



Cyngor Castell-nedd Port Talbot
Neath Port Talbot Council



Education, Leisure and Lifelong Learning

Safe and Effective (Physical) Intervention: The use of reasonable force in Schools and other Education Settings

Work Together, Play Together, Succeed Together

Gweithio gyda'n gilydd, Chwarae gyda'n gilydd, Llwyddo gyda'n gilydd

FOREWORD

Dear Colleague

The policy has been updated in line with the current policy direction in Welsh Government around the use of restrictive practices and to reinforce the expectations that Neath Port Talbot Local Authority has of staff in schools and other educational settings and those responsible for their training. Staff acting in good faith, working within these guidelines and protocols will be positively supported in their actions.

Both pupils and staff have rights. This document attempts to ensure that staff have a safe, supportive, carefully managed and monitored environment, and that pupil's needs, safety and rights are respected and nurtured.

The local authority is committed to a cooperative and proactive approach to providing effective and individual support to all our pupils. The local authority recognise that there may be rare occasions where intervention (including physical intervention) is necessary. This document sets out the local authority's position in relation to the use of safe and effective intervention. The legislation, authority and national guidance is set out in the Welsh Government (WG) document: *Safe and Effective Intervention-use of reasonable force and searching for weapons* (097/2013) <https://gov.wales/sites/default/files/publications/2018-03/safe-and-effective-intervention-use-of-reasonable-force-and-searching-for-weapons.pdf>. It is not the intention of the local authority to repeat that advice and guidance unnecessarily; this document should be read in conjunction with the WG guidance.

Governing bodies are advised to have due regard and incorporate the comprehensive guidance provided by Welsh Government when drafting/reviewing their own school policy.

1. Introduction

This Policy document provides:

1. Governing bodies, Head Teachers and school staff;
2. Neath Port Talbot (NPT) Education Directorate staff;

With guidance and support on:

- the use of physical intervention in schools within NPT Council. It is intended to support them to provide a safe environment for both staff, children and young people.
- schools developing their own policies, including the monitoring and evaluating of their use of restrictive physical interventions so that practice is improved both locally and across the authority
- the promotion of a coherent consistent and co-ordinated approach across education

The policy and advice set out provides clear guidance that enables staff to make professional judgements and respond appropriately to specific incidents of a physical nature. All staff should be made aware that their employment imposes on them a duty of care in order to maintain an acceptable level of safety at all times. Written guidelines cannot anticipate every situation. It is, however, the intention of this document to ensure that children and young people and staff are protected in such circumstances.

The purpose of guidance on the appropriate use of force is to provide a clear and transparent power which enables staff to use reasonable force in specified circumstances, whilst at the same time, also protecting children and young people from physical violence, injury or abuse, as set out in Article 19 of the United Nations Convention on the Rights of the Child.

2. National Context:

The legislation, authority and national guidance is set out in the Welsh Government document: Safe and Effective Intervention-use of reasonable force and searching for weapons (097/2013). This contains guidance on the two powers available to schools to help manage pupils' behaviour. The powers commenced in October 2010 and are as follows:

- Section 1: The Use of Force to Control or Restrain Pupils, the powers of which are contained in Section 93 of the Education and Inspections Act 2006, which replaced Section 550A of the Education Act 1996, with minor changes. The guidance replaces that currently contained in Welsh Office Circular 37/98.
- Section 2: Screening and Searching Pupils for Weapons, new powers contained in Section 45 of the Violent Crime Reduction Act 2006.

In addition, this guidance should be considered alongside the overall suite of guidance from Welsh Government including those for exclusions, tackling bullying, safeguarding and the Additional Learning Needs and Education Tribunal (Wales) Act (ALNET).

3. General Principles.

All school staff members have a legal power to use reasonable force to prevent pupils committing a criminal offence, injuring themselves or others, or damaging property; and to maintain good order and discipline amongst pupils.

The focus should be on preventing, as far as possible, the need for the use of force on pupils, by creating a calm, orderly and supportive school climate that lessens the risk and threat of violence of any kind. The use of force should only be a last resort, schools should minimise the possibility of force being needed. However, this may not always be possible and in such circumstances staff need to be aware of sensitivities associated with any form of physical contact with pupils.

Schools should never seek to inhibit the ability of staff to use force by adopting a 'no contact' policy. The power to use force helps ensure pupil and school safety and the risk with a no-contact policy is that it might place a member of staff in breach of their duty of care towards a pupil, or prevent them taking an action needed to prevent a pupil causing injury to others.

4. Definitions.

Although the Education and Inspections Act 2006 specifically refers to "force" this covers the broad range of strategies that involve a degree of physical power to prevent pupils from hurting themselves or others, damaging property or causing disorder. The range stretches from leading a pupil to safety by the hand or arm, through to extreme circumstances where a pupil needs to be restrained to prevent violence or injury to themselves or others.

In schools, force is generally used for two different purposes – to control pupils and to restrain them:

- Control can mean either passive physical contact (e.g. standing between pupils or blocking a pupil's path) or active physical contact (e.g. leading a pupil by the hand or arm, or ushering a pupil away by placing a hand in the centre of the back).
- When members of staff use "restraint" they physically prevent a pupil from continuing what they were doing after they have been told to stop. Restraint techniques are usually used in more extreme circumstances, such as when two pupils are involved in a fight and physical intervention is needed to separate them.

5. What the law says.

Section 93 of the Education and Inspections Act 2006, replaced Section 550A of the Education Act 1996 and enables school staff to use such force as is reasonable in the circumstances to prevent a pupil from doing, or continuing to do, any of the following:

- committing any 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 or among any pupils receiving education at the school, whether during a teaching session or otherwise.

