



**POSITIVE BEHAVIOUR POLICY and RESTRICTIVE PHYSICAL INTERVENTION (RPI) POLICY
and GUIDELINES
(Including THE USE OF REASONABLE FORCE)**

Approved by:	Children's Committee	Date: 17 th March 2020
Signed by:	(Chair)	
Last reviewed on:	March 2020	
Next review due by:	Spring 2021	

The overarching aim of this policy is to help our children learn positive behaviour.

Context

Evergreen Primary School is a special school for children aged 2 to 11 who have Special Educational Needs including PMLD, SLD, MLD and / or Autism. Many of our pupils have complex needs and some display challenging behaviours. We recognise that all of our pupils are individuals each with different needs.

This policy principally relates to pupils but it is important to note that the principles set out here also relate to positive relationships and behaviour of everyone, including staff.

This policy falls within the wider safeguarding arrangement within school and should be read alongside other relevant policies such as Child Protection within Safeguarding policy, Anti Bullying policy, Online Safety policy and Equalities policy.

Aims

It is a primary aim of the school that every member of the school community feels safe, happy, valued and respected, and that each person is treated fairly. We are a caring community with mutual respect and trust for all. Children learn best when they are feeling safe, appreciated, understood and involved. School staff work best when they feel positive, unstressed and supported by other staff.

Bullying of any kind is unacceptable at our school. If bullying does occur, all pupils should be able to tell and know that incidents will be dealt with promptly and effectively. We are a TELLING school. This means that anyone who knows that bullying is happening is expected to tell a member of staff. This applies to all pupils and adults within school and include all 9 protected characteristics as set out in the Equality Act 2010

- age
- disability
- gender reassignment
- marriage and civil partnership
- pregnancy and maternity
- race
- religion or belief
- sex
- sexual orientation

Aims for pupils are:

- To maximise their potential in all areas of their school life
- To develop and learn to value relationships
- To care for one another
- To develop a sense of self-worth, respect and tolerance for others
- To self-manage their behaviour
- To become positive, responsible and increasingly independent members of the school community

Our Ethos

We are a rights respecting school. 'A rights-respecting school not only teaches about children's rights but also models rights and respect in all its relationships: between teachers / adults and pupils, between adults and between pupils.'

We believe that;

- All students should be able to develop to their full potential within a supportive and caring environment
- All students will be valued equally and their individual skills and talents recognised and celebrated

Our approach is underpinned by the values and ethos of a **“Nurturing Environment”** which

- believes that being emotionally healthy, having robust levels of self-esteem and a sense of empowerment, choice and responsibility will support the aspirations of children and adults to reach their potential and get the most out of school life.
- supports the school community so that individuals feel valued, understood, and respected
- encourages empathy, positive relationships and improved communication, and provide skills and strategies to promote emotional health, resilience and wellbeing.
- provides tools to create a learning environment which is focused, disciplined and purposeful; where there is respectful communication, guidance without criticism, and a positive climate in which everyone can achieve their goals.

We have **The Four Constructs**

1. **Self-awareness and self-esteem** – being aware of our own needs and feelings and taking responsibility for them. Meeting our own needs helps us to be more nurturing to others. Building our self-esteem helps us to aspire and achieve.
2. **Appropriate expectations** – understanding that children grow up in different ways: physically, intellectually, socially and emotionally. As adults working with children we need to match our expectations to what each child can reasonably manage.
3. **Empathy** – the cornerstone of a Nurturing Approach is the ability to tune into someone else's feelings and see things from their point of view. An empathic response to children's moods makes our relationships with them happier and closer. Children who are treated with empathy and respect will learn to be empathic and respectful towards other people.
4. **Positive Discipline** – children need to learn what behaviour is OK at school and what is not. Positive discipline focuses on praise, rewards, giving choices, negotiating and sharing responsibility. There are also fair, relevant and appropriately matched consequences when needed. Negative discipline which uses punishment and fear, is stressful for everyone and it not effective in the long term.

Our Golden Rules

We have a set of 7 school rules which were developed in consultation with our pupils.

Be kind

Help each other

Be a good friend

Do your best – Work hard

Look after our school

Be careful - stay safe

Be polite

Our Recipe for Success!!

Having children involved in developing rules helps to develop their understanding of the reasons behind them and gives them ownership and therefore they will feel more accountable if they break them.

