



## **Care, control and restraint policy**

### **Introduction**

At St Aidan's we believe that we are able to manage our pupils' behaviour successfully through our *Positive behaviour policy*, however, even in the most well ordered school where the vast majority behave well, there will be occasions when children may reject the authority of staff and behave in a disruptive or violent manner, threatening the safety of themselves or others or which has, or is likely to result in serious damage to property. In such rare circumstances, physical control of the child may be necessary as a last resort. Any physical control or restraint used in this school will be the very minimum necessary in the circumstance and will be exercised with the greatest possible care to maintain the safety of all concerned.

School staff are open to child abuse allegations if they apply physical control or restraint when they are not authorised to do so, or if they use an unreasonable amount of force in relation to the situation they face; on the other hand, staff have a duty of care to the children in their charge and could be vulnerable if, as a consequence of failing to apply physical control, children suffer harm.

This policy defines the context within which physical handling strategies may be used, which forms of physical control and restraint are permissible and who is authorised to use such strategies. It should be read in conjunction with our school's *Positive behaviour*, *Inclusion*, *Anti-bullying*, *Equal opportunities* and *Child protection* policies, Haringey's *Child Protection Procedures* and *Health Handbook*. All school policies are available on our website or from the office on request.

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## **1 Aims and objectives**

It is not the intention of this policy to deter appropriate physical contact between staff and pupils. Indeed, in cases of children with learning, physical or sensory disabilities, the very young or in the administration of first aid, physical contact may not only be desirable but necessary. It is, however, essential that staff ensure that any physical contact is not liable to misinterpretation or to place themselves or children under unnecessary risk of injury.

1.1 Through this policy we aim to:

- create a safe and secure learning environment;
- develop and sustain an ethos and culture which protects the dignity of both staff and pupils;
- assist staff to maintain high standards in their relationships with pupils;
- provide a clear framework within which restraint and physical control of pupils may be used to ensure the protection of all members of the school community from harm;
- provide a supportive framework in which staff can act in confidence;
- help staff minimise the risk of being accused of any improper conduct towards pupils.

## **2 General care and physical contact**

Teaching staff have a duty of care, defined in their national conditions of service, to maintain reasonable order and discipline and to safeguard the health and safety of the children in their charge.

2.1 All school staff in charge of pupils have a common law duty to act as any reasonably prudent parent to make sure that pupils are healthy and safe on school premises. This general duty extends to staff involved in activities taking place off the school site, such as educational visits, outings, field trips and sport events.

2.2 Physical prompting has long been used to encourage and help children, particularly the younger ones, in tasks and activities and to accompany verbal instructions such as 'look at me' or 'pencils down'. Care should always be taken to ensure that this does not give cultural offence, does not arouse sexual feelings or apprehension of harm. Some children who have experienced abuse, whether physical, emotional or sexual, may misinterpret any physical contact.

2.3 Policy and procedures for pupils with medical and care needs in schools in Haringey are set out in the *Medical needs policy*, a copy of which is kept in the medical room and is available to all staff.

## **3 Physical intervention**

All staff are trained in the use of physical intervention and are authorised to use it when necessary. However, physical control and restraint is only one form of behaviour management and is only used when other techniques, such as distraction, de-escalation and conflict management, have been exhausted, unless the situation requires urgent action. Wherever possible, pupils are spoken to in a firm, calm manner and asked to stop before being warned of the likelihood of physical control being used.

- 3.1 Physical intervention can take a variety of forms but must always be appropriate to the age, understanding and behaviour of the pupil. Intervention strategies staff might use could involve:
- physically interposing between pupils;
  - blocking a child's path;
  - leading a pupil by the hand or arm;
  - guiding a pupil away by placing the palm of a hand in the centre of the back.
- 3.2 On rare occasions (eg. when working with children with special educational needs) it may be necessary to restrain children to protect them from hurting themselves or others. If this is likely to be a recurring incident an agreement will be required to be signed by the parents or carers authorising this to happen. A copy of this restraint contract will be held in the Inclusion room.
- 3.3 A record is made of any restraint used and is kept in the school office..

## **4 Guiding principles**

### **4.1 Legal**

The use of reasonable force\* is permissible only in certain defined situations:

- a. Where there is likelihood of a pupil injuring themselves, other pupils or members of staff.
- b. Where the pupil is committing a criminal offence (including behaviour by pupils under the age of criminal responsibility that would otherwise be classed as offending). Depending on the circumstance it may be necessary to consider involving the Police.
- c. To interrupt seriously disruptive behaviour which prejudices the establishment or maintenance of a safe and secure environment.
- d. To prevent or stop significant or serious damage to property.
- e. To prevent a pupil from absconding if it is judged they would be at risk by doing so.

\*There is no legal definition of 'reasonable force' – what is reasonable will depend on the circumstances. If force is to be used, it must be appropriate to the child, to the situation and carried out in good faith, in line with policy and by those authorised and competent to do so.