The staff to which this power applies are defined in section 95 of the Act. They are:

- any teacher who works at the school, and any other person whom the head has authorised to have control or charge of pupils. This:
 - includes support staff whose job normally includes supervising pupils such as teaching assistants, learning support assistants, learning mentors and lunchtime supervisors.
 - can also include people to whom the head has given temporary authorisation to have control or charge of pupils such as paid members of staff whose job does not normally involve supervising pupils (for example catering or premises-related staff) and unpaid volunteers (for example parents accompanying pupils on school organised visits).
 - does not include prefects.

Those exercising the power to use force must also take proper account of any particular additional learning need (ALN) and/or disability that a pupil might have.

Under the Equality Act 2010 schools have key duties:

- not to treat a disabled pupil less favourably, because of his/her disability, than a non-disabled pupil;
- not to treat a disabled pupil unfavourably because of a reason related to their disability, without justification;
- not to apply a provision, criterion or practice that puts or would put a disabled pupil at a particular disadvantage compared with a non-disabled pupil, without justification; and to take reasonable steps to avoid putting a disabled pupil at a substantial disadvantage in comparison with a non-disabled pupil (known as the reasonable adjustments duty).

6. School expectations

6.1.1 Policy and Procedures

The use of restrictive physical interventions should always be considered within the wider context of other measures. These include establishing and maintaining good relationships with children and using de-escalation, diversion, diffusion and negotiation to respond to difficult situations. Use of physical force that is unwarranted, excessive or punitive is not acceptable. Failure to comply with this principle, when considering or using physical force, should be dealt with under the school's disciplinary procedures.

We expect all schools and other education settings to have accessible policies in relation to the use of physical intervention and behaviour management that staff are aware of and refer to when necessary. School policies and planning need to consider and identify emergency and planned responses when the use of physical intervention may be necessary. It is good practice for governors, staff, recognised trade unions, pupils and those with parental responsibility to be consulted about the policy and for the policy to be approved formally by the Governing Body and made known to staff, pupils and parents either as part of the school's behaviour policy or separately.

Safety is always a paramount concern and as such staff are not required or advised to use reasonable force if it is likely to put their own safety or the safety of others at risk.

All staff should be aware of the distinction between physical contact or touch, used appropriately in everyday situations to support, encourage, guide or comfort a pupil, and the use of physical intervention to restrict movement or to disengage from pupils whose behaviour presents a clear risk of injury.

It would be sensible for a school's policy on the use of force to describe both the kinds of circumstances the school regard as justifying the use of force to restrain a pupil (for example, to prevent them injuring somebody) and the kinds of

circumstances the school regarded as justifying the use of force to require a pupil to comply with a reasonable instruction (for example, to leave the classroom). All staff - authorised and unauthorised - need to understand their powers and the options open to them. They need to know what is acceptable and what is not. Similarly, all pupils should be made aware of what powers are available to school staff and the circumstances under which this power could be use. A model policy which can be amended to reflect schools practice and ethos is attached (**appendix 1**).

6.2 Reducing the likelihood of situations arising where use of force may be required.

There are a number of steps that schools can take to help reduce the likelihood of situations arising where the power to use force may need to be exercised:

- creating a calm, orderly and supportive school climate;
- developing effective positive relationships between pupils and staff;
- adopting a whole-school approach to wellbeing and behavior developing social and emotional skills;
- taking a structured approach to staff development that helps staff to develop the skills of positive behaviour management; managing conflict and also to support each other during and after an incident. Advice and training is available from the Wellbeing & Behaviour Service;
- effectively managing individual incidents. It is important to communicate calmly with the pupil, using non-threatening verbal and non-verbal language and ensuring the pupil can see a way out of a situation. Strategies might include, for example, going with the staff member to a quiet area, away from bystanders or other pupils, so that the staff member can listen to concerns; or being joined by a particular member of staff well known to the pupil;
- wherever practicable, warning a pupil that force may have to be used before using it.

All schools and staff should adopt a positive approach to supporting whole school behaviour in order to understand and support pupils' needs. In response to issues where pupils are displaying more challenging behaviour that may require further training for staff and potentially the consideration of the use of reasonable force, the school should work in partnership with those staff and agencies who know the child to help those concerned in order to:

- understand the holistic needs of the pupil and the factors that may influence their behaviour;
- identify early warning signs that indicate foreseeable behaviors are developing.

6.3 Pupils with additional learning needs (ALN) and /or disabilities.

The following advice is particularly relevant to pupils with ALN and/or disabilities:

- Involve the ALN coordinator or other named member of staff and parents in developing the school's policy and practice on the use of force. This will help ensure that appropriate account is taken of the needs of individual pupils with ALN and/or disabilities.
- Develop Risk Assessments and Positive Handling Plans (Appendix 4) for individual pupils assessed as being at greatest risk of needing physical interventions in consultation with the pupil, their parents/ carers and any other relevant professionals (see section on risk assessments & positive handling plans) For pupils with a statement of SEN or an IDP any planned potential use of physical intervention should be compatible with this and properly documented in school records. It is important all relevant staff are aware of this.
- To enable pupils who are at risk how to understand their emotions and emotionally regulate, along with helping them communicate in times of crisis and strategies to use in a crisis (such as using personal communication passports and non-verbal signals to indicate the need to use a designated quiet area or cool-off base) and ensure staff are familiar with these strategies.