Each class will develop a class charter/set of agreements which outlines what is expected within the classroom. The agreements are designed to meet the needs of the children and are not intended to impose strict rules. We believe it is much more helpful to them in the long-term if they **learn co-operation through understanding and self-discipline rather than compliance.**

This policy therefore is designed to promote positive relationships and behaviour, not just to deter negative/unacceptable behaviour. We endeavor to assist our pupils to build positive relationships and develop and adopt appropriate behaviour, taking into account their individual needs. Every child has their own individual needs and therefore there is a need for this policy to be applied flexibly. It cannot and is not a one size fits all approach.

We will deliver our beliefs and aims through:

- **High Expectations** within the classroom, the school and wider environment to help our students grow in a safe and secure environment. We expect every member of the school community to behave in a considerate way towards others.
- **Setting** clear, fair and consistent boundaries.
- **Rewards** for positive actions and behaviour as we believe that this will develop an ethos of kindness and cooperation. This policy is designed to promote good behaviour, rather than merely deter anti-social behaviour.
- **Choices and Consequences** when boundaries are tested.
- **Positive Behaviour Support** for students who are experiencing difficulty with the demands of school life
- **Action** to support students who are exhibiting challenging behaviours. The school uses Team Teach, a behaviour support and physical intervention approach accepted in Durham as good practice. The principles of Team Teach are rooted in proactive support and de-escalation strategies.

Staff will:

- provide individual pupils' sufficient time to understand and appreciate what is appropriate
- explain and model positive relationships and behaviour
- use the curriculum to promote and highlight positive relationships and acceptable behaviour e.g. Personal, Social and Health Emotional Development, Communication, Language and Literacy, EHCP outcomes and encourage personal responsibility and independence in all pupils
- work in partnership with parents/carers and other professionals
- ensure that any intervention is only used as a last resort and is as positive as possible

The Executive Head Teacher/Head of School

In addition to the above, it is the responsibility of the Executive Head Teacher/Head of School to:

- support staff to implement this policy by setting standards of behaviour
- report to Governors, when requested, on the policy's effectiveness
- ensure the health, safety and welfare of all pupils and staff in the school
- maintain records of all reported serious incidents of misbehaviour and/or incidents of restraint
- issue fixed term suspensions to individual pupils for serious acts of misbehaviour and for repeated or very serious acts of anti-social behaviour, the Executive Head Teacher may permanently exclude a pupil; both these actions are only taken after the school governors have been notified

Parents/Carers

The school works collaboratively with parents/carers so pupils receive consistent messages about how to build positive relationships and how to behave appropriately. We aim to build a supportive dialogue between home and school. We inform parents/carers immediately if we have concerns about their child's relationships or behaviour.

We expect parents/carers to:

- be aware that we have school rules and to support them
- co-operate with the school
- support their child's learning
- support the school's decision when applying consequences to deal with any specific incident/issue

If parents/carers have any concern about the way that their child has been treated they should initially contact the Class Teacher. If the concern remains, they should contact a member of the Senior Leadership Team/Deputy Head. If the concern is still unresolved the next contact is the Head of School and if still unresolved, the chair of the school governors. If these discussions cannot resolve the problem, a formal grievance or appeal process can be implemented.

Governors

The governing body has the responsibility of setting down these guidelines on the standards of discipline and behaviour, and of reviewing their effectiveness. The governors are expected to support the Executive Head Teacher and Head of School in carrying out these guidelines.

The Head of School has the day to day authority to implement the school's Positive Behaviour and Physical Intervention Policy, but governors may give advice to the Head of School about particular disciplinary issues. The Head of School must take this into account when making decisions about matters of behaviour.

Equal Opportunities

The school expects every member of the school community to behave in a considerate way towards others.

We treat all pupils and staff fairly and apply this policy without prejudice in a consistent, non- judgmental way paying regard to the 9 protected characteristics and the Equality Act 2010

Guidelines for Promoting Positive Behaviour

'Schools should have in place a range of options and rewards to reinforce and praise good behaviour, and clear sanctions for those who do not comply with the school's behaviour policy. These will be proportionate and fair responses that may vary according to the age of the pupils, and any other special circumstances that affect the pupil.' DFE 2016 P7.21

The Power of Praise

Praise is a very powerful tool in managing children's behaviour. It celebrates positive behaviour and lets them know when they are doing things that please us. It helps children feel capable and confident and more importantly it raises their self-esteem. The attitudes and behaviour of adults has a huge influence on our children's attitudes and behaviour.

