

Chacewater CP School

Policy on the Use of Force to Control or Restrain Children and Young People

INTRODUCTION

Avoiding the use of force to control or restrain children and young people is always our primary concern.

The behaviour policy at Chacewater School is designed to prevent physical incidents from occurring. Our aim of creating a calm, well ordered and secure atmosphere is the best insurance against incidents of aggressive confrontations.

This policy is based on guidance outlined in Circular 11/07 – ‘The Use of Force to Control or Restrain Pupils’. The circular refers to the Education and Inspections Act 2006 which clarifies the position regarding the use of physical force by teachers and other staff working in schools, to control or restrain pupils. Staff should also refer to the whole school positive behaviour policy on behaviour and discipline.

PART I

Staff should refer to the Local Authority policy ‘Guidelines for the Use of Physical Restraint in Schools and Social Care Settings’ for more detailed advice. This is available in:

Headteacher Office –Safeguarding File

Staff Room-Safeguarding File

At Chacewater School we believe that the use of reasonable force is only necessary to prevent a pupil from:

- Committing a criminal offence
- Injuring themselves or others
- Causing damage to property, including their own
- Engaging in any behaviour prejudicial to maintaining good order and discipline at the school or among any of its pupils, in the classroom during a teaching session or elsewhere, such intervention would only occur if normal positive behaviour management had not worked.

‘Staff’ referred to in this policy applies to all employed adults on site.

All staff are empowered to restrain, however the following staff have been trained in ‘Team Teach ‘techniques and if the situation allows these people should be sent for in the first instance:

Susan Hodgson

Lisa Pippin

Jacci Davis

The use of restraint should always be a last resort.

If practical before intervention, a calm warning or instruction to stop should be given and every effort should be made to achieve a satisfactory outcome without physical intervention. **In all circumstances help must be sent for, even when immediate intervention is necessary.**

Restraint can take a variety of forms, many of which are outlined in Circular 11/07 and in the Local Authority guidelines referred to above. Staff should always avoid touching / holding a pupil in a way that might be considered inappropriate.

Force, where used, should always be reasonable. There is no definition of 'reasonable force'; it should always be proportional to the circumstances of the incident. It should be used only to control or restrain and never with the intent to cause pain or harm. It must, therefore, be the minimum needed to achieve the desired result.

In any action, due regard has to be taken to the age, understanding and sex of the child / young person.

Regular changeovers of staff should where possible occur during a protracted holding episode, the child / young person must continue to be given opportunities to calm and de-escalation strategies should be attempted.

Team Teach techniques seek to avoid injury to the child but it is possible that bruising or scratching may occur accidentally, and these are not to be seen necessarily as a failure of professional technique, but a regrettable and infrequent side effect of ensuring that the child remains safe. Any adjustments to professional technique are examined in the recording and reporting phase of the procedures in light of any issues arising out of a crisis episode.

Chacewater School accepts and understands that in accordance with the law corporal punishment is forbidden.

PART II

Where restraint has been necessary, the incident must be reported to Chris Gould and logged. **A report should be written and filed using the Local Authority forms which can be obtained from:**

The Headteacher

In the event of an injury occurring, the appropriate H/S61 or HSW5 must be completed and the accident reporting procedures must be followed. Parents / carers of the children involved will always be advised of an incident and it may be necessary for it to be followed up by other disciplinary action or pastoral support.

At least three

members of staff will be provided by the Local Authority with training on the use of restraint

and will be expected thereafter to arrange guidance for all other staff members both teaching and non-teaching. All parents / carers must be made aware this policy. All new members of staff, part time staff and supply staff will be expected to read this policy.

PLANNING FOR INCIDENTS

All staff who has contact with the children in the school should read and adhere to this policy. They should make themselves aware of pupils who are likely to behave in a way that may require physical control or restraint.

SECTION 550A of the Education Act 2006

This section allows teachers, and other persons who are authorised by the head teacher to have control of pupils, to use such force as is reasonable to prevent a pupil from doing, or continue to do, any of the following:

- Committing a criminal offence (including in a way that would be an offence if the pupil were not under the age of criminal responsibility);
- Injuring themselves or others;
- Causing damage to property (including pupils own property)
- Engaging in any behaviour prejudicial to maintaining good order and discipline at the school or among any of its pupils, whether that behaviour occurs in a classroom during a teaching session or somewhere else.