The Equality Act (2010) states clearly that schools are required to make reasonable adjustments to all aspects of school life, including identifying anticipatory need and reviewing behaviour policy and practice.

6.4 Ensuring that staff know who has statutory power to use reasonable force.

The Head teacher or delegated senior member of staff is advised to do the following:

- As part of an induction process, explicitly inform the people concerned of their responsibilities in relation to the school policy on use of reasonable force. They should make clear that all teachers and staff the head has authorised to have control or charge of pupils automatically have the

statutory power to use force. This could form part of a list of items to include in a suggested staff induction checklist / handbook.

- For staff who have temporary authorisation they should make clear the circumstances in which staff, whose jobs did not normally involve supervising pupils and volunteers working with pupils, will be authorised to be in control or charge of pupils and therefore have statutory power to use force.
- Keep an up-to-date record of temporarily authorised people and ensure that permanently authorised staff (i.e. all staff whose job involves supervising pupils) know who they are. Given the requirement for schools to maintain a central, up-to-date record of the Disclosure and Barring Service status of all staff and volunteers, they may wish to align these two sets of records.

6.5 Deciding if the use of force would be appropriate.

The judgment on whether to use force and what force to use should always depend on the circumstances of each case and - crucially in the case of pupils with ALN and/or disabilities - information about the individual concerned.

Staff involved in any potential incident will often have to make decisions quickly with little time for reflection. It is advised that these decisions are based upon the following principles:

- The seriousness of the incident, assessed by the effect of the injury, damage or disorder which is likely to result if physical intervention is not used;
- The greater the potential for injury, damage or serious disorder, the more likely it is that using physical intervention may be justified;
- The chances of achieving the desired result by other means. The lower the probability of achieving the desired result by other means, the more likely it is that using physical intervention may be justified;
- The relative risks associated with physical intervention compared with using other strategies. The smaller the risks associated with physical intervention compared with other strategies, the more likely it is that using physical intervention may be justified.

6.6 Situations where staff should not normally intervene without help.

An authorised member of staff should not intervene in an incident without help, unless it is an emergency. Schools should have communication systems that enable a member of staff to summon rapid assistance when necessary. Help may be needed in dealing with a situation involving an older or physically stronger pupil, a large pupil, more than one pupil or if the authorised member of staff believes he or she may be at risk of injury. In these circumstances he or she should take steps to remove other pupils who might be at risk and summon assistance from other authorised staff, or where necessary phone the police.

7. Risk assessment and planning for use of restrictive physical interventions

The Local Authority's preferred training approach in this area is Team Teach which is endorsed by Institute of Conflict Management (ICM QAC 2079) and BILD. If any school within Neath Port Talbot wishes to use another training approach, the Local Authority would advise that the Head Teacher ensures that their preferred approach also has appropriate accreditation. ICM accreditation encompasses the following processes:-

- An audit of physical techniques
- An audit of office administration processes
- They reserve the right to call Directors of training companies to account by answering questions before a board of professionals in relation to their training approach

There are some pupils who behave in ways that make it necessary to consider the use of restrictive physical intervention as part of an agreed behaviour management plan. The expectation in Neath Port Talbot is that in such circumstances a behaviour risk assessment (**Appendix 3**) is completed followed by a Positive Handling Plan (**Appendix 4**) if indicated by the risk assessment. The focus of these documents should be to reduce the risk of using physical intervention as far as possible.

All identified behaviours necessitating the planned use of physical intervention should be risk assessed. The resulting risk assessment and positive handling plan must be compatible with a positive behaviour management approach.

Any proposed use of techniques should be agreed in partnership with the pupil, his/her parents (or those with parental responsibility) and other statutory agencies involved with the family/pupil. This is especially the case when children are looked after by a Local Authority, in respite care, or cared for by others with legal responsibility. If there are also pupils who have Additional Learning Needs who require a planned response, health professionals may need to be involved in order to ensure that any proposed techniques are appropriate to the individual- this would be especially true in relation to any pupils who have medical issues which could be compromised by any potential use of reasonable force.

Any planned intervention must be clearly shown to be in keeping with the individual pupil's risk assessment and any agreed behaviour management plan. An agreed record of planned interventions should be properly documented within school records. Once agreed, the risk assessment and/or positive handling plan should be shared with all those responsible for implementing or monitoring the impact of the plan. This is important as it will help to ensure those concerned know how pupils are to be supported and why, which behaviours are to be managed and how they are to be managed; and which risk reduction measures are to be employed and when.

Once the risk assessment and positive handling plan have been shared with those who work with and support the pupil, consideration should be given to the ability of staff to implement the strategy. In particular, steps should be taken to determine what training may be required prior to implementation. This is key, because successful implementation will be dependent on staff competence and expertise. School records should show training needs identified as a result of the strategy and how training was provided to enable staff to implement it. Where it is apparent that there are staff with significant training needs, implementation of the risk assessment and positive handling plan should be modified until relevant staff training has been provided (see training section below).

Staff should always report and record any use of physical intervention that occurs in unforeseen or emergency situations using school procedures. This should be recorded on the appropriate forms provided by the Local Authority (see below). All documents relating to incidents should be physically signed by all involved, scanned and saved with the pupil's records. See reporting section below.

8. Reporting and recording use of restrictive physical interventions

After incidents in which physical intervention is used, staff should report and record the matter in accordance with Local Authority procedures set out below. All incidents requiring the use of physical intervention should be thoroughly and systematically documented. The school should ensure that parents and the Local Authority are informed about these incidents. The Local Authority would strongly advise that parents are notified on the day of the incident as are any other professionals and statutory agencies involved with the family/pupil.

