

ST. BERNADETTE'S CATHOLIC SCHOOL

Care and Control Policy

At St. Bernadette's Catholic School you will find us caring, hardworking and co-operative. We follow the ways of Jesus using our talents and gifts to make our school special. We show respect to all and welcome you.

Introduction

This policy has been developed in response to The School and Inspections Act 2006, Section 63 which, reinforces previous guidance. It also takes cognisance of recent DfES and DOH letters of guidance and follows the guidance for 'The Use of Reasonable Force To Control or Restrain Pupils' issued by Birmingham Education Service. It follows the outline of the Birmingham City Council model Care and Control Policy.

Good personal and professional relationships between staff and pupils are vital to ensure the well being of all pupils and staff in school. It is recognised that the majority of pupils respond positively to the behaviour strategies 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.

Section 93 of the Education and Inspections Act (2006) enables school staff to use such force as is reasonable in the circumstances to prevent a pupil from doing, or continuing to do for any of the following:

- Committing any offence (or for a pupil under the age of criminal responsibility, what would be an offence for an older pupil)
- Causing personal injury or damage to the property of any person (including themselves)
- Prejudicing the maintenance of good order and discipline at school or among any pupils receiving education at the school, whether during a teaching session or otherwise.

The objectives of this policy therefore is to ensure that

- The safety of both staff and pupils in school is upheld
- Serious breaches of school discipline are prevented
- Damage to property is prevented

THIS POLICY DOES NOT AUTHORISE THE USE OF CORPORAL PUNISHMENT IN ANY CIRCUMSTANCES; NOR DOES IT INTEND TO ENCOURAGE THE USE OF INAPPROPRIATE FORCE.

Staff authorised to use force

The staff to which this power applies is defined in Section 95 of the above act. They are

- any teacher who works in the school
- any other person the Head teacher has authorised to have control or charge of the pupils (this includes support staff, teaching assistants, learning mentors, lunchtime supervisors, catering staff and office staff but does not include prefects).

Staff and other persons who are authorised by the Head Teacher to have control or charge of pupils are allowed to use such force as is reasonable in all the circumstances, to prevent a pupil from doing or continuing to do, any of the following:-

- **Committing a criminal offence (including behaving in a way that would be an offence if the pupil were not under the age of criminal responsibility).**
- **Injuring themselves or others.**
- **Causing damage to property (including the pupil's own property).**
- **Engaging in any behaviour prejudicial to maintaining good order and discipline at school or among any of its pupils, whether that behaviour occurs in a classroom during a teaching session or elsewhere.**

The above applies when a member of staff or other authorised person, is on the school premises and when he/she has lawful control or charge of the pupil concerned elsewhere, e.g. on a field trip or other authorised out of school activity.

All staff at school and all other persons authorised by the Head Teacher may use reasonable force to control or restrain pupils.

A wide variety of situations in which reasonable force might be appropriate, or necessary to control or restrain a pupil 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 and discipline.**

Examples of situations that fall within one of the above categories.

- 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 is 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/she might have or cause an accident likely to injure him/herself or others;
- A pupil absconds from a class or tries to leave school; (this applies if a pupil could be at risk if not kept in a classroom or at school);
- 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;

Minimising the use of force

St. Bernadette's School is a calm, orderly, supportive climate that minimises the risk of violence of any kind. An effective positive relationship between staff and pupils is central to good order.

Our PSHCE programme ensures that curriculum materials help pupils to develop skills such as managing feelings. A structured staff approach to staff development and referral of issues is in place to ensure that staff develop skills of positive behaviour management; managing conflict and supporting each other during and after an incident.

Staff will effectively manage individual incidents using clear communication, using non-threatening verbal and body language and ensuring the pupil sees a way out of the situation. Strategies may include, going to a quiet area in the classroom or out of the classroom, involving another member of staff et cetera.

