



Clifford Holroyde Specialist SEN College

POLICY ON CARE AND CONTROL OF PUPILS

CLIFFORD HOLROYDE SPECIALIST SEN COLLEGE

1. Introduction

This policy has been prepared in order to support all teaching and support staff who come into contact with pupils and for volunteers working within the school, to explain the school's arrangements for care and control. Its contents should be made available to parents and pupils, should they wish to see them. It will also be discussed with parents and children upon admission.

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 implementation of the Education Act 1996 (Section 550A). The policy also refers to the Education (No2) Act 1986.

The policy should be read in conjunction with other school policies relating to interaction between adults and pupils, notably the Clifford Holroyde College "Behaviour Policy" and the "Child Protection Policy".

The policy was prepared after continued discussions with staff and was accepted by the Governing Body in March 2016. The responsible person for the implementation and review of the policy is the Headteacher. The policy will be reviewed annually by the Headteacher and the Governing Body.

2. The Legal Framework

The Education Act 1996, section 550A (DfEE Circular 10/98), states that reasonable force and restraint may be used 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 (including the pupil's own property);
- Engaging in 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 elsewhere.

DfEE Circular 10/98, gives examples of situations which may fall within the categories above:

- A pupil attacks a member of staff, or another pupil;
- Pupils are fighting;

- A pupil is engaged in, or is on the verge of deliberate damage or vandalism to property;
- A pupil is running in a 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 (*NB. This will only apply if a pupil could be at risk if not kept in the classroom or at school*).
- 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.

The act allows all teachers at a school to use reasonable force to control or restrain pupils. It also allows other people to do so, in the same way as teachers, providing they have been authorised by the headteacher to have control or charge of pupils. Those might include classroom assistants, caretakers or voluntary helpers, including people accompanying pupils on visits.

Only staff who have received appropriate Team-Teach training are authorised to use positive handling techniques at the school. However as the safety of students is paramount to the school all staff will act accordingly to fulfil their duty of care responsibilities.

All staff have the right to defend themselves against attack, providing that they do not use a disproportionate degree of force to do so. Unplanned physical interventions may also take place in urgent or emergency situations e.g. if a pupil was at immediate risk of injury or at the point of injuring someone else. These interventions must be reasonable, absolutely necessary and proportionate responses to the risks assessed.

3. DfE Guidance – The Use of Force

What is reasonable force?

1. The term ‘reasonable force’ covers the broad range of actions used by most teachers at some point in their career that involve a degree of physical contact with pupils.
2. Force is usually used either to control or restrain. This can range from guiding a pupil to safety by the arm through to more extreme circumstances such as breaking up a fight or where a student needs to be restrained to prevent violence or injury.
3. ‘Reasonable in the circumstances’ means using no more force than is needed.
4. As mentioned above, schools generally use force to control pupils and to restrain them. Control means either passive physical contact, such as standing between pupils or blocking a pupil's path, or active physical contact such as leading a pupil by the arm out of a classroom.

5. Restraint means to hold back physically or to bring a pupil under control. It is typically used in more extreme circumstances, for example when two pupils are fighting and refuse to separate without physical intervention.
6. School staff should always try to avoid acting in a way that might cause injury, but in extreme cases it may not always be possible to avoid injuring the pupil.

Who can use reasonable force?

- All members of school staff have a legal power to use reasonable force.
- This power applies to any member of staff at the school. It can also apply to people whom the headteacher has temporarily put in charge of pupils such as unpaid volunteers or parents accompanying students on a school organised visit.

Section 93, Education and Inspections Act 2006

When can reasonable force be used?

- Reasonable force can be used to prevent pupils from hurting themselves or others, from damaging property, or from causing disorder.
- In a school, force is used for two main purposes – to control pupils or to restrain them.
- The decision on whether or not to physically intervene is down to the professional judgement of the staff member concerned and should always depend on the individual circumstances.
- The following list is not exhaustive but provides some examples of situations where reasonable force can and cannot be used.

Schools can use reasonable force to:

- remove disruptive children from the classroom where they have refused to follow an instruction to do so;
- prevent a pupil behaving in a way that disrupts a school event or a school trip or visit;
- prevent a pupil leaving the classroom where allowing the pupil to leave would risk their safety or lead to behaviour that disrupts the behaviour of others;
- prevent a pupil from attacking a member of staff or another pupil, or to stop a fight in the playground; and
- Restrain a pupil at risk of harming themselves through physical outbursts.

