

Care and Control Policy

INTRODUCTION

This policy has been prepared for the support of all teaching and support staff who come into contact with pupils and for governors and volunteers working within the school to explain the school's arrangements for care and control. Its contents are available to parents and pupils.

The policy has been developed in response to the recommendations of circular 10/98 'The Use of Force to Control or Restrain Pupils.' It also follows the policies of Lancashire Education and Cultural Services Committee.

The policy should read in conjunction with other school policies relating to interaction between adults and pupils.

PURPOSE OF POLICY

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 the discipline and control practised by staff. This ensures the well being and safety of all pupils and staff in school. It is acknowledged that in exceptional circumstances, staff may need to take further action in situations where the use of reasonable force may be required to ensure the safety of others. The policy pays due regard to the need to eliminate unlawful racial discrimination, to promote equality of opportunity and to promote good relations between persons of different racial groups.

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

- Clearly understand this policy and their responsibilities in the context of their duty of care in taking appropriate measures where reasonable force is necessary.
- Undertake a thorough induction which includes the Care & Control of Pupils.
- Are provided with appropriate training to deal with these difficult situations.
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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 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 case of pupils with learning/physical and hearing disabilities; in games/PE; to comfort pupils.

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

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.

EQUAL OPPORTUNITIES

All children have the right to be treated equally regardless of race, gender, creed or ability, in line with the school's policies on Special Educational Needs [SEN] and Able, Gifted and Talented [AGT] children. This policy pays due regard to the Disability Discrimination Act.

AUTHORISED STAFF

In this school all teachers with appropriate training are authorised to use reasonable force. Within the school, this authorisation will be extended to the following: - Teaching Assistants and Special Support 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, for example to contact an authorised member of staff.

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

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 could 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.

ESCALATING SITUATIONS

The Education act stipulates that reasonable force may be used to prevent a pupil 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 her 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: -

- 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 in which he or she might have or cause an accident likely to injure himself 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 in kept in a 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: -

- It is warranted by the particular circumstances of the incident;
- It is delivered in accordance with the seriousness of the incident and the consequences which it is desired to prevent;

- It is carried out as the minimum to achieve the desired result;
- The age, understanding and gender of the pupil are taken into account;
- 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 the 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

Where physical intervention has been used to manage a pupil, a record of the incident may need to be kept. Where physical control or restraint has been used a record of the incident will be kept. This record should be made in a school incident book, which will include: -

- Name of pupil.
- Date, time and place of incident.
- A brief description of the incident and actions taken.
- 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 Headteacher.

In addition, specific details of the use of reasonable force will be recorded on form RF1 that 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 investigations, a summary of actions taken.

Staff may find it helpful to seek advice from a senior colleague or representative of their professional association / union when compiling a RF1. They should also keep a copy of RF1. After the review of the incident, copies of form RF1 will be placed on the pupil's file and in the school'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 school, this will be made available through the Headteacher. Staff may also contact the Directorate stress line and/or the County Council's Welfare and Counselling Section.

ACTION AFTER AN INCIDENT

The Headteacher 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].
- Staff facing allegations of Abuse Procedure
- Staff or Pupil Disciplinary Procedure.
- School 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 School's Complaints About Staff Procedure. The Chair of Governors will be informed of complaints but other governors will not be involved as a complaint may require further action on their part.

MONITORING OF INCIDENTS

Whenever a member of staff has 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 Headteacher 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.

Tatham Fells CE (VC) Primary School

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Signed (Headteacher):

Signed (On behalf of the Governing Body):

Date: March 2014

Review date: March 2017