

Restrictive Physical Intervention Policy

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| **Author** | **Written /****Reviewed** | **Next****Review** |
| Neil Toplass and D Hart | Nov 2023 | Nov 2024 |

**Vision:** A school that everyone is proud of, offering an environment that allows young people to take risks and be brave with their learning.

**Mission:** Provide every child with the opportunity to experience an outstanding education academically, emotionally and socially; one that raises aspirations, expectations and educational achievements.

To identify barriers to learning which effectively promotes mental health, wellbeing and positive relationships amongst parents, carers, professionals and other organisations.

Enabling children to develop and reach their true potential.

**Values:** Safe, Happy, Learning (SLS) Safe, Independent, Learning (TBL)

# Statement of Behaviour Principles

At Shenstone Lodge School, we believe that...

* Every pupil is unique, and that a ‘one size fits all’ approach to behaviour management is neither helpful nor desirable
* All behaviour serves a function for the individual
* Behaviour is a form of communication
* Pupils do not just ‘behave randomly’, sometimes it might be hard to see the reason behind the behaviour, but it is always there
* Staff must use fair and consistent vocabulary when describing a pupils’ behaviour
* Pupils who are motivated, and whose personal interests are incorporated into their daily school lives, are less likely to exhibit concerning behaviour
* Restrictive Physical Intervention should only be used to maintain safety and to support good order and running of the school.
* All behaviour management strategies should be in the best interests of the pupil
* The attitudes, perceptions and values of the staff working with pupils can have a dramatic effect on the incidence of challenging behaviour and the effectiveness of how it is managed.

# Legislation

The policy should be read in conjunction with the legal frameworks referred to and other school policies relating to interaction between adult and students, such as the Positive Behaviour Management Policy (a balanced approach to reducing risk, restraint and restriction)**.** It aims to ensure that the students at our school feel safe and secure, so are better able to learn in an accepting environment that fosters support and understanding.

# Restrictive Physical Interventions

At Shenstone Lodge every effort is made to resolve conflicts positively using a gradual, graded system of response. This policy describes a range of strategies which should be employed to de- escalate a situation. Pupils are encouraged to use these strategies with support from staff.

However, when a situation continues to escalate, it may be necessary to employ Restrictive Physical Interventions.

This policy has been developed in line with

* Special educational needs and disability (SEND) code of practice, 01.09.2014.
* Behaviour in Schools (Advice for Headteachers and School Staff) Sep 2022.
* Use of Reasonable Force in Schools (Advice for Headteachers, Staff and Governing Bodies) 2013 (2015)
* Searching, Screening and Confiscation Advice for schools July 2022
* Mental Health and Behaviour in Schools Nov 2018
* Equality Act 2010
* Education Act 2002, which outlines a school’s duty to safeguard and promote the welfare of its pupils.
* Sections 88-94 of the Education and Inspections Act 2006, which require schools to regulate pupils’ behaviour and publish a behaviour policy and written statement of behaviour principles, and give schools the authority to confiscate pupils’ property.
* Safeguarding and Child Protection Policy / Keeping Pupils Safe in Education 2023
* Positive Environments where Children Can Flourish Oct 2021

This document has been prepared to assist all staff and volunteers working within Shenstone Lodge. Its aim is to explain how and when school staff may use reasonable force, care and control to support the management of its students.

Good personal and professional relationships between staff and pupils are vital to ensure good order in our school. It is recognised that the majority of pupils in our school respond positively to our high expectations regarding appropriate behaviour and follow staff directions. This ensures the well-being and safety of all pupils and staff. It is also acknowledged that in some circumstances, staff may need to take action involving the use of a physical intervention.

## Legal Framework

Reasonable force should only be used if it is deemed to be in the **BEST INTEREST** of the child following an analysis of the presented risks

The Education and Inspections Act 2006 (Part 7, Chapter 1) 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 within the school (this includes authorised out-of-school activities)
* self-injuring
* causing injury to others
* committing an offence

ALL school employed staff (including staff employed through Supply Agencies) and volunteers should operate with an appropriate duty of care and within policy guidance.

