

Putting Children and Young People First

Sandwell Local Authority

Restrictive Physical Intervention

Policy Development Framework

November 2008

This policy framework should be read with reference to the DCSF guidance on the use of Restrictive Physical Intervention in order to construct policy relevant to your school, PRU, including Early Years and Child Care Provision



West Midlands
National Training Awards 2007

DETECT



Sandwell
Metropolitan Borough Council

Children & Young People's Services

Introduction to the framework

Sandwell Guidance on the Use of Restrictive Physical Intervention (2003), which has at its basis Circular 10/98, has been superseded by new guidance from the DCSF on the use of force published in November 2007.

The Use of Force to Control or Restrain Pupils (DCSF 2007).

This document follows on from the **Education and Inspections Act 2006**, which sought to clarify the responsibilities and rights of head teachers in respect of discipline in their schools.

Head teachers and governing bodies should use the above named documents to inform a review of their own policies on the use of restrictive physical intervention. This document provides a framework for the production of policy but is not a 'model policy'. The DCSF makes it clear why a model policy is not appropriate.

'Situations involving decisions about whether to use force can occur in any school. Both using force and deciding not to can entail significant risks for pupils and staff. Establishing a clear school policy on the use of force by staff is an important part of minimising these risks.'

'Each school needs to develop a policy tailored to its particular circumstances. It is good practice to do this in consultation with governors, staff, parents and pupils. It would not be sensible for the Department to provide a detailed model policy.'
(DCSF Nov. 2007).

Sandwell LA Guidance

Sandwell LA concurs with the DCSF in respect of the need for each school to tailor its policy on restrictive physical intervention to its own circumstances and provides this framework to support that policy formulation.

The view of Sandwell LA is that every school must have a policy on the use of restrictive physical intervention, which is agreed in consultation with its stakeholders and trades unions.

**Sandwell LA Guidance
Early Years and Childcare Provision on School Sites e.g.
Children's Centres, Out of School Clubs**

Staff in charge of these provisions should have clarity about school policy on the use of restrictive physical intervention and, where appropriate, separate guidance which should be explicitly included in health and safety, behaviour management and child protection policies.

Useful Guidance Documents

- The Use of Force to Control or Restrain Pupils (DCSF 2007)
- Guidance on the Use of Restrictive Physical Interventions for Pupils with Severe Behavioural Difficulties (LEA/0264/2003)
- Guidance on the Use of Restrictive Physical Interventions for Staff working with Children and Adults who Display Extreme Behaviour in Association with Learning Disability and/or Autism Spectrum Disorders (LEA/0242/2002)

Please note

Schools will need a separate policy on the screening and searching of pupils for weapons. Guidance can be found in 'Screening and searching of pupils for weapons: Guidance for school staff'. (DfES May 2007)

Developing your Policy

This policy framework is divided into sections A – K. You will need to include all the elements in your policy but obviously use a layout consistent with other school policies, if you prefer.

LA Monitoring

Section L details LA monitoring arrangements. You are asked to send in a copy of your completed policy document to the SEN Inclusion Adviser, by 3 April 2009. cath_malin@sandwell.gov.uk

Schools Policy Framework

A. Rationale

LA Guidance

The development of a set of principles would be a good starting point to explore issues with staff. This may also help to identify training needs. LA Inclusion Support staff could support this process at staff training days or staff meetings.

Outline your beliefs and ethos in relation to physical intervention – the following are suggestions for discussion.

1. Our school is a safe, caring and inclusive environment for staff, children/young people and we strive to promote positive attitudes to behaviour for all ...
2. Our behaviour policy details the way in which we create a positive and caring ethos in the school.
3. We view all behaviour as communication.
4. Physical intervention is only ever used as a last resort when all other attempts to defuse a situation have broken down and then with the minimum of reasonable force.
5. Some children/young people, because of the nature of their difficulties, will need additional help to manage their behaviour which, may result in the use of physical intervention if that child/young person is in a crisis situation ie in danger of harming themselves or others.
6. Staff will be trained and updated annually on the strategies and procedures they should adopt if all normal systems have failed i.e. there is such a crisis situation.
7. We are committed to equal opportunities for all irrespective of race, gender, sexuality, disability or religion. We will monitor the impact of this policy to ensure that no group is adversely affected.

B. Minimising the need to use force

1. Detail here the whole school approaches that contribute to ensuring the need to use force is minimised e.g. Positive ethos, the implementation of the Social and Emotional Aspects of Learning Programme, whole school behaviour policy, training in de-escalation of incidents without the need to use force.

C. Staff authorised to use force

1. Restrictive physical intervention is only ever used as a last resort. (this is worth restating throughout your document)
2. Make it clear **who is authorised to use restrictive physical interventions** and under what circumstances that might happen, referring to the rationale that it is only ever used as a last resort, even when part of a 'positive handling plan (PHP)' for a child/young person.