### **4.2 General**

- a. Staff should manage all situations in a calm and measured way.
- b. Intervention should be of the least intrusive level necessary and in proportion to the circumstances. Intervention should be focused towards calming the situation with the intention of passing control back to the pupil as soon as it is safe to do so.
- c. It is the responsibility of each member of staff to make an assessment of the particular circumstances. They will need to take the following into consideration:
  - the potential risk to themselves and to the children;
  - the particular behaviour and emotional state of the pupil;
  - the pupil's age and level of understanding;
  - the pupil's perception of the situation;
  - the pupil's personal history;
  - the antecedents to the behaviour;
  - any special needs that the pupil may have;
  - the health of the pupil;
  - their relationship with the pupil;
  - their own health;



- their own skills and expertise;
  - the availability of other staff;
  - the likely consequences of non-intervention;
  - the possible need to remove other pupils from potential harm.
- d. Physical control of pupils should never be viewed as a form of punishment, should never be carried out in anger or frustration, to humiliate or induce pain.
- e. The act of restraint should be witnessed by another staff member wherever possible.

## **5 Prohibited forms of control and restraint**

- 5.1 The following forms of physical contact and control are prohibited:
- a. Corporal punishment (or threat of it), for example: hitting, prodding, kicking etc. or throwing an object to cause or threaten harm to a pupil.
  - b. Holding around the neck or by the collar or in any way that might restrict the child's ability to breathe.
  - c. Twisting or forcing limbs against a joint. Holding pupils by the wrist can damage bones that are not fully developed – it is better to hold by the forearm.
  - d. Tripping up pupils.
  - e. Holding or pulling a pupil by the ear or hair.
  - f. Holding pupils face down to the ground.
  - g. Depriving pupils of food or drink normally available in the school (unless medically specified) or forcing them to eat against their will.
  - h. Depriving pupils of their liberty by locking them in a room unsupervised (locking external doors to protect younger children from leaving the premises is permitted).
  - i. Depriving pupils of medical care as a means of punishment or control.
  - j. Forcing children to wear any item of clothing, badge or other mark intended to act as punishment or to wear any clothing inappropriate to the time of day or year and type of activity being undertaken.
- 5.2 If items of clothing are removed from pupils (eg. shoes from younger children to prevent kicking) parental consent should ideally be sought beforehand and this will then be reflected in their Learning Support Plan (LSP) as a management strategy. In these cases serious consideration will be given to Health and Safety.

## **6 Complaints**

Following this policy when using physical control should minimise complaints, however, where this does occur, there may need to be investigations either under child protection procedures by the Police or Social Services, or by the Children's Services under disciplinary Health and Safety procedures. This possibility reinforces the need to keep accurate records of all incidents and for signed agreements with parents.

## **7 Allegations of assault**

- 7.1 Assault, or allegation of assault, by a member of staff will be dealt with as detailed in the *Child protection policy* and *LA Working Together* document. These are available from the school office.
- 7.2 Assault, or allegation of assault, by a pupil will be dealt with as detailed by *LA Health and Safety Management policy*. This is available from the school office.



## **8 Training**

Designated staff receive training every 2 years.

## **9 Monitoring and review**

This policy is monitored by the Care and Communication Committee and will be reviewed in consultation with the staff every two years or earlier if necessary.

## **10 Glossary**

LA	Local Authority
LSP	Learning Support Plan

Date of policy: **JUNE 2017**

Policy ratified: ..... (Signature) ..... (Date)

Review due: **JUNE 2019**



## **11 Potentially dangerous situations**

There are many strategies that can be used in potentially dangerous situations. The following are not intended to be prescriptive or progressive but, depending on the circumstance, staff are advised to:

- a. Speak calmly but assertively using the pupil's name. Staff should never attempt to use physical means if they themselves are angry.
- b. Keep at arm's length for as long as is practicable, making sensitive use of eye contact and avoiding threats; use supporting strategies and, if necessary, present consequences as a choice.
- c. Try to find opportunities to enable the pupil to back down and hence save face; eliminating these opportunities may escalate the situation.
- d. Try to avoid being directly face to face; turning sideways to the pupil is less confrontational.
- e. Consider the immediate risks and obtain help if necessary by calling for another member of staff. A member of staff who the pupil knows well may have more success in calming the child; other staff can act as assistants and witnesses. When the pupil and adult are of different gender it is helpful for a member of staff of the same gender as the pupil to be present as soon as possible.
- f. Decide on a course of action necessitating the minimum force for the minimum amount of time.

11.2 Following each incident, as soon as is practicable:

- a. The pupils involved should be offered the opportunity, once they are calm, to talk through the incident (Consideration should be given as to the most appropriate adult to do this and the viewpoint of the pupil(s) concerned should be recorded).
- b. The staff involved should be offered supportive discussion with appropriate colleagues.
- c. A record should be made.
- d. Parents should be informed and invited to school.