Schools and other educational settings will record minor and routine interventions as detailed on the Positive Handling Plan and report to parents. The Incident form (**Appendix 2**) form is to be used for a first incident of using positive handling or for use of Team Teach not stipulated on the handling plan or in cases of complaint/allegation.

All injuries to staff and pupils should be reported and recorded in accordance with school procedures and to the Local Authority via OARS.

9. Monitoring, Evaluation & Review.

Use of physical intervention in school should be monitored in order to help staff learn from experience, promote the well-being of pupils in their care, and provide a basis for appropriate support. The lessons learned may provide a strategy for avoiding the use of physical intervention if similar incidents recur. Monitoring can help schools to determine what specialist help is required to support the pupil moving forward. Information on trends and emerging problems should be shared within the school using local procedures, along with the Wellbeing & Behaviour Service.

Monitoring information should be reported on a regular basis to school governors.

The School as part of its safeguarding processes will be required to report the number of incidents to the Local Authority on a monthly basis, including a nil return appendix. Incident forms need to be signed by the staff involved and then scanned and saved as pdf before being forwarded to the Local Authority (sfs@npt.gov.uk).

Local Authority:

The local authority will have in place the following processes for discharging its duty to monitor, evaluate and review physical interventions being applied in schools and other education settings:

- Schools and other educational settings are required to submit physical intervention forms, including 'nil' returns, to the local authority on a monthly basis. The Incident form should be used for this purpose which can be downloaded from the Council's intranet site. A copy of this form is attached to this document at **Appendix 2**;
- Forms will initially be triaged by the Education Safeguarding Officer and the Team Teach Coordinator for analysis and quality assurance. Minor issues will be highlighted directly with the school.
- Incident forms that require further consideration and fit the criteria will be submitted to the Physical Intervention Monitoring Group (PIMG) for a full review (**Appendix 5**);
- If necessary the local authority will undertake follow up work with schools and other educational settings to ensure that appropriate arrangements are in place in relation to physical intervention;
- The local authority will undertake a review of any school or other educational settings identified as having a higher than expected amount of physical interventions. This review could include the need for the school to provide a detailed explanation for the physical interventions, a safeguarding peer review or any other form of local authority intervention available.

The use of restrictive physical intervention can lead to allegations of inappropriate or excessive use. In the event of a complaint being received by a school in relation to use of force by staff, the matter should be discussed with the Education Safeguarding Officer and referred via the Integrated Referral Form to SPOC in line with existing processes.

10. Training

Training in the Local Authority's preferred training approach is available and schools are able to request this training. This holistic training will build upon existing positive behaviour management approaches that should be established in the school. Staff involved in implementing planned use of physical intervention, as part of a holistic

behaviour management strategy within the school, should be provided with training in the range of intervention techniques they are expected to use in their day-to-day work. On successful completion of training, staff should be expected to practice their skills and periodically attend updates in line with the Local Authority's preferred approach which is Team Teach.

In some instances, staff training will be required as a matter of urgency so that implementation can take place without delay. In this case to comply with Team Teach Protocols, 10 working days is required to facilitate an emergency course for essential staff, this allows for health questionnaires to be distributed and for staff to consult a GP if appropriate. The remainder of the staff would then need to be trained within 60 days. All other training requires a minimum of 4 weeks notice.

It is the responsibility of the school to ensure that records of training are kept and that staff training is refreshed within the recommended timescales. Reaccreditation schedules are outlined below:-

6 hour course- suitable for low level risk setting requires reaccreditation every 3 years

12 hour course- suitable for medium- high risk settings requires reaccreditation every 2 years

In addition, the Local Authority Officer responsible for over-seeing the training will also keep a record of all staff who have received training in the Team Teach approach. Schools will need to ensure that staff are trained and that any refresher training required is arranged with sufficient notice so as not to leave staff without current certification.

Appendices

Appendix 1	Model policy on the use of physical intervention, for schools or other educational settings
Appendix 2	Incident Form
Appendix 3	Risk assessment format
Appendix 4	Positive Handling Plan
Appendix 5	PIMG Group Terms of Reference

Appendix 1:

Physical intervention in schools and education settings: a model policy

1. Background.

1.1 We define physical intervention as follows:

Physical intervention is when a member of staff uses force intentionally to restrict a child's movement against his or her will. All staff within this setting aim to help children take responsibility for their own behaviour. We do this through a combination of approaches, which include:

- positive role modelling;
- good teaching and learning;
- embedding whole school approaches to behavior and wellbeing;
- setting appropriate boundaries and expectations;
- building good positive relationships;
- delivering social and emotional well-being approaches to enable pupils to understand their emotions and emotionally regulate.

More details about this and our general approach to promoting positive behaviour can be found in our Behaviour Policy.

1.2 There are times when pupil's behaviour presents particular challenges that may require physical intervention. We only use physical intervention where the risks involved in using force are outweighed by the risks involved in not using force. It is not our preferred way of managing children's behaviour. When we need to use physical intervention, we use it within the principle of reasonable force. This means

using an amount of force in proportion to the circumstances. We use as little force as is necessary in order to maintain safety, and we use this for as short a period as possible.

1.3 This policy sets out our expectations for the use of such intervention. It is not intended to refer to the general use of physical contact which might be appropriate in a range of situations, such as:

- giving physical guidance to children (for example in practical activities and PE)
- providing emotional support when a child is distressed
- providing physical care (such as first aid or toileting).