Staff at Evergreen School will reward positive relationships and appropriate behaviour by;

- encouraging and highlighting positive relationships, good/appropriate behaviour as it occurs
- ensuring that all pupils are praised for behaving appropriately
- outline the behaviour that is expected – tell them 'what to do' not 'what not to do'.
- giving rewards that are meaningful to the individual child
- providing constructive and positive comments written to parents/carers in the home/school diary
- ensuring assemblies celebrate personal achievements
- assigning special responsibilities e.g. being a member of the School Council
- awarding individual and whole class privileges as appropriate
- awarding school certificates, "sticker" charts and prizes (as deemed appropriate to the individual needs of the pupil or class),
- awarding termly/annually prizes

Remember – Once a reward has been given, it should never be taken away; it has been earned and that doesn't change even if the child's behaviour does!

Setting Boundaries

Setting and maintaining clear boundaries is one way we can establish a positive classroom environment. For some children it will be more of a challenge to keep to boundaries, depending on their experiences and their individual needs.

Fair, firm, clear and consistent boundaries help us feel safe and secure.

Staff will:

- build positive relationships. Our responses affect pupil behaviour therefore we model appropriate behaviour
- create a positive learning environment by considering
- physical setting e.g. class management and organization taking into consideration any sensory issues an individual may have.
- social setting e.g. people involved and how?
- activities and instruction e.g. methods and opportunities for choice, tasks set at appropriate developmental level for each child, engaging and motivating activities
- scheduling and predictability e.g. structured day, visual supports
- communication e.g. AAC, PECS, communication boards, objects of reference
- consistently remind pupils of appropriate behaviour using appropriate levels of communication

- ensure responses are at an appropriate level for each individual child's developmental level and that they understand them
- use low arousal approaches i.e. talking quietly and calmly to pupils with appropriate phrases and requests
- reprimand the behaviour not the pupil i.e. What they are doing is unacceptable not themselves
- use planned ignoring of attention-seeking behaviours if appropriate
- use natural positive consequences
- use distraction techniques
- use de-escalation techniques

Choices and Consequences

"A punishment must be proportionate. In determining whether a punishment is reasonable, section 91 of the Education and Inspections Act 2006 says the penalty must be reasonable in all the circumstances and that account must be taken of the pupil's age, any special educational needs or disability they may have, and any religious requirements affecting them." DFE 2016

It is very important for our children to learn to make thoughtful and effective choices and to find out what happens as a consequence of their decisions. If they aren't given the chance to learn this, they may grow up knowing only how to do as they are told or fail to take responsibility for what happens as a result of their actions.

The ability to make good choices and experience their good outcomes raises self-esteem and helps them to become good citizens, whereas a lack of choice leads to feelings of powerlessness which can result in resentment and anti-social behaviour.

Children are empowered by choice but it must be supported by adults so that it is appropriate and limited. Demanding behaviour comes from too little or too much choice. Choices therefore need to have clear boundaries.

Understanding how our behaviour affects others is a vital social skill and our children need to learn that if they make a poor choice they have to live with the consequences.

"When used well choices and consequences will keep the adult in charge whilst giving a child appropriate power. Carefully phrased choice and consequence can dramatically reduce arguments and confrontations" The Nurturing Programme

Steps for choices and consequences

1. Be clear about the positive and negative choices that a child can make about their behaviour
2. Be clear about the positive and negative consequences that will follow
3. Relate consequences directly to behaviour
4. Choose consequences that mean something to the child. Avoid giving a choice where there isn't one.
5. Avoid threats or ultimatums
6. Choose consequences that you can carry through without making it difficult for yourself
7. Avoid demanding an instant answer

When poor behaviour is identified, consequences should be implemented consistently and fairly in line with the behaviour policy. Good schools will have a range of disciplinary measures clearly communicated to school staff, pupils and parents. These should take into account the individual child's age, cognitive development and understanding. Individual classes determine the consequences suitable for their children. DFE 2016