The provision applies when a teacher, or other authorised person, is on the school premises, and when he or she has lawful control or charge of the pupil concerned elsewhere e.g on a field trip or other authorised out of school activity.

ACTION IN SELF – DEFENCE OR AN EMERGENCY

Section 550A does not cover all the situations in which it might be reasonable for someone to use a degree of force. For example, everyone has the right to defend themselves against an attack provided they do not use excessive force to do so. Similarly in an emergency, for example if a pupil were in immediate risk of an injury or on the point of inflicting an injury on someone else, **any member of staff** would be entitled to intervene, indeed they would be expected to do so. The purpose of section 550a is to make it clear that teachers, and other authorised staff, are also entitled to intervene in other less extreme situations.

SITUATIONS IN WHICH REASONABLE FORCE MIGHT BE APPROPRIATE.

These fall into 3 categories.

1. Where action is necessary in self – defence or because there is an imminent risk of injury;
2. Where there is a developing risk of injury, or significant damage to property;
3. Where a pupil is behaving in a way that is compromising good order and discipline.

The following are examples of situations that fall within the first 2 categories.

- 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 the corridor or on a stairway in a way in 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 (N.B. this will only apply if a pupil could be at risk if not kept in the classroom or school).

The following are examples of situations that fall into the third category.

- a pupil persistently refuses to obey an order to leave the classroom, or playground;
- A pupil is behaving in a way that is seriously disrupting a lesson.

REASONABLE FORCE

There is no legal definition of reasonable force. So it is not possible to set out comprehensively

When it is reasonable to use force, or the degree of force that may be used. It will always depend on all the circumstances of the case.

There are two relevant considerations:

- the use of force can be regarded as reasonable only if the circumstances of the particular incident warrant it
- the degree of force must be in proportion to the circumstances of the incident and the seriousness of the behaviour. Any force used should always be the minimum needed to achieve the desired result.

PROCEDURES FOR DEALING WITH INCIDENTS

Staff should avoid the use of force or restraint and only use it in emergency or as a last resort.

The following procedures should be followed wherever practicable;

- firstly tell the pupil to stop, and what will happen if he or she does not;
- the person dealing with the incident should continue attempting to communicate with the pupil throughout the incident;
- if physical restraint is required it should be the minimum required to achieve the desired result. The adult should make it clear to the pupil that physical contact or restraint will stop as soon as it ceases to be necessary.
- adults should use a calm and measured approach. They should never give the impression that they have lost their temper, or are acting out of frustration, or to punish the pupil.
- Under no circumstances should an adult deal with an incident where they believe that they may be at risk of injury. In these circumstances they should send for help from a colleague or where necessary from the Police and remove other pupils who may be at risk. The teacher should inform the pupils that he or she has sent for help. Until assistance arrives the teacher should continue to attempt to diffuse the situation orally, and try to prevent the incident from escalating

APPLICATION OF FORCE

Physical intervention can take several forms. It might involve staff:

- physically interposing between pupils;
- blocking a pupils path;
- holding;
- pushing;
- pulling;
- leading a pupil by the arm;
- shepherding a pupil away by placing a hand in the centre of the back ; or
- (in extreme circumstances) using more restrictive holds.

In exceptional circumstances, where there is immediate risk of injury, a member of staff may need to take any necessary action that is consistent with the concept of 'reasonable force'; for example to prevent a young pupil running off a pavement onto a busy road, or to prevent a pupil hitting someone, or throwing something.

Staff should not act in a way that might reasonably be expected to cause injury, for example

- holding a pupil around the neck, or by the collar, or in any other way that might restrict the pupils ability to breathe;
- slapping, punching or kicking a pupil; twisting or forcing limbs against a joint;
- tripping a pupil;
- holding a pupil by the hair or ear;
- holding a pupil face down on the ground

Additionally:

- Staff should always avoid touching or holding a pupil in a way that might be considered indecent.
- Male teachers should avoid being in physical contact with female pupils unless another female adult is present.

