

HOTHFIELD JUNIOR SCHOOL

CARE AND CONTROL AND USE OF FORCE POLICY

Introduction

At this school we work to ensure that each individual pupil is able to reach his or her full potential. We believe that behaviour and attitude to learning have a major influence on pupil achievement and that every child is entitled to learn in an environment which is safe, secure and free from distraction. The guiding principles to achieve this are laid out in our Whole School Behaviour Policy (which also underpins this document).

As a school we are committed to supporting our pupils up to and including the duty to have lawful care and control over them. In the great majority of cases this is achieved through engendering sound relationships and the normal application of our Behaviour Policy. However in exceptional or extreme circumstances this might entail the use of reasonable force to prevent a criminal offence, injury, damage or disruption.

It should be emphasised that our approach to care and control, similar to that of behaviour in general, is very much a positive one. The physical restraint of a pupil should be seen in the context of a further positive (albeit 'last resort' or 'justifiably expedient') action of care and concern.

This paper sets out the school's policy about care and control issues including the use of force to control or restrain pupils. It should be read in conjunction with: Education Bradford's and LA Guidelines entitled "Positive Care and Control Principles Guidelines" 2002; the DfEE's Circular 10/98 called Section 550A of the Education Act 1996: The Use of Force to Control or Restrain Pupils.

NB. The examples and 'Do's and Don't's' given in this policy should not be viewed as exhaustive, but they are intended to act as useful guidelines for most situations.

What are positive care and control principles (PCCP'S)?

PCCP is a set of Education Bradford and LA guidelines about a professional and disciplined approach to care, control and safety of children and young people, based on positive behaviour management. It is an explicit statement about expectations of and required standards of practice for, (including that which is not permitted) all staff in schools. PCCP covers the use of physical force to control pupils and emphasises that this should be seen as part of a continuum of positive and caring interventions. Indeed, PCCP outlines a whole range

of strategies, in line with our School Behaviour Policy, aimed at the prevention and de-escalation of inappropriate behaviour.

What is the legal use of force to control pupils?

Members of staff authorised by the head teacher to have charge of pupils, may use reasonable force to prevent pupils:

- Committing a crime
- Causing injury to themselves or others
- Causing damage, or
- Causing disruption

'Reasonable force' has no legal definition but:

- Force cannot be justified for a trivial misdemeanour or a situation that clearly could be resolved without it
- The degree of force must be proportional to the seriousness of the situation, behaviour or consequences it is intended to prevent and always be the minimum needed.

Everyone has the right to self-defence provided they do not use a disproportionate degree of force.

Corporal punishment is illegal.

Objectives of this Policy

- To provide all staff, governors, parents and pupils with an understanding of care and control and the use of force.
- To emphasise that the use of physical force is:
 - part of a positive care and control approach to pupil discipline and welfare
 - a last resort , or a necessary expedient option to be used in extreme circumstances
- To ensure that all members of staff or authorised persons who may have to intervene physically with pupils clearly understand the options and strategies open to them.

Types of incidents in which reasonable force might be appropriate

- Where action is necessary in self-defence or because of imminent risk of injury

- Where there is a developing risk of injury or significant damage to property

Examples

- A pupil attacks a member of staff, another pupil or attempts self-injury; pupils are fighting
 - A pupil is causing or about to cause deliberate damage or vandalism
 - A pupil is causing or at risk of causing injury or damage by accident, rough play or the misuse of dangerous materials or objects
 - A pupil is running in a corridor or on a stairway in a way likely to cause an accidental injury to himself or others
 - A pupil absconds from a class or tries to leave school who could be at risk if not kept in the classroom or at school
- Where a pupil is behaving in a way that is compromising good order and discipline

Examples

- 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

NB. Wherever possible support from a colleague will be sought and alternative strategies other than using force will be considered such as:

- Providing the disruptive pupil with a choice of locations to exit to, in a manner that conveys an expectation of compliance and with some degree of 'take-up time' to allow him/her to "save face"
- Moving the other pupils out of the classroom and/or away from the disruptive pupil

Planning for incidents

- We will plan how to respond if we are aware that a pupil is likely to require physical control or intervention. This will include involving the parents to ensure they are clear about what specific action we might need to take and obtaining medical advice if the child has any specific health needs.
- Physical intervention, unless it is an emergency situation, will only be carried out by teachers and other persons authorised by the headteacher
- Our staff undertake a minimum "Team Teach" 6 hour "Foundation" course in de-escalation and positive handling of children.