The application of any form of physical control can place staff and students in vulnerable, ‘high risk of harm’ positions.

## Staff, therefore, have a responsibility to seek alternative strategies wherever possible in order to prevent the need for physical intervention.

**DFE guidance states that 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/ school where allowing the pupil to leave would risk their safety or lead to behaviour that puts at risk the safety of others;
* prevent a pupil from attacking a member of staff or another pupil, or to stop a fight in the playground (or other area)
* prevent a pupil at risk of harming themselves through physical outbursts

Shenstone Lodge School however will only resort to using restrictive physical intervention if the student(s) concerned present a foreseeable risk of harm to themselves, other people. Are committing a criminal offence or causing significant damage to property.

The school expects that staff will utilise a range of de-escalate strategies in an attempt to defuse a situation that has the potential to become dangerous.

Staff will be expected to communicate calmly with the students, and present themselves in a considered and controlled way. The language used should be simplified and offer students opportunities to resolve their difficulties without resorting to violence or a physical intervention.

## Schools cannot:

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

## Control

Active control may be used to divert a pupil from a destructive or disruptive action (for example, guiding or leading a pupil by the hand, arm or shoulder with little or no force). Passive control may be moving between two pupils or blocking a pupil’s path.

## Restrictive Physical Intervention

The use of force to overcome rigorous resistance; completely directing, deciding and controlling a person’s free movement. (Team Teach ‘Physical Contact’ publication 2011) The Section 93 of the Education and Inspections Act 2006 allows the use of reasonable force or physical restraint, as a last resort and where there is no other acceptable alternative. It clearly outlines 3 areas when use of reasonable force is justifiable:

* To prevent a pupil causing injury to themselves or others.
* To prevent them from damaging property.
* To prevent them from committing an offence.

The purpose of its application should be to safeguard the person, other people or prevent significant damage to property. The level of compliance from the pupil determines whether or not the interaction is a control or restraint.

A restrictive physical intervention should use the minimum degree of force necessary for the shortest period of time to prevent a pupil harming themselves, others or damaging property. The scale and nature of any physical intervention must be proportionate to both the behaviour of the individual to be controlled, and the nature of the harm they might cause (see page 3 of the DfE guidance Use of Reasonable Force 2013).

Reasonable adjustments for pupils with a disability or special educational needs will be made to take account of known information about the pupil’s needs and their understanding of the situation.

The underlying principle of any Restrictive Physical Intervention should meet the following legal criteria:

* The intervention was **Necessary**
* The intervention was **Reasonable**
* The intervention was **Proportionate** to the degree of risk
* The interventions was in the **Best Interests** of the pupil

## The use of reasonable force

As the safety and wellbeing of all staff and students is paramount, staff should always consider the following guiding principles :

That any use of force is

* An act of care and control, not punishment.
* Preceded by proactive and reactive de-escalation strategies, attempting to avoid the need for the use of reasonable force. Strategies might include dialogue and diversion at a level of understanding of the child or young person.
* To prevent severe distress, injury or damage to property
* Used minimally ie. The least amount of forces for the shortest amount of time required to restore safety
* Necessary and ‘in line’ with the school’s positive behaviour management policy.
* Supported by other staff as far as possible. These staff may act as assistants and/or witnesses.
* ‘Relaxed’ as soon as possible to allow the pupil to regain self-control and safety is restored
* Supported by a debrief for students and staff if the incident results in a Ground Hold or is a particularly distressing incident
* Underpinned by Team Teach accredited and trained techniques where possible. It is recognised that on occasions an ‘emergency intervention’ may be appropriate to a particular circumstance, in line with the ‘reasonable and proportionate’ principle.

The school uses an accredited positive behavior framework provided by Team Teach, an organisation which is held in high regard nationally and internationally. The school has its own experienced ‘Advanced Level Team Teach Trainers’ available on each site.

