



Inspiring Everyone to Learn

Touch and the use of Restrictive Intervention Policy

Person responsible: Behaviour and Welfare Leader
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May 2020 update

In light of the current situation with regard to Covid-19 and the school being open to vulnerable children and the children of critical workers, and with the announcement by the Prime Minister for a phased return to school for some children from the 1st June 2020, we have updated this policy accordingly with an addendum – please see page 5.

Introduction

At The Hermitage School we believe that pupils need to be safe, know how to behave, and know that the adults around them are able to manage them safely and confidently. For a very small minority of pupils the use of restrictive physical intervention may be needed, and, on such occasions, acceptable forms of intervention will be used.

The majority of pupils behave well and conform to the expectations of our school. We have responsibility to operate an effective behaviour policy that encompasses preventative strategies for tackling inappropriate behaviour in relation to the whole school, each class, and individual pupils.

All the school staff need to feel able to manage inappropriate risk and behaviour, and to have an understanding of what and how challenging behaviours might be communicated. They need to know what the options open to them are, and they need to be free of undue worries about the risks of legal action against them if they use appropriate physical intervention. Parents need to know that their children are safe with us, and they need to be properly informed if their child is the subject of a restrictive physical intervention, including the nature of the intervention, and the rationale for its use.

Definition of ‘Restrictive Physical Intervention’

The law allows for teachers and other persons authorised by the Headteacher to use restrictive physical intervention to prevent a pupil from doing or continuing to do any of the following:-

- committing a criminal offence
- injuring themselves or others
- causing damage to property
- engaging in any behaviour that is prejudicial to maintain the good order and discipline at the school

‘Restrictive Physical Intervention’ is the term used to include interventions where bodily contact using force is used. It refers to any instance in which a teacher or other adult authorised by the Headteacher has to, in specific circumstances, use ‘reasonable force’ to control or restrain a pupil. There is no legal definition of ‘reasonable force’. However, there are two relevant considerations:

- the use of force can be regarded as reasonable only if the circumstances of an incident warrant it
- the degree of force must be in proportion to the circumstances of the incident and the seriousness of the behaviour or consequences it is intended to prevent

The definition of physical force also includes the use of mechanical devices (e.g. splints on the pupil prescribed by medical colleagues to prevent self-injury), forcible seclusion or use of locked doors. It is important for staff to note that, although no physical contact may be made in the latter situations, this is still regarded as a restrictive physical intervention.

When the use of restrictive physical interventions may be appropriate in The Hermitage School

Restrictive physical interventions will be used when all other strategies have failed, and therefore only as a last resort. However, there are other situations when physical management may be necessary, for example in a situation of clear danger or extreme urgency. Certain pupils may become distressed, agitated, and out of control, and need calming with a brief restrictive physical intervention that is un-resisted after a few seconds.

The safety and well being of all staff and pupils are important considerations. Under certain conditions this duty must be an over-riding factor.

Who may use restrictive physical intervention in The Hermitage School?

All teachers employed at the school are authorised by the Headteacher to have control of pupils, and **must** be aware of this policy and its implications.

We take the view that staff should not be expected to put themselves in danger, and that removing pupils and themselves is the right thing to do. We value staff efforts to rectify what can be very difficult situations and in which they exercise their duty of care for the pupils.

At The Hermitage School there are three named staff members who have been fully trained to manage actual and potential aggression (MAPA) using restrictive physical intervention.

Planning for the use of restrictive physical interventions in The Hermitage School

Staff will use the minimum force needed to restore safety and appropriate behaviour.

The principles relating to the intervention are as follows:-

- Restrictive physical intervention is an act of care and control, not punishment. It is never used to force compliance with staff instructions.
- Staff will only use it when there are good grounds for believing that immediate action is necessary and in the pupil's and /or other pupils' best interest.
- Staff will take steps in advance to avoid the need for restrictive physical intervention through dialogue and diversion, and at the level of understanding of the child or young person.
- Only the minimum force necessary will be used to prevent severe distress, injury or damage.
- Staff will be able to show that the intervention used was in keeping with the incident.
- Every effort will be made to secure the presence of other staff, and these staff may act as assistants and/or witnesses.
- As soon as it is safe, the restrictive physical intervention will be relaxed to allow the pupil to regain self-control.
- A distinction will be maintained between the use of a one-off intervention which is appropriate to a particular circumstance, and the using of it repeatedly as a regular feature of school policy.
- Escalation will be avoided at all costs, especially if it would make the overall situation more destructive and unmanageable.
- The age, understanding and competence of the individual pupil will always be taken into account.
- In developing Individual Education/Behaviour Plans, consideration will be given to approaches appropriate to each pupil's circumstances.
- Procedures are in place, through the pastoral system of the school, for supporting and debriefing pupils and staff after every incident of restrictive physical intervention as it is essential to safeguard the emotional well-being of all involved at these times.