NB. All teachers and those 'authorised' by the head teacher to have charge of pupils, have a 'duty of care' to take appropriate action, up to and including the use of reasonable force, to prevent pupils committing crime, disruption or causing injury or damage.

Practical considerations or procedures during incidents

Do where practicable:

- Tell the pupil to stop and what will happen if he/she does not
- Try to defuse the situation orally and prevent it from escalating
- Try to move the pupil away from any peer audience
- Attempt to communicate with the pupil throughout the incident
- Try to make sure that another adult is present
- Ensure that additional support can be summoned if appropriate
- Make it clear that the physical contact or control will stop as soon as it ceases to be necessary
- If it is not possible to control the extreme pupil without risk of injury to yourself or others, remove the other pupils who may be at risk and summon assistance.
- Use a calm and measured approach.

Try not to:

- Give the impression that you are nervous or out of control
- Give the impression that you have lost your temper, or are acting out of anger or frustration
- Give the impression that you are trying to punish the pupil
- Intervene in an incident without help unless it's an emergency or you are confident of being able to help without risk of injury or making the situation worse – call for help.

Application of force during incidents

May involve staff:

- Physically interposing between pupils
- Blocking a pupil's path
- Holding
- Guiding
- Leading a pupil by the hand or arm
- Shepherding a pupil away by placing a hand in the centre of the back, or
- (in extreme circumstances) using more restrictive holds.

Staff should not carry out action that might reasonably be expected to injure by:

- Holding a pupil around the neck, or by his collar, or in any way that might restrict breathing
- Slapping, punching, poking or kicking a pupil
- Twisting or forcing limbs against a joint
- Tripping up a pupil
- Holding or pulling a pupil by the hair or ear
- Holding a pupil face down on the ground
- Touching or holding a pupil in a way that might be considered indecent.

Other considerations for non-urgent situations where the risk to people or property is not imminent:

- Consider carefully whether physical intervention is right.
- Always try to deal with a situation through other strategies before using force
- Try to defuse and calm the situation, and establish good order – physical force could lead to escalation of the situation.
- Take into account the age, understanding and personal characteristics of the pupil – physical intervention to enforce compliance is likely to be increasingly inappropriate with older children
- Never use force as a substitute for good behaviour management – in a non-urgent situation force should only be used when other methods have failed.

Reporting and recording incidents involving the use of force

- Should an injury occur as a result of an incident at the school, immediate steps will be taken to secure appropriate medical attention. The head teacher/assistant head teacher must be informed and the Accident/Injury Report Book must be completed by the member of staff involved as soon as possible.
- In all cases where force is used (except minor or trivial incidents) the incidents will be reported to the head teacher/assistant head teacher and recorded by staff in the Incident Book/File in the Main Office at the earliest opportunity (see 'Recording in the Incident File' below for further details).
- Staff may seek advice from senior colleagues or a representative from their professional association when compiling a report; and they should keep a copy for themselves. The report will help prevent any misunderstanding or misrepresentations of the incident and will be helpful if there is a complaint (see 'Complaints' below).
- The head teacher or his/her representative will inform parents by telephone about the incidents as soon as possible or at least by the end of the school day depending on the seriousness of the incident.

Recording in the Incident File

We will keep a contemporaneous, written report of any occasion when physical force is used (except minor or trivial incidents). This will include the use of our behaviour database.

For 'Serious Incidents' the form given as Appendix I will be used and signed by the member of staff involved. Reports from other members of staff present and the pupil(s) involved will also be completed and attached.