How we manage persistent inappropriate and challenging behaviour

- by undertaking assessment. This is essential for understanding and analysing the behaviour. Less formal assessment will be appropriate for certain types of behaviour, whilst more extreme behaviours will require more extensive assessment and may require involvement from other professionals
- by keeping a record to see if there are patterns to the behaviour (see - Behaviour Log sheet)
- by formulating a consistent approach recorded in a **Positive Behaviour Support Plan*** which includes proactive strategies and de-escalation strategies as well as a **Reactive Plan**.
- By drawing up a Risk Assessment

***Positive Behaviour Support Plans**

The need for a Plan will depend on the individual needs of a pupil and the judgment of teachers and the multi-disciplinary team. They are working documents completed and reviewed by the child's teacher with support from the SLT and also other stakeholders including the parents, SALT, OT and CAMHS. Parents and where appropriate other professionals should be consulted and involved in compiling Positive Behaviour Support Plans.

Plans should outline target behaviours, triggers, indicators of wellbeing, proactive and de-escalation strategies and where necessary Reactive Strategies. For pupils with challenging behaviour, Behaviour Support Plans should be more detailed and include targets for improving behaviour (for more information on challenging behaviour refer to <http://www.challengingbehaviour.org.uk>).

Behaviour support plans should be shared with parents and all staff to ensure a consistent approach. If there are risks associated with any behaviour or physical intervention a risk assessment should be completed and included with the behaviour support plans. It may be necessary to complete additional risk assessments for specific activities e.g. school trips, events.

Behaviour Plans will be monitored and reviewed to measure impact.

Reactive Plans will indicate how staff will interact with pupils when displaying inappropriate or challenging behaviours that may put the child or others at risk – this may include the following:

- removing the pupil from the situation and self-harm
- removing other pupils from the situation to avoid harm
- seeking support from other members of staff
- physical intervention**

Physical Intervention**

Staff at Evergreen School use Team Teach a certified approach to physical intervention

Any use of Physical Intervention should be consistent with the legal obligations and responsibilities of the school and its' staff and the rights and protection afforded to pupils under law.

See

Keeping Children Safe in Education

<https://www.gov.uk/government/publications/keeping-children-safe-in-education--2>

Behaviour and Discipline in Schools: A guide for headteachers and school staff

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/488034/Behaviour_and_Discipline_in_Schools_-_A_guide_for_headteachers_and_School_Staff.pdf

- Physical Intervention should only be used in the best interests of pupils, and in conjunction with other strategies, designed to support pupils to learn alternative non-challenging behaviours.
- The use of PI must **not** be used with intent to:
 - (i) punish;
 - (ii) cause or threaten hurt;
 - (iii) oppress, threaten, intimidate or bully; or
 - (iv) secure compliance with staff instruction.
- Within the continuum of PI, physical control **should only** be used:
 - (i) with minimum and **reasonable force**;
 - (ii) rarely and exceptionally;
 - (iii) as a last resort where all other courses of action have failed; and
 - (iv) with the minimum degree of intrusion required to resolve the situation.

Any use of physical control should be justifiable and reasonable and informed by risk assessment. (See Section 550A of the Education Act 1996 Circular 10/98 Para 8).

- Staff must always adhere to School policy and guidance when using RPI.

- Preventative techniques must have been exhausted.
- The School will not use seclusion.
- The School will agree its policy and guidance on the use of RPI with its Governing Body and the LA.
- All pupils and their families and representatives will have ready access to an effective complaints procedure (outlined above).
- The School will facilitate LA monitoring of incidents of the use of physical control in school.
- The School will facilitate LA compliance with the requirements of the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995 if employees or pupils are injured while using techniques in the use of physical control by comprehensive reporting.
- All involved pupils and staff will be provided with opportunities for debriefing as soon as possible following an incident.

Recording of Physical Intervention should be completed on the day of the incident in 'The Bound Book**' which is kept in the office and should be signed by the Team Teach Trainer and the Head of School/Deputy Head.

Parents/cares should be informed by telephone if their child has been involved in a physical intervention.

Training

** There is a rolling programme of training for staff. This is delivered by two certified Team Teach in-house trainers and staff will be trained how to safely physically intervene. Staff would only need to intervene physically to prevent injury to a child, or if a child is in danger of hurting him/herself or is likely to cause significant damage to property. Physical intervention is only used as a last resort and must only be undertaken by those trained to do so. If any sort of physical intervention/restraint has taken place the 'Bound Book' must be filled in within the day and handed to the Head of School or Deputy Head Teacher. Staff should be given time to do this.