RECORDING INCIDENTS

- If an incident where restraint or force has been used, the Headteacher must be informed immediately. The adult should complete an incident report form while the incident is still fresh in the mind (this need not be done for trivial or minor incidents). This should be handed to the Headteacher as soon as possible afterwards and filed in the blue file.
- Staff may find it helpful to seek advice from a senior colleague when completing a report
- The Headteacher should contact the parents and inform them of the incident either straight away or at the end of the day, depending on the seriousness of the incident. The Headteacher should consider whether this should be done orally or in writing. The parents should be invited to meet with the Headteacher to discuss the incident.

COMPLAINTS BY PARENTS/CARERS

- Involving parents when an incident occurs and adherence to a clear policy on restraint should help to avoid complaints from parents. A parental complaint might lead to an investigation by the Headteacher through the school's disciplinary procedures or by the Police and social services department under child protection procedures. The Headteacher will initially deal with all complaints.

PHYSICAL CONTACT WITH PUPILS IN OTHER CIRCUMSTANCES

- There may be occasions when physical contact with a pupil may be proper or necessary other than those covered by section 550A of the 1996 Act. Some physical contact may be necessary to demonstrate exercises or techniques during P.E or Games lessons, or if a child needs first aid.
- Very young children and some children with Special Educational needs may need staff to provide physical prompts or help. Touching may also be appropriate where a pupil is in distress and needs comforting. The adults in charge of pupils at Chacewater School will use their own professional judgement when they feel a pupil needs this kind of support.
- There may be some pupils in the school for whom touching is particularly unwelcome, perhaps because of their cultural background or because they have been abused. It is important that staff receive information on these children through 'confidential' items on staff meeting agendas. The Headteacher will be responsible for disseminating sensitive information of this nature.

Preferred Practice

DO

- Wherever possible plan appropriate positive intervention and involve parents / carers and colleagues.
- Know the procedures within the school / setting's guidelines for the use of physical restraint.
- Be aware of children / young people who have been physically restrained before and what happened.
- Send for adult help early if things begin to get out of hand and restraint seems likely.
- Assess the situation before acting.
- Stay calm – do not over-react.
- Use minimum restraint for minimum time until the situation is calm.
- Report the incident to the headteacher or senior member of staff as soon as possible and complete a report form.
- Consult your Line Manager, Professional Association or Trade Union if you have any concerns.
- Remember your professional obligations to all children / young people in your care.

DO NOT

- Place yourself at risk: do not attempt to restrain a child / young person who obviously carries a “weapon”.
- Attempt to restrain a child / young person when you have lost your temper.
- Allow the situation to get out of control.
- Use unreasonable force.
- Place yourself at risk of false allegation: avoid being alone with any child / young person.

Appendix 5: Advice Sheet

PHYSICAL INTERVENTIONS – POSITIONAL ASPHYXIA

Deaths during and following restraint continue to occur in the UK in a variety of workplace settings. It is essential that all staff are made aware of the potential dangers associated with restraints, understand their mechanisms and can recognise their early signs.

BACKGROUND

A number of adverse effects (including some deaths) have been reported following the application of restraints. These deaths have been attributed to positional asphyxia (asphyxiation resulting from an individual's body position). Adverse effects of restraint include being unable to breathe, feeling sick or vomiting, developing swelling to the face and neck and development of petechiae (small blood-spots associated with asphyxiation) to the head, neck and chest. This advice sheet serves to remind staff of the dangers of restraint and signs of impending asphyxiation.

MECHANICS OF BREATHING

In order to breathe effectively, an individual must not only have a clear airway but they must also be able to expand their chest, since it is this that draws air into the lungs. At rest, only minimal chest wall movement is required and this is largely achieved by the diaphragm and the intercostal muscles between the ribs. Following exertion, or when an individual is upset or anxious, the oxygen demands of the body increase greatly. The rate and depth of breathing are increased to supply these additional oxygen demands.