Schools cannot:

- Use force as a punishment – it is always unlawful to use force as a punishment.

4. Purpose of the Policy

Good personal and professional relationships between staff and pupils are vital to ensure 'Good Order' in our school. It is recognised that the majority of pupils in our

school respond well to Positive Behaviour Management as practised by staff. In conjunction to this the primary focus in managing problem behaviour is the continual focus of de-escalation and the prevention of potential crisis behaviour. This ensures the well-being and safety of all pupils and staff in school. It also acknowledges that in exceptional circumstances, staff may need to take action in situations where the use of reasonable force may be required. In this instance the overall priority is the Care, Welfare, Safety and Security of all pupils and staff.

Every effort will be made to ensure that all staff in the Clifford Holroyde College:

- 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.

Individual members of staff cannot be required to use physical restraint.

However, all staff do need to be mindful of their responsibilities in their duty of care and support for colleagues.

5. Definitions

- a) Physical Contact
Situations in which proper physical contact between staff and pupils - eg: in games/PE; to comfort pupils.
- b) Physical Intervention
This may be used to divert a pupil away 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 an immediate risk to pupils, staff or property. All such incidents must be recorded.

6. Underpinning Values

In addressing the underpinning values of this document, it is first useful to consider the school's Mission Statement.

MISSION STATEMENT

At Clifford Holroyde, we:

Care – Ensure all pupils are safe.

Reflect – Constantly look to improve and develop.

Inspire – Enjoy positive outcomes....So we can succeed together!

“The Clifford Holroyde College aims to provide a structured, caring environment in which children with emotional and behavioural difficulties, can thrive and progress both socially and academically to the best of their ability, in order that they may develop a respect for their environment and community and that they may come to respect themselves and others.

The school also aims to develop strong relationships between the school and the children’s’ parents/carers, in order that both can work together to maximise the child’s potential”.

Clifford Holroyde Ethos and Values

- We believe in lifelong learning and the idea that both adults and children learn new things every day.
- We believe learning should be a rewarding and enjoyable experience for everyone: *it should be fun*.
- We equip children with the skills, knowledge and understanding necessary to be able to make good choices in their lives.
- We believe teaching and learning experiences help children to lead rewarding lives.
- We believe people learn best in different ways.
- We develop children’s self-respect and encourage them to respect others
- We respect all cultures and in doing so, promote positive attitudes towards other people.

At Clifford Holroyde we all **Achieve**.

We are:

- A** – Articulate
- C** – Confident
- H** – Happy
- I** – Independent
- E** – Educated
- V** – Valued
- E** – Excellent

7. School/Staff Responsibilities

The school takes seriously its responsibilities to care for, protect and nurture pupils who attend the school. This means that the school will take any steps considered necessary in order to:

- protect pupils from harm
- provide a safe environment in which all children can develop to their potential
- ensure that pupils understand the need for, and respond to clearly defined limits which govern behaviour in school

Staff have a responsibility to act at all times, in a manner which reflects positively on their professional status and which at no time oppresses, demeans, humiliates or abuses the pupils with whom they work.

All required staff, by participating in Team-Teach positive handling training and through reviewing, monitoring and reflecting on physical interventions, understand that if use of force is required to support a pupil it **MUST** be reasonable, proportionate and absolutely necessary.

STAFF RIGHTS

It must also be emphasised that staff also have a right to protection and to be able to work in a safe environment. The following will therefore apply as part of this policy:

- Whilst acts of violence directed at staff are rare, there are nevertheless occasions when this happens. In all cases of physical violence directed at staff and where the child is of the age of criminal responsibility, the member of staff will have the right to contact the Police and press charges. The Headteacher and Governors will support such action taken by staff, provided that they themselves have acted professionally and within the guidelines contained in this policy. However, staff exercising this right, need to consider this course of action very carefully and will need to discuss the matter with the Headteacher.
- Some pupils are prone to making false and malicious allegations against staff. In these instances, the school will undertake the following action:
 - a) Investigate the accusation and take appropriate action - (See Child Protection Procedures).
 - b) The school may decide to convene a case conference, in order to draw attention to the child's propensity to make false and malicious accusations and to formally exonerate staff from blame.
 - c) Draw up a plan to deal with the situation.

