

St. Maxentius CE Primary School



Care and Control Policy

Agreed on 27.11.19. by the LGB

Signed(Headteacher)

Signed..... (Governor)

Introduction

This policy has been prepared for the support of all teaching and support staff who come into contact with children in our school and for students and volunteers working within it to explain the school's arrangements for care and control. Its contents are available to parents and children. A statement about the Schools Discipline and Behaviour policy is made to parents in the School Prospectus.

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 and Guidance on the Use of Restrictive Physical Interventions for Staff Working with Pupils and Adults who Display Extreme Behaviour in Association with Learning Disability and/or Autistic Spectrum Disorders (LEA/0242/2002-joint DfES/DH guidance).

The policy should be read in conjunction with other school policies relating to interaction between adults and children in particular the Behaviour Policy and the Child Protection Policy.

The responsible person for the implementation of the policy is Mrs C. Bennett (Headteacher).

Purpose of policy

Good personal and professional relationships between staff and children is vital to ensure good order in our school. It is recognised that the majority of children in our school respond positively to the discipline, control and high expectations practised by staff. This ensures the well-being and safety of all children 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. The majority of staff are fully trained using 'Team Teach' and are reaccredited on a regular basis.

Members of staff at St. Maxentius CE Primary School have an obligation to use physical restraint in certain circumstances as a last resort where it is judged to be reasonable and absolutely necessary.

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 as outlined by 'Team Teach' and other forms of training in behaviour management.

Definitions

Physical Contact

Situations in which proper physical contact occurs between staff and children, eg, in the care of children with learning disabilities; in games/PE; to comfort children; to praise children – hug, pat on the back, ruffle of the hair.

Physical Intervention

This may be used to divert a child from a destructive or disruptive action, for example guiding or leading a child by the hand, arm or shoulder with little or no force, gently lifting away from a situation. In our school this is referred to as Caring 'C's.

Physical Control/Restraint

This will involve the use of reasonable force when there is an immediate risk to children, staff or property. The holds used in this school are one/two person single elbow, one/two person double elbow, standing wrap, seated wraps on sofa, chairs or floor. All such incidents are recorded.

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

Children attending this school and their parents have a right to:

- individual consideration of child 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 children and staff working in school;
- be informed about the school's complaints procedure.

The school will ensure that children 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 to ensure the good behaviour of their child and that he/she understands and follows the Schools' Behaviour Policy.

At St. Maxentius School all teachers are authorised to use reasonable force by the Headteacher to manage or control children. Within this school, this authorisation will be extended to the following:

SNAs
Teaching Assistants
Welfare Assistants
Admin staff

Authorisation is not given to students, volunteers or parents.

The Headteacher is responsible for making clear to whom such authorisation has been given, in what circumstances and settings they may use physical control 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. Other staff whom the Headteacher has not authorised will be asked to contact an authorised member of staff immediately they see a potential problem.

Supply staff will not be authorised to use reasonable force unless they are familiar with this school's policy and have undertaken training. However, if an authorised member of staff needs assistance then they can be asked to support that person.

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

Staff from the Authority working within the school

Support Services will have their own policies of care and control of children but service staff will, whilst on school premises, be expected to be aware of and operate within the policy of this school.

Training

Training for **all** authorised staff will be made available and will be the responsibility of the Headteacher. No member of staff will be expected to undertake the use of reasonable force without appropriate training. Prior to the provision of training, guidance will be given on action to be taken. Arrangements will be made clear as part of the induction of staff and training will be provided as part of on-going staff development. Staff will be trained in the 'Team Teach Approach' by the two qualified instructors.

'Team Teach' is a structured, non-violent, staff development programme.

Staff will be trained in some personal safety (breakaway) techniques as well as holds deemed suitable for using with primary aged children that provides a gradual and graded system of response as outlined previously.

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 children or staff, property, buildings or the environment using strategies such as humour, diversion, diffusion and negotiation - giving choices. Where unacceptable behaviour continues to threaten 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 child to refrain; (this includes negotiation, care and concern)
- Further verbal reprimand stating:
 - that this is the second request for compliance;
 - 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 and that this will cease when the child complies. If possible summon assistance.
- 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 55O A) stipulates that reasonable force may be used to prevent a child 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 children, 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;
- to prevent running towards a busy road

- injuring others;
- causing damage to property, including that of the child himself or herself;
- committing a criminal offence (even if the child is below the age of criminal responsibility).