Additional muscles in the shoulders, neck, chest wall and abdomen are essential in increasing lung inflation. Failure to supply the body with the additional oxygen demand (particularly during or following a physical struggle) is dangerous and may lead to death within a few minutes, even if the individual is conscious and talking.

POSITIONAL ASPHYXIA

Any position that compromises the airway or expansion of the lungs may seriously impair a subject's ability to breathe and lead to asphyxiation. This includes pressure to the neck region, restriction of the chest wall and impairment of the diaphragm (which may be caused by the abdomen being compressed in a seated kneeling or prone position). Some individuals who are struggling to breathe will 'brace themselves' with their arms: this allows them to recruit additional muscles to increase the depth of breathing. Any restriction of this bracing may also disable effective breathing in an aroused physiological state.

There is a common misconception that, if an individual can talk, they are able to breathe. This is not the case. Only a small amount of air is required to generate sound in the voice box, a much larger volume is required to maintain adequate oxygen levels around the body, particularly over the course of several minutes during a restraint. A person dying of positional asphyxia may well be able to speak prior to collapse.

When the head is forced below the level of the heart, drainage of blood from the head is reduced. Swelling and blood spots to the head and neck are signs of increased pressure in the head and neck which is often seen in asphyxiation.

A degree of positional asphyxia can result from any restraint position in which there is restriction of the neck, chest wall or diaphragm, particularly in those where the head is forced downwards towards the knees. Restraints where the subject is seated require particular caution, since the angle between the chest wall and the lower limbs is already partially decreased. Compression of the torso against or towards the thighs restricts the diaphragm and further compromises lung inflation. This also applies to prone restraints, where the body weight of the individual acts to restrict the chest wall and the abdomen, restricting diaphragm movement.

RISK FACTORS FOR POSITIONAL ASPHYXIA

Any factors that increase the body's oxygen requirements, (for example, physical struggle, anxiety and emotion), will increase the risk of positional asphyxia. A number of specific risk factors are listed below:

- Restriction of or pressure to the neck, chest and abdominal
- Prolonged restraint after physical struggle causing fatigue
 - Restraint of an individual of small stature
 - Any underlying respiratory disease (eg asthma)
 - Obesity
- Alcohol or drug intoxication (alcohol and several other drugs can affect the brain's control of breathing and an intoxicated individual is less likely to reposition themselves to allow effective breathing)
 - Unrecognised organic disease
 - Psychotic states
 - Recent head injury
- Presence of an 'excited delirium state', a state of extreme arousal often secondary to mania, schizophrenia or use of drugs such as cocaine, characterised by constant, purposeless activity, often accompanied by increased body temperature. Individuals may die of acute exhaustive mania and this may be precipitated by restraint asphyxia.

A COMBINATION OF CHEST WALL AND ABDOMINAL RESTRICTION IN A SEATED, KNEELING OR LEANING FORWARDS POSITION IS PARTICULARLY DANGEROUS.

ANY SEATED HOLDS THAT CAUSE SUCH RESTRICTIONS TO OCCUR SHOULD NOT BE USED IN ANY CIRCUMSTANCES.

IN CONTROLLING AN INDIVIDUAL IN A SEATED POSITION, PARTICULAR CARE MUST BE GIVEN TO KEEPING THE SEATED ANGLE AS ERECT AS POSSIBLE.

SUBJECTS MUST BE METICULOUSLY OBSERVED AND MONITORED ACCORDING TO THE ADVICE ON THIS SHEET.

IMPORTANT WARNING SIGNS	ACTIONS
<ul style="list-style-type: none"> ✍ An individual struggling to breathe ✍ complaining of being unable to breathe * ✍ Evidence or report of individual feeling sick/vomiting ✍ Swelling, redness or blood spots to face or neck ✍ Marked expansion of the veins in the neck ✍ Subject becoming limp or unresponsive ✍ Change in behaviour (BOTH ESCALATIVE AND DE-ESCALATIVE) <ul style="list-style-type: none"> ✍ Loss of or reduced levels of consciousness ✍ Respiratory or cardiac arrest <p>* Some subjects may complain of being unable to breathe to get staff to release the restraint. Staff should never presume that this is the case and should release or modify the restraint to reduce the amount of body wall restriction.</p>	<ul style="list-style-type: none"> ✍ Immediately release or modify the restraint as far as possible to effect the immediate reduction in body wall restriction ✍ Immediately summon medical attention and provide appropriate first aid in line with unit policy ✍ Not breathing? Administer rescue breaths ✍ No pulse? Start CPR ✍ Complete report ✍ Attend post incident de-briefing

NB: Subjects may complain of being unable to breathe to get staff to release a restraint. Staff should never presume this to be the case and should release/modify the restraint to reduce body wall restriction.