Reasonable Force

What is reasonable force? The DFE produced the Advice for head teachers, staff and governing bodies in July 2013 which outlines the use of reasonable force in schools. see **Appendix 1**

Challenging Behaviour

Some pupils within school may exhibit behaviours which present a challenge to those supporting them. This is termed as displaying challenging behaviour and defined as leading to: -

- Physical danger/harm to self
- Physical danger/harm to others
- Damage to property
- Prevention of participation in educational and community activities
- Disruption of learning to others
- Isolation from peers/society
- Excessive demands on staff/resources

The behaviour may be characterised by: -

- Frequency and duration
- Persistence/reoccurrence

TEAM TEACH

Evergreen Primary School has adopted the Team Teach approach for dealing with pupils who display challenging behaviour resulting in crisis situations. It is compatible with school philosophy and county guidance. There is a strong emphasis on planned pro-active strategies, de-escalation and behaviour support techniques, not just the use of physical interventions. Where physical interventions are needed they should also be planned for each child and used accordingly and only as a last resort.

Challenging Behaviour and Autism

Many children with autism display challenging or obsessive behaviours as a result of their lack of understanding, inability to communicate effectively, sensory issues or in an attempt to bring order into their world. Our teaching style, whilst working with children with autism, is essentially non-confrontational. However, we recognise that difficulties around communication, understanding, repetitive and obsessive behaviours and sensory issues can often result in frustration, tantrums or other

challenging behaviours. These behaviours are dealt with on an individual basis and the child should have an ASD Specific Positive Behaviour Support Plan which will include a functional analysis of their needs. It also outlines strategies which will be taught to deal with specific situations.

ASSESSMENT, RECORDING AND REPORTING

This will include some or all of the following: -

- Annual reviews and Personal Learning Plans
- Behaviour Support Plans
- Observations and informal diaries of behaviour and incidents
- Formal assessment tools
- Home school link books, letters and meetings with parents
- Evergreen Significant Behaviour Incident Forms/Bound Book
- DCC Accident and Injury Form

Proformas for Positive Behaviour Support Plans are available on the Staff Drive in the Behaviour Folder, Behaviour Incident Report Forms and DCC Corporate Accident/Injury forms are available from the office. Incident forms and Accident and Injury forms should be given, in the first instance, to the office. Originals are sent to County Hall and copies will be kept in the pupil files and office.

PHYSICAL CONTACT AND RESTRICTIVE PHYSICAL INTERVENTION (RPI) GUIDANCE

INTRODUCTION

This policy and guidance acknowledges that all Evergreen Primary School staff must deal on a day-to-day basis with pupils, some of whom exhibit distressed or distressing behaviours. There is a clear need for staff to be advised and supported, by school and the LA, and given complete reassurance that any actions in accordance with this policy will receive unequivocal support. **Physical interventions referred to in this guidance may only be used by Team Teach trained staff.** Definitions, guidelines and training implications of the Team Teach physical interventions are available from the behaviour coordinator. Staff at Evergreen Primary School are trained in the use of Team Teach physical interventions and receive regular updates.

ETHOS

The starting point should be that all other strategies have failed, and it is as a last resort that restrictive physical interventions are used. However physical contact can, and should be used positively as an act of care and to reinforce relationships.

Restrictive physical intervention (RPI) should not have punishment or the idea of controlling a child as its central aim but rather the need to support, demonstrate care and as part of a planned intervention with the long-term aim of helping pupils develop skills which will make physical intervention less likely in the future. RPI may be used in immediate crisis situations but there after must be reviewed and written into a behaviour support plan. Staff should be aware that some pupils enjoy physical contact or restraint or that physical intervention may escalate the behaviour or situation, particularly for pupils who are touch sensitive or dislike close physical contact. For these pupils, physical intervention may not be appropriate. Physical intervention can be extremely upsetting for staff as well as pupils. Both will need time to recover and opportunities to review at a level appropriate to them. Staff debrief is also key to considering what happened/why, planning supports for the future and hopefully avoiding other incidents

DEFINITION OF TERMS

Physical contact with children occurs in providing physical prompts, giving support in PE, and at times in supplying reassurance. The DFE published guidelines as part of 'Use of Reasonable Force – advice for school leaders, staff and governing bodies'.

