



Chad Vale Primary School Care and Control Policy 2014

Chad Vale Primary School is committed to safeguarding and promoting the welfare of children and young people and expects all staff, volunteers and visitors to share this commitment.

1.0 Purpose of policy

Good personal and professional relationships between adults and pupils are vital to ensure and maintain outstanding behaviour in our school. It is recognised that the majority of pupils in our school respond positively to the discipline and rules set out in the school behaviour policy. This ensures the well-being and safety of everyone in school.

In exceptional circumstances, staff may need to take action in situations where the use of reasonable force may be required. Chad Vale Primary School acknowledges that physical techniques are only part of a whole setting approach to behaviour management (see Behaviour and Achievements Policy).

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.

Implications of the policy

The 'Use of Reasonable Force- Guidance for head teachers, staff and governing bodies' (2011) states that reasonable force may be used to prevent a pupil from:

- hurting themselves or others
- damaging property
- causing disorder

All members of school staff have a legal power to use reasonable force, (including people the head teacher has temporarily put in charge of pupils such as unpaid volunteers or parent helpers on trips.) However, individual members of staff cannot be required to use physical restraint. As teaching and non-teaching staff work in 'loco parentis' and should always operate with an appropriate 'Duty of Care', they could be liable for a claim of negligence if they fail to use reasonable force where appropriate within this policy.

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 this 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 of Positive Handling.

No legal definition of “reasonable force” exists however for the purpose of this policy and the implementation of it in Chad Vale Primary School:

- Positive Handling uses the minimum **degree of force necessary for the shortest period of time** to prevent a pupil harming himself, herself, others or 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.

Nature of physical contact between adults and children

1. Physical Contact

Situations in which proper physical contact occurs between staff and pupils, e.g. in the care of pupils and in order to support their access to a broad and balanced curriculum. These incidents do not need to be recorded as a matter of course and there is further guidance regarding appropriate contact (e.g. hand holding) in the staff handbook.

2. Physical Force (Control)

This may be used to block or divert a pupil from a destructive or disruptive action, guiding or leading a pupil by the arm or shoulder away from a situation or location.

3. Physical Force (Restraint)

This may be used to hold back physically or to bring a pupil under control. It is typically used where pupils are fighting and refuse to separate without physical intervention.

Incidents under categories 2 and 3 must be recorded on SIMS using ‘Positive Handling’ Incident type.

Teachers should send the red triangle before any control or restraint is used to enable immediate support for the teacher and child, where this is appropriate.

SCHOOLS CANNOT USE FORCE AS PUNISHMENT- IT IS ALWAYS UNLAWFUL TO USE FORCE AS A PUNISHMENT.

The level of compliance from the pupil determines whether or not the interaction is an intervention or a control/restraint.

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 protection;*
- *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.

Staff from the LA/Outside Agencies working within the school

It is the Head teacher's responsibility to ensure that visitors to school are aware of school policy and practice.

Training

Training for all staff will be made available and will be the responsibility of the Head teacher. Arrangements will be made clear as part of the induction of staff and training will be provided as part of on-going staff development.

Chad Vale Primary School acknowledges that physical techniques are only a part of a whole setting approach to behaviour management. The

governors of the school are committed to working within the LA's framework for accessing training in that: -

- It will review its behaviour policy on at least a two-year cycle.
- 'Team Teach' positive handling training is provided on a 3 yearly basis.
- Additional training will be delivered on a needs based approach and procedures are in place to monitor incidents following a behavioural audit and implementation of appropriate risk management procedures.

Recording

Where physical control or restraint has been used a record of the incident will be kept on SIMS. This record will be completed as soon as possible after the incident, normally prior to staff going off duty and be sent to all staff involved and the Headteacher. Parents must also be informed after any incident of Positive Handling has occurred.

A Health and Safety Accident/Incident Form will be completed and returned to the Authority in situations where injury has occurred to either members of staff or pupils. Where staff have been involved in an incident involving reasonable force they should have access to counselling and support.

Monitoring incidents

Whenever a member of staff has occasion to use reasonable force, this will always be recorded and documented following agreed procedures. Monitoring of incidents will help to ensure that staff are following the correct procedures and will alert the Head teacher to the needs of any pupil(s) whose behaviour may require the use of reasonable force.

Monitoring of incidents will take place on a regular basis and the results used to inform planning to meet individual pupil and school needs. Governors will be informed of the number of positive handling incidents through the Head teacher's report.

Action after an incident

The Head Teacher 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 procedures and policies:

- Review of classroom rules, rewards and consequences
- Child Protection Procedures (this may involve investigations by Police and/or Children's Services)
- Staff or Pupil Disciplinary Procedure
- School Behaviour Policy

- Exclusions Procedure in the case of violence or assault against a member of staff, serious incident or abscond attempt.

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 investigated through the School's Complaints Policy. If necessary the complaint will be dealt with by the Staff Disciplinary Procedures and/or Child Protection Procedures.

Additional reference documents

**Chad Vale Primary School Behaviour and Achievement Policy
Use of Reasonable Force, Advice for head teachers, staff and governing bodies (DFE, Aug 2011)
Behaviour and Discipline in Schools, Guidance for Governing Bodies (Aug 2011)**

MODEL STATEMENT FOR PARENTS INCLUSION IN SCHOOL PROSPECTUS;

"If staff become aware of, or have a need to become involved in, situations where a child may be at risk of hurting themselves or others, or if the behaviour of a child seriously disrupts good order in the school or causes damage to property, staff may need to take steps to intervene physically. In such circumstances staff will follow the school's policy for dealing with such situations. Any parent wishing to view this policy may do so on request."

Reviewed 28th January 2014

(Paul Sansom)

Agreed by Governors: Feb 2014