The school will ensure that pupils understand the need for and respond to clearly defined limits which govern behaviour in the school.

All parents have committed themselves through the Home-School Agreement to ensure the good behaviour of their child and that he/she understands and follows the School's Behaviour Policy.

8. Authorised Staff

In this school, all teachers are authorised to use reasonable force but only non-teaching support staff specifically authorised by the Headteacher to have control or be in charge of pupils may use reasonable force to manage or control pupils. All staff are trained to use Team Teach Jan 2019. Within the school, this authorisation will be extended to the following staff (As of 8/2/2019):

TEACHING		NON-TEACHING
J Pepa	A Leadbetter	I Peach
S Trainor	A Davies	K Garrett
A Gadsby		C Pover
M Sheridan		H O'Flaherty
R Plechowicz		K Duff
S Rose		S Collier
G Hill		R Beattie
C Couldwell		F Cracknell
		A Rainford
		C Smyth

Authorisation is not given to 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 force 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. Those whom the Headteacher has not authorised will be told what steps to take in the case of an incident where control or restraint is needed, for example to contact an authorised member of staff.

Supply staff will not be authorised to use reasonable force unless they are familiar with this school's policy and have undertaken training.

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

9. Staff from the Authority Working Within the School

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

10. Training

The College implements Team-Teach Positive Handling Training and all required staff complete the 12hr foundation course. The course is delivered by the Headteacher who is a registered Team-Teach trainer. 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.

11. Strategies for Dealing with Challenging Behaviour

Staff consistently use positive strategies to encourage acceptable behaviour and good order. (See the school's behaviour policy)

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 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 pupil 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 pupil complies. If possible summon assistance – (Use professional judgement to determine whether help is needed).
- Physical intervention. Reasonable force uses the minimum degree of force to prevent a child from harming him or herself, others or property.

In certain exceptional circumstances, it may be necessary to move to physical intervention in the first instance – eg: in the event of a serious fight. Staff will need to use their own professional judgement in these circumstances.

12. Protection of Pupils and Staff

The aim of the policy is to protect both pupils and staff. All pupils and staff have the right to be treated with respect. On rare occasions, pupils will not be able to exercise this responsibility and control will be needed. At such times, it is the responsibility of staff to ensure that they behave professionally and operate within the framework of this policy. Staff will have the support of the Headteacher and Governors, providing they have followed the guidelines contained in this policy.

13. Recording

Where physical intervention has been used to manage a pupil, a record of the incident will be recorded on IRIS within the behaviour section.

14. Action After an Incident

(a) The Headteacher and Safeguarding team 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.

(b) Children who exhibit behaviours which require physical control/restraint on a regular basis, will require a positive handling plan devised by staff which will detail measures to be taken to deal with the child's behaviour in the safest manner.

15. 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 about Staff 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.

16. Monitoring of Incidents

Whenever a member of staff has occasion to use reasonable force, this will always be recorded and documented on IRIS. Monitoring of incidents will help to ensure that staff are following the correct procedures and will alert the Headteacher 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.

Signed: **Chairperson of the governing body**

Date:

Signed: **Headteacher**

Date:

Review Date: Feb 2020



POLICY FOR CARE & CONTROL

THE USE OF PHYSICAL RESTRAINT

Clifford Holroyde Specialist SEN College

Care and control: The use of restraint

As reflected in the school policy, when dealing with children with social, emotional and behaviour difficulties on occasion it may become necessary to restrain your child as a last resort in order to re-establish good order.

Restraint will only take place if your child is liable to injure themselves or others or if serious damage to property is about to occur. We stress that restraint is a last resort measure and will only be use after all other behaviour management techniques have been implemented in accordance with the individual child's risk assessment.

It is necessary for the school to make you aware of this policy and we would therefore ask you to sign the form below in order verify that you have been informed of the schools restraint policy

If your child places himself/others at risk or is likely to commit an act that could result in prosecution. After all other avenues of care and control have been exhausted. The school will using qualified staff and recognised holds physically restrain your child for the shortest period possible until control is restored.