Staff should, however, be aware that **any** physical contact with a child may be misconstrued by the child, colleagues or other observers. Support of emotionally distressed or physically injured children often involves some physical contact. Contact should be the minimum necessary to comfort and reassure the child.

If staff believe their actions may have been misconstrued they should to report it to the Executive Head Teacher or Head of School.

TOUCHING

For the purposes of this document touching is defined as everyday acts of communication by physical means to indicate approval, affection, security or sympathy. For example, a touch or pat on the shoulder, a held hand, an arm around the shoulder, a stroked back or hug/hold are appropriate actions, particularly in a school like ours and with younger pupils. Not only can touching be a positive reinforcement to relationships and a comfort in times of stress but there is also research evidence to indicate that it can be very effective as reinforcement to academic achievement. However, staff should be mindful of the physical context of their actions. They are protected from unfounded accusations of inappropriate physical contact with pupils if witnesses are present. Touching of this type should never take place in private conditions. It is not the intention here to deter physical contact but to ensure that physical contact is not misinterpreted.

TEACHING

In some cases, a member of staff may need to physically support pupils as part of the teaching process, particularly those with challenging, chaotic or inconsistent behaviour. Staff will themselves identify activities in which it is helpful or even essential to touch pupils and give physical direction. They will include: -

- Physiotherapy, MOVE and occupational therapy
- Working with pupils with communication difficulties
- Supporting in P.E. including swimming, Rebound therapy, yoga, movement and dance

- Topic work e.g. taking a pulse in science
- Personal skills e.g. dressing and washing hands or face
- Modelling activities e.g. using scissors, washing hands or learning to sit on seats

These types of contact are a legitimate part of every staff member's repertoire of learning/behaviour support and should not normally require recording. Staff will be supported in their proper use.

Physical contact/touch in these circumstances must

- Have a justifiable point
- Never become a power struggle and cease immediately if the child forcibly resists for more than a moment or appears distressed
- Not last longer than necessary to fulfill its point
- Avoid breast and genital areas
- Never take place in private conditions
- Take into account a child's sensitivity to touch. (This should be discussed as part of their Annual Review and individual education plan)

The School considers it is important that staff use and understand the terminology used in all Durham LA establishments in respect of the continuum of Restrictive Physical Interventions.

Set out below is the glossary of terms which staff and others will find useful.

Physical Presence	Describes a situation in which staff stand close by or in front of a pupil momentarily, or temporarily in the way of a pupil. Physical presence is a means of both communicating authority and re-establishing safety and security.
Restriction of Access or Exit	Describes a situation in which staff stand in doorways or corridors to restrict a pupil's movement, or a room fitted with door catches beyond the reach of the pupil. It is a means of preventing pupils accessing dangerous environments, or leaving a room when it is judged it would be prejudicial to the maintenance of a safe and secure learning environment for them to do so.
Time Out	Describes the removal of a pupil from an environment where he/she may be gaining reinforcement to maintain a behaviour to an area or room less likely to reinforce it with the purpose of enabling the pupil to regain self control. In Durham LA any area or room used for time out must be unlocked and be monitored by staff at all times.
Isolation	Describes the separation of a pupil from his/her peers and his/her supervision by a member or members of staff with the purpose of providing him/her with continuous focused supervision and support. Pupils isolated from their peers and supervised by staff must not be in locked rooms.
Seclusion	Describes the forcible confinement and segregation of a pupil from his/her peers in situations that are unsupervised by staff. In Durham LA seclusion is not permitted in its schools.
Physical Diversion	Describes a means of deflecting a pupil from destructive and/or disruptive behaviour, for example, by holding a hand, placing a hand on the forearm, putting an arm around a shoulder or guiding by placing a hand on the back. It involves little force but serves to reinforce staff attempts to reason with the pupil.
Restrictive Devices	Describes those approved mechanical devices, e.g. helmets that are used in a planned manner to prevent self injury. A risk assessment should be undertaken prior to use identifying the benefits and risks associated with the use of the restrictive device, and staff should be fully trained in their usage.

Physical Control Describes the positive use of reasonable minimum force to divert a pupil from committing a criminal offence, harming himself/herself or others, seriously damaging property or disruptive behaviour which prejudices the establishment and maintenance of a safe and secure learning environment. Physical control is normally limited to holding a pupil in a standing or sitting position.