The responsibility for authorising the staff who may use physical intervention lies with the head teacher and this would need to be stated clearly.

Staff (ensure that staff includes all teaching and support staff who have control or charge of pupils) in school who are authorised to use restrictive physical intervention are

(The number of staff authorised will depend on the context of the school e.g. in a special school or PRU all staff may be trained and authorised. In other schools and settings a judgement would need to be made on the extent to which trained staff would be needed.)

Sandwell LA Guidance is that only those who are trained using a British Institute of Learning Disability (BILD) (www.bild.org.uk) accredited training programme should use restrictive physical intervention.

Training for all staff in de-escalation techniques should ensure that for the **vast majority of staff in mainstream schools**, there will **never be any need to use a restrictive physical intervention**.

In special schools and PRUs, the head teacher may take the decision that all staff should be trained in the use of restrictive physical intervention.

NB The law makes it clear that school staff who are authorised to have care and control of children by the head teacher have the power to use such force as is reasonable to prevent a pupil from doing or continuing to do any of the following:

- committing an offence (or, for a pupil under the age of criminal responsibility, what would be an offence for an older pupil);
- causing personal injury to, or damage to the property of, any person including the pupil himself; or
- prejudicing the maintenance of good order and discipline at the school.

Schools are advised that staff must be made aware of the possible need to be able to justify their use of restrictive physical intervention in a court of law.

See page 3 of the accompanying DCSF guidance on the Use of Force to Control or Restrain pupils to see the definition of school staff (Section 93 of the Education and Inspections Act 2006)

D. Keeping everyone on your site informed about the policy on the use of restrictive physical intervention.

Make it clear in this section of your policy how all staff temporarily on your site, **who are authorised to have care and control of pupils, will be made aware of your policy on the use of restrictive physical intervention**, e.g. **Supply staff** and those with a temporary authorisation, whose job does not normally involve working with pupils will be informed of the restrictive intervention policy in the '**key information pack**' they are given on arrival in school.

Remember

Consider factors such as:

- the induction of new staff including non teaching staff ;
- how the Site Manager is informed of school policy;
- how NQTs, GTP, ITTs will be informed about your policy on the use of restrictive physical intervention.

E. Planned/Unplanned Intervention

The policy should clarify the difference between planned and unplanned intervention in this section.

1. **Planned intervention** – the policy should make clear that for a very small number of children and young people it may be necessary to incorporate restrictive physical intervention into a plan, for use when other de-escalation techniques have not resolved the situation. (Refer to page 4, paragraph 14 of the Use of Force guidance re: pupils with learning difficulties and disabilities and page 5 paragraph 23). This may be called a positive handling plan (PHP). This would only be in place for a child/young person with a history of severe behavioural difficulties who, at times, is not able to respond to de-escalation strategies. It is important that consideration is given to a pupil's possible behaviour when on out of school visits and trips before deciding whether a PHP is needed. The PHP is always agreed with the parents/carers and, where possible, the child/young person. Advice should always be sought from appropriate support services on the best ways to prepare a young person with significant behavioural difficulties for off site visits. This should help to avoid anxiety in the young person and staff and, therefore, the need for the use of restrictive physical intervention.
2. **Unplanned intervention** – schools should determine some of the types of emergency/unforeseen situations that a member of their staff, in the context of their school, may encounter, e.g. a pupil attempts to run into a busy road, children fighting, a child attempting to harm another with scissors. The

procedures that should be followed, for example, how could such situations be de-escalated without the need for the use of physical intervention; how other members of staff should be summoned.

Remember

The emphasis throughout your policy should be that restrictive physical intervention is only ever a last action no matter what the situation.

The types of emergency situations, in your context, could form part of staff discussion on the formulation of policy.

F. Risk Assessment.

1. **Planned intervention** - The pupil will have a Positive Handling Plan. The PHP should include possible de-escalation strategies and the need for risk assessment prior to the use of a restrictive physical intervention.

Questions that could form part of a risk assessment

Can I de-escalate the situation?

Can I avoid the need to use restrictive physical intervention by removing other pupils?

Does the context warrant a physical intervention?

Would intervening make the likelihood of serious injury to myself, the child/ young person or others less likely?

2. **Unplanned intervention** - the policy should state that there is a need for any member of staff, in an emergency situation, to make an immediate risk assessment before deciding on the appropriate action. The questions that could be part of the risk assessment would be the same as for a planned intervention.
 - If the danger is to the other children and young people, and it is possible to do so, remove them from the situation.
 - In an extreme emergency, if there is no viable alternative, intervene using the minimum of force i.e. the risks associated with using force outweigh those of not using force.

LA Guidance

Individual school policies must address what happens if a member of staff is along in such a situation and staff should be left in no doubt (ie through the mechanism in the school for communication of policy) as to the school's position.