I _____ agree to restraint being used if deemed necessary, using recognised holds, in line with the schools policy on restraint.

Signed _____ Date _____



Clifford Holroyde Specialist SEN College
Intervention Guidance

Clifford Holroyde Specialist SEN College

Nature of incident	Staff response	Recording procedure	Repair and reflection
Continual low level interruption.	Diffusion, diversion Support offered in class. Positive reinforcement.	Daily record sheets/points	Discussion through PSHE sessions
Verbal abuse towards staff and peers. Threatening Staff and peers. Including name calling, provoking etc	Diffusion, diversion Support offered in class. Positive reinforcement. Use of wooden room referral (time out). Reinforce School rules and explain procedures for continued negative behaviour.	Daily record sheets/points Referral form Phone call to parents.	Discussion through PSHE sessions Apology/Praise (were necessary), reinstated in class.
Continued refusal to use wooden room Threatening Staff and peers. Including name calling, provoking etc Posturing towards fighting Continued verbal aggression which may lead to physical aggression.	Diffusion, diversion Support offered in class. Positive reinforcement. Use of wooden room referral (time out). Reinforce School rules and explain procedures for continued negative behaviour. Low level physical intervention. Guiding, Leading etc. Asked to spend extended time away from group.	Daily record sheets/points Referral form Phone call to parents.	Discussion through PSHE sessions Apology/Praise (were necessary), reinstated in class. (On teacher's request).
Self-injuring or placing him or herself at risk Injuring others causing damage to property, Including that of the pupil himself or herself	Diffusion, diversion Support offered in class. Positive reinforcement. Use of wooden room referral (time out). Reinforce School rules and explain procedures for	Daily record sheets/points Referral form Phone call to parents. Completion of serious incident book Completion of RF1 Form	Discussion through PSHE sessions Apology/Praise (were necessary), reinstated in class. (On teacher's request). Reflection time and advice time to be given as soon as possible.

<p>Committing a criminal offence (even if the pupil is below the age of criminal responsibility)</p>	<p>continued negative behaviour. Medium level physical intervention. Guiding, Leading etc. Transport position – 2 Staff / Interim control position – 1 Staff Asked to spend extended time away from group. Application of least intrusive physical restraint, for minimum period of time necessary. Small child control position – 1 Staff; Team Control Position – 2 Staff. Staff to ask, offer and accept help at any occasion. Advise parents.</p>	<p>Completion of HS1 form If necessary. Headteacher/Governors to monitor serious incident book</p>	<p>When pupil is receptive. In cases of exclusion. Back to school interview involving relevant members of staff. Support to be offered to staff.</p>
<p>Serious Physical assault, resulting in actual bodily harm. Either to self or others. That may result In prosecution.</p> <p>Actual criminal damage caused to property or fabric of building</p>	<p>Diffusion, diversion Support offered in class. Positive reinforcement. Use of wooden room referral (time out). Reinforce School rules and explain procedures for continued negative behaviour. Medium level physical intervention. Guiding, Leading etc. Transport position – 2 Staff / Interim control position – 1 Staff Asked to spend extended time away from group Application of least intrusive physical restraint, for minimum period of time necessary. . Small child control position – 1 Staff; Team Control Position – 2 Staff. Staff to ask, offer and accept help at any occasion. Advise parents. Police</p>	<p>Daily record sheets/points Referral form Phone call to parents. Completion of serious incident book Completion of RF1 Form Completion of HS1 form If necessary. Headteacher/Governors to monitor serious incident book Necessary legal/local authority/trade unions/police/medical/social services informed.</p>	<p>Discussion through PSHE sessions Apology/Praise (were necessary), reinstated in class. (On teacher’s request). Refection time and advice time to be given as soon as possible. When pupil is receptive. In cases of exclusion. Back to school interview involving relevant members of staff. Support to be offered to staff. All documents/evidence to be made available for scrutiny by relevant bodies.</p>

	informed/LEA informed/ Governors informed Senior management/LE.A/Governors to look for more suitable placement.		
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This document is merely a guide. Obviously individual staff knowledge, proper recording and monitoring and the use of PHP's and risk assessments, will dictate necessary staff response to individual situations.