



CARE AND CONTROL OF PUPILS

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Outstanding Achievement for All

CARE AND CONTROL OF PUPILS POLICY

1. Introduction

This policy has been prepared for the support of all teaching and support staff who come into contact with pupils and for volunteers working within the Academy to explain arrangements for care and control. Its contents are available to parents and pupils. It includes information on the use of reasonable force to control or restrain pupils.

The policy has been developed in response to the recommendations of the DCSF guidance on "The Use of Force to Control or Restrain Pupils", issued following the enactment of Section 550A of the 1996 Education Act.

The policy should be read in conjunction with other specific and related Academy policies relating to interaction between adults and pupils specifically the Academy's Behaviour Policy.

The Trust policy will be reviewed annually by the Senior Leadership team and the Trustees.

2. Purpose of the Policy

Positive inter-personal and professional relationships between staff and pupils are vital to ensure good order in the school. It is recognised that the majority of pupils within the Academy respond positively to the discipline and behaviour management approaches practised by the staff. This ensures the wellbeing and safety of all pupils and staff across the provision. 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 to safeguard the pupil themselves, others or prevent damage.

Every effort will be made to ensure that all staff in the Academy:

- a) 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
- b) are provided with appropriate training to deal with these difficult situations.

The application of any form of physical control places staff and pupils 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.

Reasonable force will only be used as a last resort when all other behaviour management strategies have failed or when pupils, staff or property are at risk.

Definitions

- a) Physical Contact
Situations in which proper physical contact occurs between staff and pupils, e.g. in the care of pupils with learning disabilities; in games/P.E.; to comfort pupils.
- b) Physical Intervention
This may be used to divert a pupil from a destructive or disruptive action, for example guiding or leading a pupil by the hand, arm or shoulder with little or no force.
- c) Physical Control/Restraint
This will involve the use of reasonable force when there is immediate risk to pupils, staff or property or if good order is being seriously prejudiced. All such incidents must be recorded.

3. Underpinning Values

Everyone attending or working in the Academy has a right to:

- a) Be treated with respect and dignity;
- b) Learn and work in a safe environment;
- c) Be protected from harm, violence, assault and acts of verbal abuse;
- d) Recognition of their unique identity.

Pupils attending academies across our Trust and their parents/carers have a right to:

- a) Individual consideration of pupil needs by the staff who have responsibility for their care and protection;
- b) Expect staff to undertake their duties and responsibilities in accordance with the Academy's policies;
- c) Be informed about Academy rules, relevant policies and the expected conduct of all pupils and staff working in school;
- d) Be informed about the Academy's Complaints Policy and procedures.

The Academy will ensure that pupils understand the need for, and respond to, clearly defined limits which govern behaviour in the school, in summary comply with our Code of Conduct.

Parents should have committed themselves through the Home-School Agreement signed at the initial induction meeting to ensure the good behaviour of their child and that he/she understands and follows the Academy's Behaviour Policy.

4. Authorised Staff

Authorisation to control pupils using restrictive practices is not given to volunteers or parents through this policy.

Staff across the Academy are trained in conflict management / physical intervention practices as appropriate.

The Academy will maintain a list of those who have been authorised and undertaken training. This training record will be reviewed annually.

5. Staff from the Authority Working Within the Academy

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

6. Training

Training for all staff will be made available through continuous professional development at the Academy. No member of staff will be expected to undertake the use of reasonable force without appropriate training or guidance. 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.

7. Strategies for Dealing with Challenging Behaviour

Staff consistently use positive strategies to encourage acceptable behaviour and good order. Each pupil will have a risk assessment that identifies potential risks based on previous behaviours. These are reviewed termly. Staff must make themselves aware of the risk assessments of pupils that they frequently support. Staff should also familiarise themselves with pupils' individual plans where appropriate. These will indicate potential triggers and supportive approaches for managing and preventing escalating situations.

Every effort will be made to resolve conflicts positively and without harm to pupils or staff, property, buildings or the environment. Where unacceptable behaviour threatens good order and discipline, some or all of the following approaches could be taken according to the circumstances of the incident:

- a) Verbal acknowledgement of unacceptable behaviour with request for the pupil to refrain (this includes negotiation, care and concern, (PACE approach etc);
- b) 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.
- c) Warning of potential need to intervene physically with reason given. If possible summon assistance.
- d) Physical intervention. Reasonable force uses the minimum degree of force to prevent a child harming him or herself, others or property.