G. Staff Training

Detail:

1. the level and type of training;
2. the arrangements for updating staff and how decisions about training are made;
3. **the types of restrictive intervention which staff who have been trained by the BILD accredited trainer are authorised to use i.e. types of hold and procedures.**

There is a further opportunity in this section to reinforce to staff that, as far as possible, they should use force only as a last resort and then not unless or until another responsible adult is present to support, observe and call for assistance.

For example 'All teaching and support staff inschool are trained in de-escalation using the.....BILD programme which is refreshed on an annual basis. New staff to the school are always informed of this policy, and training organised, by

The BILD website is www.bild.org.uk

Sandwell LA recommends that all staff in schools are trained in de-escalation techniques.

The LA is able to provide British Institute of Learning Disabilities (BILD) accredited training in 3 programmes of Physical Intervention ie Non-violent Crisis Intervention (NVCI), SCIP and Team Teach.

The Orchard School	-	Team Teach
Shenstone Lodge School	-	Team Teach
The Meadows Sports College	-	SCIP
Inclusion Support	-	Non-Violent Crisis Intervention

Descriptions of the School and LA training on the use of restrictive physical intervention are available from Training Manager on Line for 2008 –9.

**Early Years and Child Care Settings
Staff within Children’s Centres, Out of School Clubs,
Holiday Play Schemes etc;**

Managers of these provisions need to consider whether it is appropriate for staff to be trained in the use of restrictive physical intervention. Staff should, however, be in no doubt about the provision’s policy on its use.

H. Post-incident – include here

LA Guidance is that all incidents of physical intervention must be recorded (see page 19 of the Use of Force Guidance for a form)

1. The procedures that ensure staff and the young person have the appropriate emotional support following an incident.
2. The records to be completed, which include entry of the incident in a bound book with numbered pages. This can be limited to a date, time, and reference number.
3. More detailed incident report e.g. completion of the SH WO 12 (rev 01/02) Health and Safety Incident Report Form and a record of incident report form.

4. The post incident discussion is extremely important and it needs to address:
 - (a) details of what exactly happened
 - (b) was the school policy adhered to?
 - (c) why did it happen?
 - (d) who was involved?
 - (e) is there a pattern of behaviour involved?
 - (f) if this was a planned intervention, does the plan need changing?
 - (g) what can be done to prevent it happening again?
 - (h) is there a training issue?

LA Guidance

Include the arrangements made with your Educational Psychologist or Advisory Teacher for Behaviour to monitor incidents of the use of restrictive physical intervention.

This could be after an incident or termly or at SAP meetings as is appropriate to your context.

I. Keeping staff informed about policy on the use of restrictive physical intervention

The LA recommends that all staff with a responsibility for the care and management of young people must be made aware of the school policy. This could be through induction processes, regular staff training – clarify this in your policy. Also detail:

- which staff are to be trained in the use of restrictive physical intervention;
- which staff are to be trained in the use of de-escalation techniques;
- the BILD accredited training programme that is used.

Be very clear in your policy about how all staff will be updated and refreshed in their training on a regular basis.

J. Complaints and allegations

The school should refer here to their arrangements for dealing with complaints and allegations of misconduct arising from incidents.

K. Consultation

Make it clear here how you have consulted with your stakeholders in the production of this policy and on the final version ie present the completed policy to staff, parents and pupils and detail their responses.

LA Guidance

If schools need help or advice in respect of physical intervention of behaviour management strategies, either in writing policy or in case of incidents/emergencies, contact:

Helen Atkins, Head Teacher, The Orchard School
0121-569 7040

Steve Butt, Head Teacher, Shenstone Lodge School
01543 480369

Cath Malin, SEN Inclusion Adviser, Shaftesbury House
0121-569 8150

Pete Olsen, Behaviour Team Co-ordinator, Inclusion Support
0121-588 8337

Lynn Beckett Early Years and Child Care Unit 0121-569-4690

L. LA Monitoring

The LA has a duty to ensure that all schools and PRUs have a policy on the use of restrictive physical intervention in place.

Schools should have a policy in place and adopted by their governing bodies by 3 April 2009.

A copy of the policy should be sent to the LA SEN Inclusion Adviser on completion.

LA SEN Inclusion Adviser will keep a record of policies received and ensure that policies include essential elements.

Area Health and Safety reps will collect data re: the use of restrictive physical intervention when visiting schools.

All incidents of physical intervention must be recorded using the pro forma SH W012 (rev 01/02) Health and Safety Incident Report form (Appendix 4).

LA Inclusion Support staff will monitor the use of restrictive physical intervention in their schools to give advice and support if necessary via SAP meetings, or following an incident if school staff wish to discuss it with an outside agency.

Appendix 1

Positive Handling Plan

Pupil Name:

Date:

People involved in developing this plan (must include parents/carers):

Why does the child or young person require a PHP?