1.4 This policy is consistent with our Safeguarding and Additional Learning Needs policies, and with national and local guidance for schools on safeguarding children. We exercise appropriate care when using physical contact (there is further guidance in our Safeguarding and Child Protection policy); there are some children for whom physical contact would be inappropriate (such as those with a history of physical or sexual abuse, or those from certain cultural/religious groups). We pay careful attention to issues of gender and privacy, and to any specific requirements of certain cultural/religious groups.

1.5 This policy is developed in line with the legislation, authority and national guidance is set out in the Welsh Government document: *Safe and Effective Intervention-use of reasonable force and searching for weapons (097/2013)*.

2. Policy Objectives

2.1. To maintain the health and safety of all pupils and staff in [Blaenhonddan Primary School](#)

2.2. Prevent serious damage to property

2.3. Protect children and young people from physical violence, injury or abuse, as set out in Article 19 of the United Nations Convention on the Rights of the Child (UNCRC)

2.4. To provide information on what circumstances may require the use of physical intervention.

2.5.To set out training requirements and how any incident should be recorded and reported.

3. When can physical intervention be used?

3.1 The use of physical intervention may be justified where a pupil is (these need to be personalised to your school):

- causing injury to themselves or others
- causing serious damage to property
- causing disruption by engaging in behaviour which is seriously prejudicial to good order and discipline, whether during a teaching session or otherwise.

3.2 Physical intervention may also be appropriate where, although none of the above have yet happened, they are judged as highly likely to be about to happen. We are very cautious about using physical intervention where there are no immediate concerns about possible injury or exceptional damage to property. Physical intervention would only be used in exceptional circumstances, with staff that know the student well and who are able to make informed judgements about the relative risks of using, or not using, physical intervention; for example stopping a younger child leaving the school site.

3.3 The main aim of physical intervention is usually to maintain or restore safety. We acknowledge that there may be times when physical intervention may be justified as a reasonable and proportional response to prevent damage to property or to maintain good order and discipline at the school. However, we would be particularly careful to consider all other options available before using physical intervention to achieve either of these goals. In all cases, we remember that, even if the aim is to re-establish good order, physical intervention may actually escalate the difficulty. If we judge that physical intervention would make the situation worse, we would not use it, but would do something else (like go to seek help, make the area safe or warn about what might happen next and issue an instruction to stop) consistent with our duty of care.

3.4 Our duty of care means that we might use a physical intervention if a child is trying to leave our site and we judged that they would be at unacceptable risk. This duty of care also extends beyond our site boundaries: there may also be situations

where we need to use physical intervention when we have control or charge of children off site (e.g. on trips). We never use physical intervention out of anger or as a punishment.

4. Who can use physical intervention?

4.1 The use of physical intervention is appropriate, and is part of a positive behaviour management

Frame work, a member of staff who knows the child well should be involved, and where possible, BILD accredited trained (Team Teach) in the use of physical intervention. However, in an emergency, any of the following may be able to use reasonable force:

- any teacher who works at the school;
- any other person whom the head teacher has authorised to have control or charge of pupils, including:
 - support staff whose job normally includes supervising pupils such as teaching assistants, learning support assistants, learning mentors and lunchtime supervisors;
 - people to whom the headteacher has given temporary authorisation to have control or charge of pupils such as paid members of staff whose job does not normally involve supervising pupils (for example catering or premises-related staff) and unpaid volunteers (for example parents accompanying pupils on school organised visits) but not prefects.

5. Planning around an individual and risk assessment

5.1 In an emergency, staff do their best, using reasonable force within their duty of care. Where an individual child/young person has an individual risk assessment and positive handling plan, which includes the use of physical intervention, we ensure that such staff receive appropriate training and support in behaviour management as well as physical intervention. We consider staff and children's/ young people's physical and emotional health, along with any additional learning needs (ALN) when we make these plans, consulting with the child/young person, their parents/guardians and other relevant professionals. In most situations, our use of physical intervention is in the context of a prior risk assessment that considers:

- What the risks are

- Who is at risk and how
- What we can do to manage the risk (this may include the possible use of physical intervention where a positive handling plan will then be required)

5.2 We use this risk assessment to inform the individual behaviour plan that we develop to support the child. If this behaviour plan includes physical intervention it will be as just one part of a whole approach to supporting the child's/ young person's behaviour which will include an Individual Development Plan if the child/young person has ALN. The behaviour plan outlines:

- Our understanding of what the child/young person is trying to communicate through their behaviour
- How we adapt our environment to better meet the child's/ young person's needs
- How we teach and encourage the child to use new, more appropriate behaviours and understand their emotions
- How we reward the child/young person when he or she makes progress
- How we respond when the child's behaviour is challenging (responsive strategies).
- We pay particular attention to responsive strategies. We use a range of approaches (including humour, distraction, relocation, and offering choices) as direct alternatives to using physical intervention.
- We choose these responsive strategies in the light of our risk assessment.
- We draw from as many different viewpoints as possible when we anticipate that an individual child's behaviour may require some form of physical intervention. In particular, we include the child's perspective. We also involve the child's parents (or those with parental responsibility), staff from our school who work with the child, and any visiting support staff (such as Educational Psychologists, Wellbeing and Behaviour Service, Support for Learning Service, Speech and Language Therapists, Social Workers and colleagues from the Child and Adolescent Mental Health Services).
- We record the outcome from these planning meetings and seek parental signature to confirm their knowledge of our planned approach. We review these plans at least once every 4 to 6 months, or more frequently if there are any concerns about the nature or frequency of the use of physical intervention or where there are any major changes to the child's circumstances.