Acceptable forms of intervention in The Hermitage School

There are occasions when staff will have cause to have physical contact with pupils for a variety of reasons, for example:

- to comfort a pupil in distress (so long as this is appropriate to their age);
- to gently direct a pupil;
- for curricular reasons (for example in PE, Drama, etc.);
- during intimate care procedures with identified children (please refer to Intimate Care Policy);
- in an emergency to avert danger to the pupil or pupils;
- in rare circumstances, when restrictive physical intervention is warranted.

The school acknowledges its legal duty to make reasonable adjustments for disabled children and children with special educational needs. In all situations where physical contact between staff and pupils takes place, staff must consider the following:

- the pupil's age and level of understanding;

- the pupil's individual characteristics and history;
- the location where the contact takes place (it should not take place in private without others present).

Physical contact is never made as a punishment, or to inflict pain. All forms of corporal punishment are prohibited. Physical contact will not be made with the participant's neck, breasts, abdomen, genital area, other sensitive body parts or to put pressure on joints. It will not become a habit between a member of staff and a particular pupil.

Developing a positive handling plan in The Hermitage School

If a pupil is identified, for whom it is felt that restrictive physical intervention is likely, a risk assessment will be completed. This assessment will help the pupil and staff to avoid difficult situations through understanding the factors that influence the behaviour and identifying the early warning signs that indicate foreseeable behaviours that may be developing.

The assessment will include:

- involving parents/carers and pupils to ensure they are clear about what specific action the school may take, when and why;
- ensuring staff and others act reasonably, consider the risks, and learn from what happens;
- keeping records in school of risk reduction options that have been examined and discounted, as well as those used;
- managing the pupil, strategies to de-escalate a conflict, and stating at which point a restrictive physical intervention is to be used;
- identifying key staff who know exactly what is expected. It is best that these staff are well known to the pupil;
- ensuring a system to summon additional support;
- identifying training needs.

Guidance and training for staff

Guidance and training is essential in this area. We need to adopt the best possible practice. In The Hermitage School this is arranged at a number of levels including:

- awareness for governors, staff and parents;
- behaviour management for all staff;
- managing conflict in challenging situations - all staff;
- specific training on restrictive physical intervention techniques – named staff.

Complaints

It is intended that by adopting this policy and keeping parents and governors informed we can avoid the need for complaints. All disputes that arise about the use of force by a member of staff will be dealt with according to Surrey's Child Protection and Safeguarding policies.

Addendum to policy – May 2020

The principles as set out in The Hermitage School Touch and use of Restrictive Intervention Policy remain and should continue to be followed. This addendum should be read in conjunction with the existing policy as set out above.

This addendum follows the advice and guidelines provided by the DFE.

Positive Touch and Physical Intervention

There may be times when a pupil's behaviour requires staff to use physical intervention to ensure the pupils' own safety, the safety of other pupils and staff, or that property is not seriously damaged.

The Hermitage School will be guided by the following principles in these circumstances, in line with the advice from the Surrey Accredited Training Centre:

- Given the current pandemic, staff will also need to consider the possible risk of infection if they physically intervene, contrasted with the possible risks of infection should they not intervene.
- Any decisions made should be in accordance with Public Health and Government guidelines on Covid-19.
- Advice remains firmly focused on restraint reduction. The emphasis is on de-escalation, reducing triggers, and early interventions to manage risk.
- When deciding to use restrictive interventions, any such restriction must be a last resort, reasonable, and proportionate action.
- Staff need to ensure their decisions consider the risks of doing something contrasted with the risks of doing nothing.
- Schools should continue to explore non-restrictive alternatives that maximise safety and minimise harm at the point of risk behaviour.
- At the heart of all decisions is our desire to maintain the Care, Welfare, Safety and Security of everyone, staff as well as pupils.

This policy should be read in conjunction with the following school policies:

- Child Protection and Safeguarding Policy
- Infection Control Policy
- Behaviour and Exclusions Policy