2 Section 93, Education and Inspections Act 2006
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 in danger of harming themselves through physical outbursts

Only the *minimum force* necessary to prevent injury or damage should be applied when *danger is immediate*. It must be shown that any RPI was warranted by the circumstances of the incident and that every possible step was taken to de-escalate the situation

TEAM TEACH PHYSICAL INTERVENTIONS

Only trained staff may use restrictive physical interventions, TEAM TEACH and only after all other de-escalation and/or behaviour management strategies have failed. Staff at Evergreen Primary School have been trained in use of the following physical interventions. They should be regularly refreshed by means of staff meetings and briefings and 24 month refresher courses.

Personal Safety Techniques:

- Arm safe disengagement
- Neck safe disengagement
- Bite response
- Clothing and hair responses

Holds and Guides:

- Caring Cs (Non restrictive – guide only)
- T-wrap for child, to chairs and ground, help hug and change of staff)
- Small person escort
- Cradle Hug
- Two person holds and escorts (Friendly hold, single elbow – floor and chairs) Figure of 4
- 1 Person Double Elbow

Use of TEAM TEACH Techniques must be recorded in the Bound Book on the day it has been used and on Behaviour Incident Report Form and reported to and signed by the Head of School. Parents should always be informed of serious incidents involving RPI, on the same day, by the class teacher by telephone. Forms are available in the staffroom.

CORPORAL PUNISHMENT

After a ruling in the Court of European Rights, corporal punishment is banned in all state schools in the Education (No 2) Act 1986. The legal position is unequivocal on this point and supported in Circulars regarding pupils with emotional and behavioral difficulties. Regardless of the legal requirements, corporal punishment is fundamentally inconsistent with the school ethos, which lays emphasis upon the care and respect due to any child and particularly those who have special educational needs including those with ASC.

SAFE SPACE and TIME OUT

This refers to any Space/Time Out that provides safety for the pupil, staff and other pupils. It is a risk assessed, personalised and structured (reported, recorded and reviewed) strategy. It is used in the child's best interests, with the aim of preventing the risk of significant harm to themselves or others.

The use of Safe Space and Time Out will be described in full within the pupil's Behaviour Support Plan.

Legal Considerations

Seclusion describes the forcible confinement and segregation of a pupil from his/her peers in situations that are unsupervised by staff. **In Durham LA seclusion is not permitted in its schools.**

The 2010 Guidance, referring to the 2002 Guidance principles states;

The use of seclusion (where a person is forced to spend time on their own against their will) is a form of physical intervention and should only be considered in exceptional circumstances. The right to liberty is protected by criminal and civil law and seclusion outside the Mental Health Act should always be proportionate to the risk presented by the pupil.

Planning the use of and Safe Space

If safe space and time out is considered to be appropriate, the following issues must be addressed before use.

- Any use of safe space and time out must be in the context of the DCC policy and school policy. All those involved should have a thorough understanding of these policies.
- The agreement to the use of safe space and/or time out for an individual should be part of a detailed behaviour support plan, which identifies the reasons for an individual's behaviour and provides a holistic graded approach to the risks and management of challenging behaviour. The plan should involve and be agreed by everyone involved with the pupil.
- Good practice emphasises the involvement of the individual and their family in the consideration and planning of the use of safe spaces and time out.
- Staff involved will be Team Teach trained.
- Staff will need knowledge and understanding in the use of safe space and/or time out for the individual concerned within the wider context of a holistic approach to behaviour management and in the use of monitoring, recording and reviewing processes.
- When an incident arises, staff should consider the balance of risks between managing the situation where it is happening and withdrawing everyone to create a safe space, compared with moving the pupil to a safe space and then withdrawing.
- Safe Space and Time Out should be monitored and reviewed as part of Behaviour Support Plan review assess whether:
- Its use is an effective response and how this compares with other possible responses or strategies.
- It offers a lower level of intrusion than other possible responses or interventions.
- It offers improved safety for the individual and those around them.
- It helps the person to calm and return to normal behaviour as or more effectively than other responses or strategies.
- It decreases the probability of the same behaviour occurring in the future when taken in the context of the pupil's behaviour support plan.

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?

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

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 judgment 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;
- 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.