- We recognise that there may be some children within our school who find physical contact in general particularly unwelcome as a consequence of their culture/religious group or disability. There may be others for whom such contact is troubling as a result of their personal history, in particular of abuse. We have systems to alert staff discretely to such issues so that we can plan accordingly to meet individual children's needs.

6. What types of physical intervention can be used?

6.1.1 Where possible any physical intervention will be in line with the child/young person's risk assessment or positive handling plan but there will be times when new and emergency situations arise.

6.1.2 Any use of physical intervention should be consistent with the principle of seeking to use the minimum force required to achieve the desired result. Staff should only use force when:

- the potential consequences of not intervening were sufficiently serious to justify considering use of force;
- the chances of achieving the desired result by other means were low;
- the risk associated with not using force outweighed those of using force.

6.1.3 Wherever practicable staff are expected to:

- Use a calm and measured approach
- Tell the pupil to stop, offer them a choice, in as calm a manner as possible, explain that the reason for intervention is to keep the pupil and others safe
- Seek assistance from other colleagues at an early as stage as possible
- Try to defuse the situation by talking or distracting the pupil and prevent further escalation
- Try to remove the pupil from the peer audience
- Staff who become aware that another member of staff is intervening physically with a pupil have a responsibility to provide a presence, and to offer support and assistance should this be required
- Attempt to communicate with the pupil throughout the incident

- Make it clear that positive handling will stop as soon as the pupil calms and a dynamic risk assessment indicates it is no longer necessary

6.1.4 Methods that staff **may use** in appropriate circumstances where a dynamic risk assessment judgement supports this:

- Passive Physical Intervention:
 - Physically interposing themselves between pupils
 - Blocking a pupil's path
 - Using classroom furniture to restrict movement
- Active Physical Intervention:
 - Leading by the arm
 - Shepherding a pupil away by a light touch on the elbow or near the shoulder
 - "Assertive guiding" – remembering this is the positive application of force to control a pupil and would be used in rare circumstances, e.g. if the pupil is in extreme danger and no other alternative is available, or where reasonable force is used to assist a pupil's movement.
- Restrictive Physical Interventions:
 - Holding – for security and to reduce anxiety where there is potential risk, even if the pupil is not yet out of control. The purpose is to defuse or prevent escalation.
 - When intervening staff should take care that their actions should in no way be capable of being interpreted as aggressive. All holds are devised to minimise the risk of injury. They should not cause pain. It is important that these techniques have been delivered by appropriately qualified Team Teach instructors in line with Team Teach protocols.
 - Where pupils are presenting with more challenging behaviour which may require more restrictive holds at advanced level, it is important that these techniques have been delivered by appropriately qualified staff members in line with Team Teach protocols.

6.1.5 Staff should make every effort to avoid acting in a way that might reasonably be expected to cause injury. However, in the most extreme circumstances it may not always be possible to avoid injuring a pupil. Staff should always avoid touching or restraining a pupil in a way that could be interpreted as sexually inappropriate conduct.

6.2 Staff should not act in ways that might reasonably be expected to cause injury, for example by:

- Holding a child/young person around the neck or collar or in any other way that might restrict the child's ability to breathe
- Slapping, punching or kicking a child/young person
- Twisting or forcing limbs against a joint
- Tripping a child/young person
- Holding a child/ young person by the hair or ear

Such actions would normally be considered highly inappropriate potentially inappropriate.

NB Wherever possible early support from colleagues will be sought. Single handed intervention increases the risk of injury to both parties and does not provide the person intervening with the support of a colleague acting as a witness/critical friend.

7. Use of Time out Rooms and Seclusion

7.1 Sometimes, pupils may need some time to recover following an incident and in [Blaenhonddan Primary School](#) the advice would be that pupils are given reflection opportunities in a supportive manner with an appropriate adult present.

[Blaenhonddan Primary School](#) does not condone the use of seclusion whereby “pupils are kept alone in a room against their will” as a form of behaviour management.

8. Reporting and Recording Incidents

8.1 In the event of an injury as a result of an incident at school, immediate steps must be taken to secure appropriate medical attention. This is particularly important if any advanced holds have been used. All injuries to staff and pupils should be reported

and recorded in accordance with school procedures and to the Local Authority via OARS.

8.2 All incidents that result in physical intervention (where a child has to be held) will be recorded in detail using either the incident form or, if a Positive Handling Plan is in place, the school will record the incident and review the Positive Handling Plan accordingly.

8.3 The member of staff concerned will report the matter orally to the Head or a senior member of staff as soon as possible.

8.4 Staff may wish to seek advice from a senior colleague or their professional association when compiling a report. A written report should be completed within 24 hours of the incident's occurrence, and should be signed and dated. Staff are advised to keep a copy of the report for themselves.

8.5 The Head or his/her deputy will tell parents about the incident by the end of the school day. However, if parents cannot be reached a letter will be sent to inform them of the incident on the day of the incident and offer them the opportunity to discuss the matter.

8.6 Other witnesses to the incident, staff, pupils, should also sign and date the incident report.

8.7 Any incident reports will be reviewed by the Head Teacher and the Governing Body on at least an annual basis to consider control measures and possible training or further training needs etc.

8.8 A copy of incident form will be placed in the pupil's file and sent to the Local Authority Officer responsible for provision of training re Physical Intervention.

