after the incident

1.10 Signature of staff making report ……..Date……

ST CHARLES' CATHOLIC PRIMARY SCHOOL
CARE AND CONTROL OF PUPILS
RECORD OF THE USE OF RESTRAINT

SECTION TWO: LEADERSHIP TEAM ACTION

SERIOUS INCIDENT BOOK REFERENCE NUMBER ……

2.1 Person completing this section
……..

2.2 How parents /carers informed and by whom

2.3 Signature of member of staff informing parent/carer
……..
Date…….....Time …….....

2.4 Any further action /information

2.5 Signature of Head/Deputy

Name ……..…… Signature ……..……..

Role……..…… Date……

Does the pupil have a positive handling plan? YES/NO

Has this incident been logged in the Serious Incident Book? YES/NO