8. Escalating Situations

Section 93 of the Education and Inspections Act 2006 enables school staff to use such force as is reasonable in the circumstances to prevent a pupil from doing, or continuing to do, any of the following:

- a) committing any offence for which a pupil could be held criminally responsible
- b) causing personal injury to, or damage to the property of, any person (including the pupil himself); or
- c) prejudicing the maintenance of good order and discipline at the school or among any pupils receiving education at the school, whether during a teaching session or otherwise.

9. Types of Incidents

The incidents described in the DfEE Circular 10/98 Section 550A of the Education Act 1996 fall into three broad categories:

- a) where action is necessary in self-defence or because there is an imminent risk of injury;
- b) where there is a developing risk of injury, or significant damage to property;
- c) where a pupil is behaving in a way that is compromising good order or discipline.

10. Acceptable measures of Physical Intervention

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 pupil are taken into account;
- e) it is likely to achieve the desired result.

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 pupil harming themselves, others or property.

Staff should make every effort to avoid acting in a way that might reasonably be expected to cause injury. However, in the most extreme circumstances it may not always be possible to avoid injuring a pupil.

This form of physical intervention may involve staff:

- a) physically interposing themselves between pupils;
- b) blocking a pupil's path;
- c) escorting a pupil;
- d) shepherding a pupil away.

Trained staff may need to use more restrictive holds. 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 pupil.

11. Recording

Where physical intervention has been used to support a pupil, a record of the incident **always** needs to be kept. This record will be kept electronically. The information sheet needs to be completed by staff and passed on the day to the relevant administration person. The Academy's information sheet **must** include:

- a) name of pupil
- b) date, time and place of incident
- c) a brief description of the incident and actions taken.

The Incident Log report will be completed as soon as possible after the incident, normally prior to staff going off duty and be signed by all staff involved and a member of SLT. It would be good practice for the member of staff with lead responsibility for safeguarding to check the record.

In the event of the need to use physical restraint/control specific details of the use of reasonable force in this circumstance will be recorded on a Form RF1 which will include:

- a) how the incident developed;
- b) attempts made to calm the situation;
- c) names of any staff or pupils who witnessed the incident;
- d) the outcome of the incident including any injuries sustained, by any pupil or member of staff;
- e) any damage to property which has resulted;
- f) how parents have been informed;
- g) after investigation, a summary of action taken.

Staff may find it helpful to seek advice from a senior colleague or representative of their professional association/union when compiling a report.

After the review of the incident, copies of Form RF1 will be placed in the Academy's general file on the use of reasonable force.

In the event of injury, a Health and Safety Accident/Incident Form (HS1) will be completed and returned to the Authority when appropriate

Where staff have been involved in an incident involving reasonable force at all levels they should have access to counselling and support. Within the Academy, this will be made available through the Principal.

12. Recording and Reporting Incidents

The purpose of recording is to ensure policy guidelines are followed, to inform parents, to inform future planning as part of school improvement processes, to prevent misunderstanding or misinterpretation of the incident and to provide a record for any future enquiry.

13. Action after an Incident

Parents/carers must be informed when pupils are involved in positive handling incidents that involve restrictive holds when a RF1 has been completed. This should be done on the day of the intervention and undertaken by a senior leader and recorded on the RF1

The Behaviour/Pastoral Lead and/or Principal 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 pupil, 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 Pupil Disciplinary Procedure
- School Behaviour Policy
- Exclusions Procedure

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.

14. 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 Academy's Complaints Policy.

Where a complaint is made which involves an allegation of an injury being inflicted on a pupil this incident needs to be directly reported to the Principal. The Principal will decide if it is appropriate to contact the LADO

The Chair of the Academy Committee will be informed of complaints.

15. 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 Principal to the needs of any pupil(s) whose behaviour can only be contained by the use of reasonable force.

This process will also address patterns of incidents and evaluate trends which may be emerging and support the review of individual pupil risk assessment and future planning documentation