9. Supporting and Reviewing

9.1 We recognise that it is distressing to be involved in a physical intervention, whether as the child/young person being held, the person doing the holding, or someone observing or hearing about what has happened. After a physical

intervention, we give support to the child/young person so that they can understand why it was necessary. Where we can, we record how the child felt about this. Where it is appropriate, we have the same sort of conversations with other children/young people who observed what happened. In all cases, we will wait until the child/ young person has calmed down enough to be able to talk productively and learn from this conversation. If necessary, the child/young person will be asked whether they have been injured so that appropriate first aid can be given. This also gives the child/young person an opportunity to say whether anything inappropriate has happened in connection with the incident.

9.2 We also support adults who were involved, either actively or as observers, by giving them the chance to talk through what has happened with the most appropriate person from the staff team. A key aim of our after-incident support is to repair any potential strain to the relationship between the child/young person and the people that were involved in the physical intervention.

9.3 After a physical intervention, we consider whether the risk assessment and/or positive handling plan needs to be reviewed so that we can reduce the risk of needing to use physical intervention again.

10. Monitoring

10. 1 We monitor the use of physical intervention in our school. [Gayle Major Headteacher](#), [Karen Rees-Jones Deputy Headteacher](#) and [Lucy Powell-Morley Safeguarding Governor](#) are responsible for reviewing the records on a termly basis, and more often if the need arises, so that appropriate action can be taken. The information is also used by the governing body when this policy and related policies are reviewed.

10.2 Our analysis considers equalities issues such as age, gender, disability, culture and religion issues in order to make sure that there is no potential discrimination; we also consider potential child protection issues. We look for any trends in the relative use of restrictive physical intervention across different staff members and across different times of day or settings. Our aims are to protect children, to avoid discrimination and to develop our ability to meet the needs of children without using

physical intervention. We report this analysis back to the governing body so that appropriate further action can be taken and monitored.

11. Staff Training

11.1 As a school we support our staff to receive training, this includes holistic training which will build upon existing positive behaviour management approaches that should be established in the school. Staff involved in implementing planned use of physical intervention, as part of a holistic behaviour management strategy within the school, will be provided with training in the range of intervention techniques they are expected to use in their day-to-day work. On successful completion of training, staff should be expected to practice their skills and periodically attend updates in line with the Local Authority's preferred approach which is Team Teach.

12. Complaints

12.1 The use of physical intervention is distressing to all involved and can lead to concerns, allegations or complaints of inappropriate or excessive use. In particular, a child/young person might complain about the use of physical intervention but on further reflection might better understand why it happened. In other situations, further reflection might lead the child/young person to feel strongly that the use of physical intervention was inappropriate. This is why we are careful to ensure all children have a chance to review the incident after they have de-escalated.

12.2 If a child or parent has a concern about the way physical intervention has been used, our school's complaints procedure explains how to take the matter further and how long we will take to respond to these concerns.

12.3 Where there is an allegation of assault or abusive behaviour, we ensure that the headteacher is immediately informed. We would also follow our child protection procedures. In the absence of the head teacher, in relation to physical intervention, we ensure that the deputy head teacher is informed.

12.4 If the concern, complaint or allegation concerns the head teacher, we ensure that the Chair of Governors is informed. If parents/carers are not satisfied with the way the complaint has been handled, they have the right to take the matter further as set out in our complaints procedure. The results and procedures used in dealing with complaints are monitored by the governing body.

12.5 A complaint or dispute about the use of force by a member of staff might lead to an investigation under disciplinary procedures or by the Police under Wales Safeguarding Procedures.

13. Review

13.1 This policy will be regularly monitored by the Head and reviewed and updated annually. In the event of disputes over, or concerns about, techniques and methods being considered, a meeting will be held with one of the Local Authority Team Teach Instructors. In the event of the dispute not being able to be resolved the matter referred to the Local Authority's Principal Inclusion Officer. If necessary, adjudication might be offered by an independent officer nominated by the West Glamorgan Safeguarding Children Board.

Appendix 2:

POSITIVE HANDLING: INCIDENT RECORD ID :

This form is to be used for first incident of using positive handling or for use of Team Teach not stipulated on the handling plan or in cases of complaint/allegation

All information needs to be completed and signed by all staff involved:

Please Ensure Every Section Is Completed

School:		
Pupil Name:	Date:	Time:
DOB & NC Year:		
Location:		
Names of staff involved in the incident & role in school – do not Use initials:		
If named please sign at bottom.		
Names of witness(es):		

Reasons for intervention (Please ✓)

Immediate danger of personal injury to self		Immediate danger of injury to another pupil	
To avoid damage to property		Immediate danger of injury to staff	
To prevent/interrupt absconding within the school		Use of weapon/missiles	
Offsite and in danger		Serious Disruption to lesson	
Other (please state):			

Describe lead up to incident/behaviour

DE-ESCALATION TECHNIQUES USED					
Verbal advice/support		Reminder of consequences		Firm clear directions	
Reassurance		Time out offered		Time out directed	
Calm taking		Distraction/diversion		Change of face	

Negotiation		Nonverbal communication		Planned ignoring	
Humour		Limited choices		Step away	
Success reminders					
Briefly describe de-escalation used:					

Details of incident: (please continue on back of sheet if required)

This section is to be completed where Team Teach Physical Controls were used.

Please ✓ below.