Details the strategies that:

Create the most appropriate environment for this pupil making it less likely that physical intervention would be required.

-
-
-
-

May de-escalate a situation

-
-
-
-

Detail the hold or holds that would be used (if there were a need to hold the pupil firmly to prevent harm to themselves or others).

Details the persons who are authorised by the head teacher to hold the pupil if necessary.

Name:	<input type="text"/>	Name:	<input type="text"/>
Name:	<input type="text"/>	Name:	<input type="text"/>
Name:	<input type="text"/>	Name:	<input type="text"/>
Name:	<input type="text"/>	Name:	<input type="text"/>

I, the parent/carer of _____ have discussed this positive handling plan and agree to _____ being held safely if there staff assess that there is no alternative for his/her own safety or the safety of others.

Signed: Date:

On behalf of the staff of _____ school,
I undertake to ensure that we inform the parents/carers of
_____ on each occasion that we have to
hold safely.

Signed:

Head Teacher

Date:

Date of review of plan: _____

Appendix 2

Record of Incident Requiring Restrictive Physical Intervention

Name of Pupil:

Person Recording the Intervention:

Date of Incident: Time of Incident: (am/pm)

Log Book Number: Page in Log Book:

Location of Incident:

Staff Members Involved:	Active/Passive			Designation		
<input type="text"/>	Act <input type="checkbox"/>	Pass <input type="checkbox"/>	T <input type="checkbox"/>	LSP <input type="checkbox"/>	ST <input type="checkbox"/>	HT <input type="checkbox"/>
<input type="text"/>	Act <input type="checkbox"/>	Pass <input type="checkbox"/>	T <input type="checkbox"/>	LSP <input type="checkbox"/>	ST <input type="checkbox"/>	HT <input type="checkbox"/>
<input type="text"/>	Act <input type="checkbox"/>	Pass <input type="checkbox"/>	T <input type="checkbox"/>	LSP <input type="checkbox"/>	ST <input type="checkbox"/>	HT <input type="checkbox"/>
<input type="text"/>	Act <input type="checkbox"/>	Pass <input type="checkbox"/>	T <input type="checkbox"/>	LSP <input type="checkbox"/>	ST <input type="checkbox"/>	HT <input type="checkbox"/>
<input type="text"/>	Act <input type="checkbox"/>	Pass <input type="checkbox"/>	T <input type="checkbox"/>	LSP <input type="checkbox"/>	ST <input type="checkbox"/>	HT <input type="checkbox"/>
<input type="text"/>	Act <input type="checkbox"/>	Pass <input type="checkbox"/>	T <input type="checkbox"/>	LSP <input type="checkbox"/>	ST <input type="checkbox"/>	HT <input type="checkbox"/>
<input type="text"/>	Act <input type="checkbox"/>	Pass <input type="checkbox"/>	T <input type="checkbox"/>	LSP <input type="checkbox"/>	ST <input type="checkbox"/>	HT <input type="checkbox"/>

Other Witnesses to Intervention:

De-escalation Techniques used:

Verbal Support Space Given Reassurance Redirection
 Calm Talking Time Out Planned Ignoring Distraction

Other:

Response to De-escalation: Positive Negative

Reasons for Intervention:

Immediate /potential danger to child: Immediate/potential danger to others

Serious damage to property: Other

(please state):

What happened prior to intervention:

Techniques used in Intervention:

Position: Standing Sitting Ground

Is the intervention an agreed strategy linked to the Behaviour Management Plan? Yes No

Details of Incident:

Duration of Incident: Hours Minutes

Duration of Intervention: Hours Minutes

Medical Intervention: (please indicate all appropriate areas):

Breathing monitored: Yes <input type="checkbox"/> No <input type="checkbox"/>	Circulation monitored: Yes <input type="checkbox"/> No <input type="checkbox"/>
Injuries to pupil: Yes <input type="checkbox"/> No <input type="checkbox"/>	Injuries to staff: Yes <input type="checkbox"/> No <input type="checkbox"/>
If so, what?	If so, what?
Accident form completed? Yes <input type="checkbox"/> No <input type="checkbox"/>	Violence to employees form completed? Yes <input type="checkbox"/> No <input type="checkbox"/>
Seen by: F/Aider <input type="checkbox"/> GP <input type="checkbox"/> School Nurse <input type="checkbox"/> Casualty <input type="checkbox"/>	Seen by: F/Aider <input type="checkbox"/> Casualty <input type="checkbox"/> GP <input type="checkbox"/>

Action taken after the incident:

Alterations made to behaviour plan:

Yes No

If so, what?

Staff debrief completed:

Yes No

(completed by the Head Teacher/Deputy Head Teacher)

Pupil debrief completed:

Yes No

Staff signature(s):

Date:

Head Teacher Signature:

Date:

Notifications: