

*Eccleston St. Mary's
Church of England Primary School*



*A Policy Document for the
Care and Control of Pupils*

Through Jesus, We Love, Learn and Grow

Previous review : Spring 2020

This review : Autumn 2022

Next review : Autumn 2024

**Eccleston St. Mary's
Church of England Primary School**



**A Policy Document for
The Care and Control of Pupils
(Including Reasonable Force and Restraints)**

Introduction

This policy has been prepared for the support of all teaching and support staff who come into contact with pupils and for volunteers working within the school to explain the school's arrangements for care and control. Its contents are available to parents and pupils. A statement about the school's Discipline and Behaviour Policy is made available to parents on the school website. This statement includes information on the use of reasonable force to control or restrain pupils.

The policy has been developed in response to the recommendations of Circular 10/98 "The Use of Force to Control or Restrain Pupils", issued following the enactment of Section 550A of the 1996 Education Act. Other DfES guidance/reference LEA/0242/2002 and LEA/0264/2003. It also follows the policies of Lancashire Education and Cultural Services Committee.

The policy should be read in conjunction with other school policies relating to interaction between adults and pupils - The School Behaviour and Discipline Policy, the Safeguarding and Child Protection Policy and the Anti-Bullying Policy.

The policy was prepared after staff discussion in September 2007 and was accepted by the Governing Body on 7th November 2007. The responsible person for the implementation of the policy is the

Headteacher. The policy will be reviewed bi-annually by the Headteacher and the Governing Body.

Purpose of Policy

Good personal and professional relationships between staff and pupils is vital to ensure good order in our school. It is recognised that the majority of pupils in our school respond positively to the discipline and control practised by staff. This ensures the well-being and safety of all pupils and staff in school. It is also acknowledged that in exceptional circumstances, staff may need to take action in situations where the use of reasonable force may be required.

Every effort will be made to ensure that all staff in this school:

- i) clearly understand this policy and their responsibilities in the context of their duty of care in taking appropriate measures where reasonable force is necessary and
- ii) are provided with appropriate training to deal with these difficult situations.

However, individual members of staff cannot be required to use physical restraint.

The application of any form of physical control places staff in a vulnerable situation. It can only be justified according to the circumstances described in this policy. Staff, therefore, have a responsibility to follow the policy and to seek alternative strategies wherever possible in order to prevent the need for physical intervention.

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

Definitions

- a) **Physical Contact**

Situations in which proper physical contact occurs between staff and pupils, e.g. in the care of pupils with learning disabilities; in games/PE; to comfort pupils.

b) Physical Intervention

This may be used to divert a pupil from a destructive or disruptive action, e.g. guiding or leading a pupil by the hand, arm or shoulder with little or no force.

c) Physical Control/Restraint

This will involve the use of reasonable force when there is an immediate risk to pupils, staff or property. All such incidents must be recorded.

4. Underpinning values

Everyone attending or working in this school has a right to:

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

Pupils attending this school and their parents have a right to:

- Individual consideration of pupil needs by the staff who have responsibility for their care and protections;
- Expect staff to undertake their duties and responsibilities in accordance with the school's policies;
- Be informed about school rules, relevant policies and the expected conduct of all pupils and staff working in school;
- Be informed about the school's complaints procedure.

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

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

Authorised staff

In this school all teachers are authorised to use reasonable force but only non-teaching support staff specifically authorised by the Headteacher to have control or charge of pupils may use reasonable force to manage or control pupils. Within the school, this authorisation will be extended to the following:

Nursery Nurses, Teaching Assistants and Welfare Staff.

Authorisation is not given to volunteers or parents.

The Headteacher is responsible for making clear to whom such authorisation has been given, in what circumstances and settings they may use force and for what duration of time this authorisation will last. The Headteacher will ensure that those authorised are aware of, and understand, what the authorisation entails. Those whom the Headteacher has not authorised will be told what steps to take in the case of an incident where control or restraint is needed, e.g. to contact an authorised member of staff.

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

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

Staff from the Authority working within the school

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

Training

Training for **all** staff will be made available and will be the responsibility of the Headteacher. No member of staff will be expected to undertake the use of reasonable force without appropriate training. Prior to the provision of training, guidance will be given on action to be taken. Arrangements will be made clear as part of the induction of staff and training will be provided as part of on-going staff development.

Strategies for dealing with challenging behaviour

Staff consistently use positive strategies to encourage acceptable behaviour and good order.

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

- Verbal acknowledgment of unacceptable behaviour with request for the pupil to refrain; (this includes negotiation, care and concern).
- Further verbal reprimand stating;
 - that this is the second request for compliance;
 - an explanation of why observed behaviour is unacceptable;
 - an explanation of what will happen if the unacceptable behaviour continues.
- Warning of intention to intervene physically and that this will cease when the pupil complies. If possible summon assistance.
- Physical intervention. Reasonable force uses the minimum degree of force to prevent a child harming him or herself, others or property.

Escalating situations

The 1996 Education Act (Section 550 A) stipulates that reasonable force may be used to prevent a pupil from doing, or continuing to do any of the following:

- Engaging in any behaviour prejudicial to maintaining good order and discipline at the school or among any of its pupils, whether the behaviour occurs in a classroom during a teaching session or elsewhere (this includes authorised out-of-school activities);
- Self-injuring or placing him or herself at risk;
- Injuring others;
- Causing damage to property, including that of the pupil himself or herself;
- Committing a criminal offence (even if the pupil is below the age of criminal responsibility).

Types of incidents

The incidents described in Circular 10/98 fall into three broad categories:

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

Examples of situations which fall within one of the first two categories are:

- A pupil attacks a member of staff, or another pupil;
- Pupils are fighting;
- A pupil is engaged in, or is a developing risk of injury, or significant damage to property;
- A pupil is causing, or at risk of causing injury, damage by accident, by rough play, or by misuse of dangerous materials or objects;
- A pupil is running in a corridor or on a stairway in a way which he or she might have or cause an accident likely to injure him or herself or others;
- A pupil absconds from a class or tries to leave school (NB this will only apply if a pupil could be at risk if not kept in the classroom or at school).

Examples of situations which fall into the third category are:

- A pupil persistently refuses to obey an order to leave a classroom;
- A pupil is behaving in a way that is seriously disrupting a lesson.

Acceptable measures of physical intervention

The use of any degree of force can only be deemed reasonable if:

- a) it is warranted by the particular circumstances of the incident;
- b) it is delivered in accordance with the seriousness of the incident and the consequences which it is desired to prevent;
- c) it is carried out as the minimum to achieve the desired result;
- d) the age, understanding and gender of the pupil are taken into account;
- e) it is likely to achieve the desired result.

Wherever possible assistance should be sought from another member of staff before intervening.

Physical intervention uses the minimum degree of force necessary for the shortest period of time to prevent a pupil harming himself, herself, others or property.

This form of physical intervention may involve staff:

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

In extreme circumstances, trained staff may need to use more restrictive holds.

Any such measures will be most effective in the context of the overall ethos of the school, the way in which staff exercise their responsibilities and the behaviour management strategies used. Wherever reasonable force is used, staff must keep talking to the pupil.

Recording

All incidents must be reported to the Headteacher or Deputy Headteacher who are also the Named Designated Leaders for Child Protection. Incidents will be recorded on CPOMS.

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