Caring C (control of arms)		Two person Single elbow		T-Wrap	
Caring C guide		Two person Single elbow to chair		Small Child Escort to Beanbag (Seated)	
One person single elbow		Double elbow		½ Shield	
Names of staff involved in hold:		Duration of hold:			
Names of Staff involved in De-escalation:					
If you have not received Team Teach training or are no longer in certificate please describe hold:					
Why do you think this action was in the best interest of the child?					
First aid required due to injury: YES/NO					

If Yes complete below and record as 'accident' on OARS

Accident Book No:		
	Yes/ No	Please Specify Details & Name of First Aider
Injury to Pupils		
Treatment required		
Injury to Staff		
Damage to property		
Referred to First Aider		

Parent Carer informed	Yes/No	Letter		Phone	
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Follow up action Please ✓			
Discussion with Pupil/Return to Class		Refer to IBP	
Other sanction i.e. Time out		Refer to Positive Handling Agreement	
Sent home		Conflict Resolution Follow up	
Exclusion		School Beat referral	
In case of LAC, has Social Worker been informed Yes/No			
Name of Social Worker -			
I confirm that the information completed is correct on this form			

Signed_____

Date_____

Signed_____

Date_____

Pupil's View of the Incident (Use Widgets de-brief form where necessary). If pupil does not wish to comment this should also be recorded below

Signed (Pupil):

Senior Team Teach Staff/SMT Review



Appendix 3:

Behaviour Risk Assessment Form

Pupil to be Assessed:				Assessment Number:	
D.O.B:				Class:	
Persons potentially affected by the behaviour					
☐ Staff ☐ Pupil ☐ Public ☐					
	Behaviour	Trigger	Likelihood	Severity	Risk Level
1 Risk to self					
2 Risk to others					
3 Absconding					
4 Unstructured times					
5 Other					
	Reasonable adjustments and de-escalation		Positive handling		
1					

2					
3					
4					
5					
	Behaviour	Trigger	Likelihood	Severity	Risk Level
1 Risk to self					
2 Risk to others					
3 Abscon ding					
4 Unstruc tured times					
5 Other					

Key												
Likelihood	Severity	Likelihood of Injury	5	5Y	10R	15	20	25				
1 very unlikely	1 nuisance		4	4	8	12	16	20				
2 unlikely	2 minor		3	3	6G	9	12	15				
3 likely	3 medical treatment		2	2	4	6Y	8	10Y				
4 very likely	4 major		1	1	2	3	4	5G				
5 certainty	5 fatal		0	1	2	3	4	5				
			Severity of Injury									
				Low Risk				Medium Risk			High Risk	
Pupil Centred Information												

Identification of needs		Suggested responses	
Identification of strengths		Key people, effective self-regulation strategies	
Medication	Reason		Administration
Assessment			
	Name	Signature	Date
Headteacher			
SENCO			
Class Teacher			
Teaching Assistant			
Parent			
Re-assessment Date			

Re-Assessment			
	Name	Signature	Date
Headteacher			
SENCO			
Class Teacher			
Teaching Assistant			
Parent			

Re-assessment Observations and Conclusions	
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Appendix 4:**POSITIVE HANDLING AGREEMENT****Pupil's Name:****DOB:****School:****Plan No:****Early Warning Behaviours**

Behaviours which are known to lead to positive handling being required

"Lead Up" Factors

Factors which are known to lead to behaviours which may need positive handling

Alternative Strategies/Deflecting Strategies

Ways of pre-empting the pupil's behaviour

Positive Handling Procedure

(Number of staff involved, roles taken, method of positive handling)

Follow-Up To Positive Handling

Care to be provided following positive handling

Recording and Notification

Who will be informed and how this will happen

Incident form completed.

Parents informed by telephone and letter.

Incident recorded and reported to the Governing body.

Incident Forms to be returned to the LA monthly via email

Signed by School		Signed by Parents	
Signed by Pupil			
Date:		Review Date:	
Copies to:			

Appendix 5:

MONITORING OF THE USE OF PHYSICAL INTERVENTION

Terms of Reference for the Monitoring Group

The purpose of the group will be:

To consider arising themes in terms of training, development, support and how best to address these.

It is proposed that this group will meet termly to consider incident forms in relation to the use of physical intervention in 4 specific circumstances only:

Specific Circumstances:

1. Where physical intervention methods are above/beyond those detailed within the pupils positive handling plan;
2. Where a positive handling plan was not in place at the time of the incident;
3. Where the use of positive handling methods resulted in an injury being incurred by either a child or a member of staff;
4. Where, as a result of positive handling, a complaint is received or an allegation made.

Evidence required from schools and forwarded to School and Family Support on a monthly basis:

- (i) Positive Handling / Incident Forms relating to Items 1-4 (inc) above;
- (ii) When positive intervention falling within the above categories has not been used nil returns should be submitted by all schools. This return should be forwarded to School and Family Support (email sfs@npt.gov.uk) and can take the form of an email from the Headteacher, stating that there have been no incidents involving positive handling in respect of 1-4 (inc) above.

The group will comprise:

Education Safeguarding Officer

Teacher Development Officer for Behaviour and Team Teach Trainer

Social Services Representative

Health Representative

Primary School Representative

Comprehensive School Representative

Special School Representative

Health & Safety Officer

Wellbeing Practitioner

Education Psychology Representative

Frequency of Meetings and Reporting:

Termly, to be convened by the Education Safeguarding Officer.

Incident Forms will be triaged by the Education Safeguarding Officer and Team Teach Coordinator and minor issues dealt with directly with school.

Where further discussion is needed incident forms will be sent to PIMG members alongside the agenda for the next PIMG meeting.

The Education Safeguarding Officer will also provide reports as relevant to Managers, Members, Officers and groups.