The Incident Record will be signed by the headteacher/assistant headteacher. The Incident Book will be reviewed termly to consider control measures and possible training needs etc. At the review risk assessments will be carried out and staff training assessed.

A copy of the Incident Report will be placed in the pupil's file which is passed from school to school on transfer. This file will be kept until the child has reached 25 years of age.

Principles and other procedures

- If necessary and appropriate, the Chair of Governors, LEA (Education Social Work Service Manager), social services or police will be informed/consulted.
- The criminal, dangerous, destructive or disruptive behaviour must immediately stop.
- Where possible an attempt will be made to help the pupil change their behaviour.
- Help, support and reassurance will be given where appropriate to any victims involved.
- If possible, meaningful or appropriate, the pupil will apologise and other consequences/sanctions, reparations and monitoring may take place.
- In serious cases exclusion will be considered.
- Action within the allegation of abuse by staff procedures.
- Violence to Staff forms to be completed where appropriate.
- Operation of Child Protection Procedures.

- Involvement of Police/Social Services.

Strategies for raising awareness and prevention

We will liaise closely with parents and use a variety of methods for helping children to prevent any criminal, dangerous, destructive or disruptive behaviour. As and when appropriate, these may include:

- Reviewing or drafting new school policies
- Writing a set of school rules
- Signing a behaviour contract
- Being placed on report or participating in an individual behaviour programme
- Writing stories and/or drawing pictures that portray or promote positive social behaviour, school rules, etc.
- Reading stories or having them read to a class or assembly.
- Making up role plays and having discussions about moral and social dilemmas.
- Learning how to behave appropriately through PSE/Circle Time.
- Participating in mentoring.

Physical contact with pupils in other circumstances

The following situations are left to staff's own professional judgement but some useful guidelines can be found in PCCP 2002. Staff must be sensitive to matters relating to culture and gender issues and any known individual characteristics or special circumstances relating to pupils.

- It may be appropriate for staff to have physical contact with pupils when they are in distress or need comforting.
- Some physical contact may be necessary during PE lessons, sports coaching or CDT, or if a member of staff has to give first aid.
- Young children and children with SEN may need staff or provide physical prompts or help.
- Physical contact with pupils must always be appropriate and done openly.

Complaints

This policy is in accordance with Education Bradford and the LEA policy in respect of care, control and the use of force in schools. As such, those acting in accordance with it will be positively supported in their actions.

- Involving parents when an incident occurs and having our clear policy about physical contact with pupils that staff adhere to, will help to avoid complaints from parents. Providing staff with approved training will also help.
- All complaints will be recorded and followed up by the head teacher or their representative in the first instance. Where appropriate Education Bradford officers will be notified/kept informed. Where the complaint is against the Headteacher then the Chair of Governors needs to be involved.
- A complaint or dispute about the use of force by a member of staff might lead to an investigation by the “Managing Allegations of Abuse procedures or by the Police and Social Services under Child Protection procedures (please see DfE Circular. 10/95: Protecting Children From Abuse for guidance).

Review

This policy has been agreed in consultation with staff, professional associations, governors and the LEA. The views of pupils have also been considered. It forms a part of the School Development Plan and as such will be regularly monitored and included in our policy review cycle. Staff training considerations will be included in this review process.

Approved by Governors. November 2016

Appendix 1: Serious Incident Report Form

Name of child:

Date/ time:	Antecedent ('Trigger'):	Behaviour:	Consequence:
Physical restraint: (Note detail to 'yes' responses as necessary)	Was there a risk to child or others if not restrained?	Was Team Teach escort used to move child from the class to the Learning Mentor room?	Adults involved in restraint:
	Was a hold necessary to prevent child from further risking himself/others/ damaging property?	Was there any injury sustained to child or others?	Was child given an opportunity to calm and then was the incident discussed with him?
	Were parents informed?	Has this record been shared with the Headteacher (or – if headteacher involved in the restraint – another member of the senior leadership team?) Signed: Date:	Changes to minimise future repeat?