ACKNOWLEDGEMENTS

With thanks and acknowledgement to © Bleetman & Boatman September 2004

Prospectus Statement

Restrictive Physical Interventions (RPI) / Team Teach

We pride ourselves at Chacewater School on providing a safe learning environment for our pupils. Sometimes, some of our children may get anxious or agitated – we will do our best to help pupils to calm down using communication skills, distraction techniques and removing triggers where possible.

However, there may be times when children need more help to calm down – this may require staff physical support to ensure the pupil's own safety, the safety of other pupils and staff, or that property is not seriously damaged. This can require physical interventions. At Chacewater, we have trained in the Team Teach approach to manage challenging behaviour. Most of our teaching and non-teaching staff have been trained in the use of this approach and we have six staff in school who carry out initial training, ongoing refresher training, and advise staff on managing behaviour.

All incidents where children need to be held to help them to calm down are recorded in school and parents are informed as a matter of course. Children who are likely to need help in this way will have an Individual Behaviour Management Plan that will be discussed with you and consistently followed by all school staff. We will also ask you to share this information with other people/agencies supporting your son/daughter, e.g. transport, respite, link family, etc.

If you have any questions about how we manage behaviour at school, or about the Team Teach approach please contact school and speak to the Headteacher.

Appendix 7: Sample Post Incident Letter to Parent(s) / Carer(s)

Dear Parent/Carer

Date:

Today your son's/daughter's behaviour became extremely challenging and as such posed a health and safety risk to themselves, other children and /or staff. Staff supported him/her by following their agreed Individual Behaviour Management Plan to reduce the risk and help him / her to calm down and regain control of themselves.

Although we followed their Individual Behaviour Management Plan and tried everything we could to calm them down, at some point during the incident it was necessary to use Team Teach techniques to hold them safely – we tried everything we could to avoid this, but it was decided that it was the best risk reduction option for everyone involved, including your son/daughter.

Your son/daughter has been checked by the school nurse and/or school staff with a First Aid qualification and monitored since the incident, but we would ask that you keep an occasional eye on them for the next few hours to ensure they are O.K. - breathing should be regular and complexion should be normal. Should you have any concerns about your child's health, please seek medical advice.

Should you wish to discuss the incident or how it was managed please contact school/setting on ***** and the Headteacher/Head of Centre will be happy to talk to you about it.

Please sign and return the slip below to school/setting as soon as possible.

Please be assured that your son/daughter's health and safety is our highest priority and we will do all we can to safeguard their welfare whilst managing to the best of our ability such challenging behaviour.

Yours sincerely,

Headteacher/Head of Centre

Behaviour Management

I confirm that I have received a letter about my child being restrained during an incident.

Please tick the following boxes as appropriate:-

- ☐ I wish to come into school to discuss this further
- ☐ I would like someone from school to ring me to discuss this further
- ☐ I am happy about the way in which my child's behaviour is managed at school

Signed

Parent/Carer of Date

If you would like further copies of this document, please contact:

Sandy Chapman
Senior Integrated Support Services Manager –East
Children, Schools & Families
Gannel House
Treyew Rd Truro TR1 3AN
schapman@cornwall.gov.uk

We want to ensure that your needs are met.

If you would like this information on audio tape, Braille, large print, any other format or interpreted in a language other than English, please contact:

The Equality & Diversity Team
Pondhu House
Stable Block
Penwinnick Road
St Austell
Tel: 01872 322972
Email: equality@cornwall.gov.uk
www.cornwall.gov.uk