Team Teach techniques are intended to reduce risk and avoid injury, however, it is possible that bruising or scratching may occur accidentally. This should not necessarily be seen as a failure of professional technique, but a regrettable and infrequent side effect of ensuring that the service user remains safe. Any such injury will be reported using the appropriate accident form. In some circumstances, following the use of more restrictive holds, it is acknowledged that pupils may encounter some minimal discomfort when appropriate techniques are used. However, this should pose less of a risk than the behaviour they are employed to respond to.

All members of school staff have a legal right to use reasonable and proportionate force. This right 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 students such as supply staff and unpaid volunteers as long as they are acting within the legal frameworks. (Section 93 Education and Inspections Act 2006).

## Residential provision

A consistent approach to managing behavior is what best meets our children’s needs. Therefore, in the event that the residential provision ‘re-opens’, they will use the same approaches as referred to in the document as school. The care team also liaise and link with the head of care and school SMT /wellbeing teams to monitor and review best outcomes for students

[https://www.gov.uk/government/publications/positive-environments-where-children-can-](https://www.gov.uk/government/publications/positive-environments-where-children-can-flourish/positive-environments-where-children-can-flourish) [flourish/positive-environments-where-children-can-flourish](https://www.gov.uk/government/publications/positive-environments-where-children-can-flourish/positive-environments-where-children-can-flourish)

## After an incident

As a minimum, every child after a ground hold will have the opportunity to debrief and reflect the incident with a nominated staff member who was not involved in the incident. Records of debriefs are maintained on behavior watch.

# Seclusion and isolation (Safe practice protocols)

## The DfE adopts the following position in the Behaviour and Discipline in schools document (Advice for Head teachers and School Staff Jan 2016)

**Seclusion / Isolation rooms**

Schools can adopt a policy, which allows disruptive pupils to be placed in an area away from other pupils for a limited period, in what are often referred to as seclusion or isolation rooms. “If a school uses seclusion or isolation rooms as a disciplinary penalty this should be made clear in their behaviour policy. As with all other disciplinary penalties, schools must act reasonably in all the circumstances when using such rooms (see paragraphs 14 and 15). Any use of isolation that prevents a child from leaving a room of their own free will should only be considered in exceptional circumstances. The school must also ensure the health and safety of pupils and any requirements in relation to safeguarding and pupil welfare”.

If a student is **forcibly** kept in a room (SECLUSION/ ISOLATION) for safety reasons, the incident will be subject to the reporting and recording protocols of other interventions such as holds and restraints. This level of response is not to be used as a sanction or punishment, but as a temporary safety measure.

Students may be prevented from leaving this room by blocking the door way with their body, holding the door shut or locking the door shut in an emergency if this reduces the risks presented (as assessed by the staff attending), for example, by an extremely aggressive student in possession of an object being used as a weapon. The sole purpose of this high level emergency response is to keep all concerned as safe as possible, until the student is calm enough to be

purposefully engaged. They will be supervised by an adult at all times whilst in ‘seclusion’ to ensure safety.

If seclusion/ isolation is used regularly to support a particular student (averaging more than once a week over a half term), a specific ‘Intervention Plan’ will be developed with a clear strategy to reduce the levels of seclusion/isolation. The plan will be shared with staff and parents/carers and reviewed half-termly until the number of incidents reduce.

We aim to inform parents verbally before the end of the working day, when their child has been held or ‘secluded’. If we do not inform parents/carers this will be recorded with the reason why.

It is for individual schools to decide how long a pupil should be kept in seclusion, isolation, and for the staff member in charge to determine what pupils may and may not do during the time they are there. Schools should ensure that pupils are kept in seclusion or isolation no longer than is necessary and that their time spent there is used as constructively as possible. Schools should also allow pupils time to eat or use the toilet.

## DfE National Minimum Standards for Residential Special Schools (published April 2015) state

12.7 These standards do not prevent a child from being deprived of their liberty where that deprivation is authorised in accordance with a court order.