Types of incidents

The incidents described in Circular 10/98 fall into three broad categories:

- (a) 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 child is behaving in a way that is compromising good order or discipline;

Examples of situations which fall within one of the first two categories are:

a child attacks a member of staff, or another child;

- children are fighting;
- a child is engaged in, or is on the verge of committing, deliberate damage or vandalism to property;
- a child is causing, or at risk of causing, injury or damage by accident, by rough play, or by misuse of dangerous materials or objects;
- a child 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 child absconds from a class or tries to leave school (NB this will only apply if a child could be at risk if not kept in the classroom or at school). The SMT will be informed immediately. Y3 and KS 1 children are to be tracked immediately for their own safety as there are busy roads close to the school.

“The use of double or high door handles in classrooms or locking outside doors, as a safety measure and/or security precaution when children are supervised by an adult would be considered a reasonable measure to prevent a significant risk of harm within a school’s duty of care to its children.” Ref:LEA/0242/2002

Examples of situations which fall into the third category are:

- a child persistently refuses to obey an order to leave a classroom;
 a child is behaving in a way that is seriously disrupting a lesson.

Acceptable measures of physical intervention / physical control

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

- (a) it is warranted by the particular circumstances of the incident;
- (b) it is delivered in accordance with the seriousness of the incident and the consequences which it is desired to prevent;
- (c) it is carried out as the minimum to achieve the desired result;
- (d) the age, understanding and gender of the child are taken into account;
- (e) it is likely to achieve the desired result.
- (f) warranted by the particular circumstances of the incident;

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 child harming himself, herself, others or property.

This form of physical intervention may involve staff:

- physically interposing themselves between children;
- blocking a child's path;
- escorting a child usually by leading by the hand or arm with little or no force
- shepherding a child away
- lifting a child away (dependent on the size of the child)

In extreme circumstances, trained staff may need to use more restrictive holds where physical control is exercised

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 child.

Recording

Where physical intervention has been used to manage a child, a record of the incident **may** need to be kept on the child's contact sheet. Where physical control or restraint has been used a record of the incident **will** be kept. The record will include

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

An Incident form will be completed as soon as possible after the incident, normally prior to staff going off duty and be signed by the Headteacher or Deputy Headteacher.

In addition, specific details of the use of reasonable force will be recorded which will include:

- how the incident developed;
- attempts made to calm the situation;
- names of any staff or children who witnessed the incident; the outcome of the incident including any injuries sustained, by any child or member of staff;
- any damage to property which has resulted;
- whether/how parents have been informed;
- and, after investigation, a summary of actions taken.

After the review of the incident, copies of the record will be placed on the child's file and in the school's general file on the use of reasonable force.

A Health and Safety Accident/Incident Form will be completed and returned to the Authority if any injury has been caused.

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 Headteacher.

Action after an incident

The Headteacher 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 child, 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 Abuse Procedure
- Staff or Child Disciplinary Procedure
- School Behaviour Policy
- Exclusions Procedure

- Whistle Blowing Policy

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

Headteacher to the needs of any child(s) whose behaviour can only be contained by the use of reasonable force.

Managing Risks

Challenging behaviours are often foreseeable, even though it may be difficult to predict exactly when they will occur or the degree of challenge they will pose. At this school we:

- explore why children behave in ways that pose a risk
- try to understand the factors that influence the behaviour
- recognise the early warning signs that indicate that the child's behaviour is beginning to emerge, and
- develop the skills to manage difficult situations competently and sensitively

Assessing Risk

Key steps are:

- assessing the context for risk – trying to predict the situations include: running into the road; self harm; being in crowded places; and, transporting children
- assessing probability – trying to estimate how likely it is that the risk situation will occur and whether any injury or harm is: very likely to occur; likely to occur; or unlikely to occur
- assessing seriousness – trying to gauge the kind of injury and harm that could result. For example: choking, bruises, bleeding, sprains, broken bones, stress, burnout, panic attacks.

Behaviour Management Plans

Any child where there is a known risk that physical intervention may be required must have this written into his/her Individual Education Plan. This will outline the proactive measures taken to prevent risks, any early interventions that can be employed to manage risks, and reactive interventions to respond to adverse outcomes. The latter will outline measures that may be taken to limit the use of physical intervention, the strategy to be used including which hold is most appropriate for a particular child. A pupil based Risk Assessment will also be carried out.

Equal Opportunities and Diversity

All pupils, regardless of family background, gender (natural or reassigned), race, ethnicity, nationality, age, ability or disability, sexual orientation, physical appearance, social background, special educational need, religious or cultural background have the right to feel valued and safe at our school. All pupils will be treated equally and in line with this policy should the need arise.