What happens if a pupil complains when force is used on them?

All complaints about the use of force should be thoroughly, speedily and appropriately investigated.

Where a member of staff has acted within the law – that is, they have used reasonable force in order to prevent injury, damage to property or disorder – this will provide a defence to any criminal prosecution or other civil or public law action.

When a complaint is made the onus is on the person making the complaint to prove that his/her allegations are true – it is not for the member of staff to show that he/she has acted reasonably.

Suspension must not be an automatic response when a member of staff has been accused of using excessive force.

The school will refer to the “Dealing with Allegations of Abuse against Teachers and Other Staff” guidance where an allegation of using excessive force is made against a teacher. This guidance makes clear that a person must not be suspended automatically, or without careful thought.

Schools must consider carefully whether the circumstances of the case warrant a person being suspended until the allegation is resolved or whether alternative arrangements are more appropriate. If a decision is taken to suspend a teacher, the school should ensure that the teacher has access to a named contact who can provide support.

Governing bodies should always consider whether a teacher has acted within the law when reaching a decision on whether or not to take disciplinary action against the teacher.

As employers, schools and local authorities have a duty of care towards their employees. It is important that schools provide appropriate pastoral care to any member of staff who is subject to a formal allegation following a use of force incident.

TEAM TEACH HELP SCRIPT

Helping a Service User Behaviour is a language. Our function is to provide help for service users and for each other. This help script is aimed at lowering/defusing anger or anxiety in our services users.

1. **“John.”** Use the child’s name, it will help make a connection and engage their attention.
2. **“John. I can see you are upset.”** Choose your words carefully. Recognition of their feelings is fine, but avoid words such as; anger or annoyed, as this may escalate the situation.
3. **“I am here to help.”** This is a statement of your intention, simply, you are there to help. It’s worth remembering that a conscious effort must be made to ensure your para verbal and body language give the same message.
4. **“Talk and I will listen.”** This statement begins to provide the service user with some direction together with securing our function.
5. **“John. Come with me, let’s go to the...”** Continue to provide the service user with some direction. Removing them to an area of neutrality to discuss the issue and continue the calming process.

If the child is pacing, staff should avoid walking back and forth, shadowing the young person. This can feel extremely intimidating. CALM stance and body language is essential, as is awareness of staff’s proximity to the services user’s personal/dangerous space. Remember to speak clearly & confidently and remain calm.

Helping a colleague

Seeking help should always be considered as a sign of professional strength. Moreover, as professionals we should allow others to offer and accept help, particularly at times when our own interventions may be unsuccessful.

The words **“help”** and **“more”** should act like flash cards for staff. It has to be established within the culture of the setting, that help & support framework is something we all do for each other, staff & young people.

- 1) “Mr Smith, I am available to help” The member of staff makes a clear statement announcing they are there to help.
- 2) “Thank you Ms. Jones, you can help by..!” This member of staff then has the opportunity to give directions as to what type of help they require (i.e. help by watching, or help by looking after the rest of the class). But more importantly they at this point retain autonomy over the situation.
- 3) “Mr. Smith, I am available for more help.” The word ‘more’ should provide a pause point for the member of staff currently dealing with the service user (in this example, Mr. Smith). At times, as professionals we need to recognise that some interventions are unsuccessful, and/or may escalate situations. Therefore, the professional judgments and support of our colleagues should be accepted.
- 4) “What do you suggest Ms Jones?” The focus here should be on team help, autonomy is passed over allowing the member of staff to suggest an alternative strategy.
- 5) “How about if I sit with John.....and I’ll catch up with you later.”

This example provides us a subtle way of helping a colleague out of a situation with respect and dignity. It is important that we “catch up with” them later, to provide feedback and discuss outcomes.

Doc046_HScript 01/09/03

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Head of School: Judith Benson

PARENT/CARER BEHAVIOUR INCIDENT REPORT FORM

To

Date.....

There has been a behaviour incident today involving your child. It has been dealt with according to our Behaviour Policy and Guidelines. If you would like to discuss this matter further please contact me on the above number.

Thank you

Mrs Andrea English
Executive Head Teacher

Mrs Judith Benson
Head of School

(This letter must be signed by the Head Teacher or member of the SLT before it is sent home. Parents/carers should have been notified by the class teacher involved)

Policy reviewed by Judith Benson
January 2020