Locking the door will be against the norm and will need to be judged/ justified, reported and recorded against all relevant guidance.

## The Report of Sir Martin Narey’s independent review of children’s residential care July 2016 States

“No child in care should be exposed to any more danger than that to which we would expose our own children. The Department for Education, in consultation with Ofsted, needs to reconsider their guidance - taking account of recent Court judgements - to ensure that staff are able to keep children safe by preventing them leaving homes at time of danger, either by locking doors or using restraint, and that they can be confident in the legality of their doing so.” (pg 44).

## APP 1... protocols for the use of Behaviour Recovery Room

**Recording and Reporting**

All restrictive physical incidents should be recorded on Behaviour Watch within a 24 hour period by the person who led the intervention, (this should be decided at the time). Reports should be ‘concluded’ (i.e. all participants have made their contributions) for review within 2 working days of an incident. Incidents will be monitored throughout the year by SMT as a regular agenda item at meetings.

The overall number of Ground Holds are reported each half term to Team Teach and The Trust. Governors are also kept up to date with the number of Ground Holds used at Full Governing Body meetings.

The use of seclusion/isolation is recorded and outlines who was involves, when (and for how long they were secluded), why this was considered to be the safest option and how was the student responding once secluded/ isolated.

A health & safety Accidents & Aggressive Incident form will need to be completed and returned to the trust health and safety team if injury has occurred to a staff member or student during an incident.

Where staff have been involved in an incident involving reasonable force they should have access to counselling and support if required.

## Monitoring incidents

Incidents are monitored continuously by the Wellbeing teams who ensure that information can be passed on as necessary to the appropriate staff eg, Safeguarding Managers, SMT, SLT, Mental Health lead and care team (as appropriate).

Reviews of incident levels are carried out regularly at SMT meeting as part of a rolling agenda. These will be used to inform planning and to meet individual student and school needs as appropriate. Any incident which is considered ‘significant’ as a result of the levels of violence used, amount of damage caused, police involvement or the time spent in seclusion will be reviewed more promptly.

Restrictive Physical Interventions are not considered in isolation and the school is committed to ensuring that following incidents, learning opportunities are created for children that allow them to reflect on and take responsibility for their behaviour.

## Complaints and Allegations

The availability of a clear policy about reasonable force and early involvement of parents should reduce the likelihood of complaints but may not eliminate them. Any complaints about staff will be investigated as appropriate.

Staff are trained to use ‘Team Teach’ techniques as the preferred positive behaviour management and physical intervention strategy.

Where a complaint or allegation is made, the school will follow the appropriate procedures which may include a referral to the LA designated officer.

## Police Intervention

If it is felt that a situation can no longer be managed safely by school, then the decision may be made by senior school staff to call for police assistance.

# Power to Search Students Without Consent (Sept 2022)

Headteachers and staff they authorise have a statutory power to search a pupil or their possessions where they have reasonable grounds to suspect that the pupil may have a prohibited item listed below or any other item that the school rules identify as an item which may be searched for.

* knives or weapons
* alcohol
* illegal drugs
* stolen items
* tobacco and cigarette papers
* fireworks
* pornographic images
* any article that the member of staff reasonably suspects has been, or is likely to be, used:
* to commit an offence, or
* to cause personal injury to, or damage to the property of, any person (including the pupil).

Under common law, school staff have the power to search a pupil for any item if the pupil agrees. The member of staff should ensure the pupil understands the reason for the search and how it will be conducted so that their agreement is informed.

Additional information can be found at the link below.

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachm](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1091132/Searching__Screening_and_Confiscation_guidance_July_2022.pdf) [ent\_data/file/1091132/Searching Screening\_and\_Confiscation\_guidance\_July\_202](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1091132/Searching__Screening_and_Confiscation_guidance_July_2022.pdf)

[2.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1091132/Searching__Screening_and_Confiscation_guidance_July_2022.pdf)

# Staff development and support

All teaching and support staff receive Team Teach training at the earliest opportunity as part of their induction. Team Teach is a nationally accredited positive behaviour management strategy. Shenstone Lodge School has Advanced Level Trainers across both sites who lead the training.

