

St. Bernard's Extra

POLICY ON CARE AND CONTROL OF PUPILS

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 club to explain the club's arrangements for care and control. Its contents are available to parents and pupils. A statement about the Clubs Discipline and Behaviour policy is made to parents in the Club prospectus. 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. It also follows the policies of Lancashire Education and Cultural Services Committee.

The policy should be read in conjunction with other club policies relating to interaction between adults and pupils such as our Behavioural/Discipline Policy

Purpose of policy

Good personal and professional relationships between staff and pupils is vital to ensure good order in our club. It is recognised that the majority of pupils in our club respond positively to the discipline and control practised by staff. This ensures the well-being and safety of all pupils and staff in club. 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 club:

- 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 are provided with appropriate training to deal with these difficult situations

however parent helpers & college students 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

Physical Contact

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

Circular 10/98
Paragraphs 33 and 34

Physical Intervention

This 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.

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.

Underpinning values

Pupils attending St. Bernard's Extra and their parents have a right to:

- individual consideration of pupil needs by the staff who have responsibility for their care and protection;
- expect staff to undertake their duties and responsibilities in accordance with the club's policies;
- be informed about club rules, relevant policies and the expected conduct of all pupils and staff working in club;
- be informed about the club's complaints procedure.

Staff must work within the framework of the policy. The club will need to determine how it monitors the effectiveness of this and related policies.

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

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

Authorised staff

In this club all staff are authorised to use reasonable

Authorisation is not given to volunteers, parents and students.

The Supervisor 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 Supervisor will ensure that those authorised are aware of, and understand, what the authorisation entails. Those whom the Supervisor has not authorised will be told what steps to take in the case of an incident where control or restraint is needed, for example to contact an authorised member of staff.

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

Training

Training for **all** staff will be made available and will be the responsibility of the Supervisor. 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 acknowledgement 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.

Specific techniques for control will form the basis for Section 2 of the policy where clubs require such detail. It is imperative that all staff who use reasonable force are familiar with the whole policy and recognise the occasions when it is appropriate to use physical intervention.

Escalating situations

The 1996 Education Act (Section 55O 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 club or among any of its pupils, whether the behaviour occurs in a classroom during a teaching session or elsewhere (this includes authorised out-of-club 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).

In these situations clubs will need to make professional judgements concerning the involvement of the police.

Types of incidents

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

The examples quoted are from Paragraphs 14 and 15, Circular 10/98

- where action is necessary in self-defence or because there is an imminent risk of injury;
- where there is a developing risk of injury, or significant damage to property
- 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 on the verge of committing, deliberate damage or vandalism to property;
- a pupil is causing, or at risk of causing, injury or 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 the Club

Examples of situations which fall into the third category are:

- a pupil persistently refuses to obey an order to a pupil is behaving in a way that is seriously disrupting a session.

Acceptable measures of physical intervention

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

Section 2 of the policy will outline particular techniques which may be used following appropriate training.

- 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.

Section 2 sets out the policy on techniques

Any such measures will be most effective in the context of the overall ethos of the club, 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.

The overall ethos of the club will be central to reducing the number of incidents and to dealing with them effectively when they do arise.

Recording

Where physical intervention has been used to manage a pupil, a record of the incident will be kept & a parent / carer will sign the record. Where physical control or restraint has been used a record of the incident **will** be kept & parent / carer sign record too. This record should be made in the Club Serious Incident book and/or Bullying Racial Incident Book (located in office) which will include

- name of pupil
- date, time and place of incident
- a brief description of the incident and actions taken.

Where an incident has been resolved it may be helpful to advise the governors in broad terms but without specific references to individuals.

The Incident Book report will be completed as soon as possible after the incident, normally prior to staff going off duty and be signed by all staff involved and the Supervisor.

In addition, specific details of the use of reasonable force will be recorded on Form RF1 which will include:

- how the incident developed;
- attempts made to calm the situation;
- names of any staff or pupils who witnessed the incident;
- the outcome of the incident including any injuries sustained, by any pupil or member of staff;
- any damage to property which has resulted;
- whether/how parents have been informed;
- and, after investigation, a summary of actions taken.
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Staff may find it helpful to seek advice from a senior colleague or representative of their professional association/union when compiling a report. **They should also keep a copy of the report.**

After the review of the incident, copies of Form RF1 will be placed on the pupil's file and in the club's general file on the use of reasonable force.

A Health and Safety Accident/Incident Form (HS1) will be completed and returned to the Authority.

Where staff have been involved in an incident involving reasonable force they should have access to counselling and support. Within the club, this will be made available through the Supervisor. Staff may also contact the Directorate Stress line and/or the County Council's Welfare and Counselling Section.

Amend if another appropriate senior member of staff has responsibility.

Welfare Counselling telephone no (01772) 263331.

Action after an incident

The Supervisor will ensure that each incident is reviewed and investigated further as required. If further action is required in relation to a member of staff or a pupil, this will be pursued through the appropriate procedure:

Child Protection Procedure (this may involve investigations by Police and/or Social Services)

Advice on the appropriate procedure should be sought from the Senior Area Personnel Officer. DfEE circulars 10/95 and 11/95 give guidance about procedures for dealing with allegations against staff.

See also LEA guidance (Sept 1997) and Child Protection arrangements.

Staff Facing Allegations of Abuse Procedure

Staff or Pupil Disciplinary Procedure

Club Behaviour Policy

Exclusions Procedure

The member of staff will be kept informed of any action taken. In the case of any action concerning a member of staff, he/she will be advised to seek advice from his/her professional association/union.

Complaints

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 dealt with under the Club's Complaints "About Staff Procedure".

The Directors will be informed of complaints

Monitoring of incidents

Whenever a member of staff has occasion to use reasonable force, this will always be recorded and documented. Monitoring of incidents will help to ensure that staff are following the correct procedures and will alert the Supervisor to the needs of any pupil(s) whose behaviour can only be contained by the use of reasonable force

This process will also address patterns of incidents and evaluate trends which may be emerging.