Staff receive a comprehensive continuous package of training regarding social, emotional and mental health needs. This is delivered through internal and external professionals.

Continuous professional development is offered twice weekly to all staff teams throughout the term. 5 INSET days are given to all staff.

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

1. clearly understand this policy and their duty of care responsibilities
2. are provided with appropriate training to support the management of behaviours that challenge including the use of reasonable force.

# Liaison with Parents/Carers and organisations

Shenstone Lodge promotes working with parents and carers. With regard to behaviour that challenges, we know that we are more likely to succeed if parents and carers are supporting the school.

Shenstone Lodge School behaviour management systems underpin all of our everyday work. Every student is an individual and as such may have particular circumstances and

needs that require us to respond to them differently. Each school prides itself on being able to offer this flexibility to support to its students.

We also acknowledge that some students need a more bespoke offer to address their individual needs, this may include referrals to external professionals and/or organisations.

# Appendix 1

## PROTOCOLS FOR USE OF THE ‘Behaviour Recovery Room’

Any physical management at this level has to be underpinned and considered to be reasonable, proportionate and ‘in the best interest of the child’ to have any credible defence. Any member of staff using this strategy must be able to demonstrate that they considered alternative options and balanced the relative elements of risk. Using the behavior recovery room may be considered as an alternative to using a ‘hands on’ physical intervention to improve the safety of all concerned.

A ‘locked’ door should not form part of a planned behaviour management plan

This is not using a room for ‘Time Out or Withdrawal’ purposes which requires student compliance.

It is important to note that a student’s presentation and level of risk may change whilst in the Behaviour Recovery Room. As a result an emergency response, ‘forcibly’ preventing the student from leaving the space (seclusion), could transition to ‘time out’ as part of the ‘recovery process’. This may described on the incident form as 5 minutes ‘seclusion’ and 10 minutes ‘time out’.

Guidance

* Action at this level is not the norm
* Seclusion can be considered to be a physical intervention and as such the same recording and reporting protocols should be followed
* Students secluded are monitored/ observed to ensure safety and best interest’ principles are maintained
* Any use of seclusion should be for the least amount of time required to reduce the level of risk presented
* The use of seclusion has to be reasonable, proportionate and ‘in the best interest of the child’
* Any individuals using seclusion as a management strategy, must be able to demonstrate how and why this action was ‘in the best interest’ of the child
* Any individuals using seclusion should ensure parent/carers have been informed as appropriate

Students who are known to require regular support at this level should have a risk assessment and/or an Individual Crisis/Behaviour Management Plan available to staff outlining a range of alternative management strategies to try to avoid and reduce such high level physical responses

**Definitions used and understood by Shenstone Lodge School Staff**

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| **Shenstone Lodge** | Refers to both Shenstone and Brades sites. |
| **Seclusion/Isolation (Isolation is used interchangeably in DFE and OFTSED documents)** | Forcing a person to spend time alone for safety reasons. The student will be actively supported, monitored and supervised. |
| **Withdrawal** | Removing, sometimes forcibly a pupil from a situation which causes anxiety or distress to a location where they can be continuously observed and supported until they are ready to resume their usual activities. |
| **Time out** | Allowing a person some time and space to calm down in a space where they present low risk and can be actively supported, monitored and supervised |
| **Behaviour** | An observable communication of need |

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| **Restrictive Physical Intervention** | ***any method which involves some degree of direct force to try and limit or restrict movement****(Risk Reduction Network 2019)* |
| **Reasonable Force** | There is no legal definition of reasonable force. The use of force can only be regarded as reasonable if the circumstances of the particular incident warrant it and the degree of force employedis proportionate to the level of challenging |

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|  | behaviour presented or the consequences it is intending to prevent. |