Pupils who are at risk of needing to be restrained will be taught how to communicate in times of crisis and strategies to use in a crisis and ensure that staff are familiar with these strategies. These pupils will have a risk assessment in place (see appendix 1) which will be displayed in the classroom. Class teachers will alert teachers to the child's triggers.

Deciding whether to use force

The judgement on whether to use force and what force to use is always dependent on the circumstances of each case and crucially in the case of SEN information about the individual concerned. Decisions on whether the precise circumstances of an incident justify the use of significant force must be reasonable. Typically such decisions will be made quickly, with little time for reflection. Nevertheless, staff need to make the clearest possible judgement about

- the seriousness of the incident assessed by the effect of the injury, damage or disorder which is likely to result if force is not used
- the chances of achieving results by any other means
- the relative risks associated with physical intervention compared with other strategies.

Using force

Wherever practicable pupils will have a warning that force may have to be used before using it. Before using force, staff should wherever practicable tell the pupil to stop misbehaving and communicate in a calm manner throughout the incident. Staff should not give the impression that they are acting out of anger or frustration or to punish a pupil and should make it clear that physical contact or restraint will stop as soon as it ceases to be necessary.

Types of force may include:

- passive physical contact resulting from standing between pupils or blocking pupil's path
- active physical contact
 - leading a pupil by the arm or hand
 - ushering a pupil away by placing a hand on the centre of the back
 - in extreme circumstances using appropriate restrictive holds which may require specific expertise or training

Where there is high risk of immediate death or serious injury any member of staff would be justified in taking any necessary action. This could include for example stopping a child running into a busy road or being hit with a dangerous object.

Reasonable Force

The use of force can only be considered reasonable if the circumstances of the incident warrant it. Physical force is not justified to prevent a pupil from committing a trivial misdemeanour.

The degree of force employed must be in proportion to the circumstances of the incident and the seriousness of the behaviour.

Any force should be the minimum needed to achieve the desired result.

Before intervening physically Staff should where practicable:-

1. Tell the pupil who is misbehaving to stop.
2. Say what will happen if he/she does not.
3. Continue communicating with the pupil during the incident.
4. Make it clear that physical contact or restraint will stop as soon as it ceases to be necessary.
5. Use a calm and measured approach to a situation.

Sometimes a member of staff should not intervene in an incident without help (unless it is an emergency) e.g. when dealing with more than one pupil, or believes he/she may be at risk of injury.

In this instance the member of Staff should attempt to diffuse the incident orally and try to prevent the incident from escalating, while awaiting assistance.

Physical interventions can take several forms which might involve staff:

- Physically interposing between pupils.
- Blocking a pupil's path.
- Holding.
- Pushing.
- Pulling.
- Leading a pupil by the hand or arm.
- Shepherding a pupil away by placing a hand in the centre of the back.
- (In extreme circumstances) using more restrictive holds.

Reasonable force may be used in preventing a pupil running off a pavement onto a busy road, or preventing a pupil hitting someone, or throwing something.

Staff should not act in a way that might reasonably be expected to cause injury;

- Holding a pupil around the neck, or by the collar, or in any way that will restrict breathing;
- Slapping, punching or kicking a pupil;
- Twisting or forcing limbs against a joint;
- Tripping up a pupil;
- Holding or pulling a pupil by the hair or ear;
- Holding a pupil's face down on the ground;

Staff should always avoid touching or holding a pupil in a way that might be considered indecent.

Staff should always try to deal with a situation through other strategies before using force.

The possible consequences of physical intervention need to be carefully evaluated.

The age and level of understanding of the pupil is also very relevant in those circumstances.

Physical Contact with pupils in other circumstances.

Some physical contact may be necessary to demonstrate exercises or techniques during P.E. lessons, sports coaching, or D.T., or if a member of Staff has to give First Aid. Young children and children with special educational needs may need Staff to provide physical prompts or help. Touching may also be appropriate where a pupil is in distress and needs comforting. Staff should use their own professional judgement when they feel a pupil needs this kind of support.

Staff should bear in mind that even innocent and well-intentioned physical contact could sometimes be misconstrued.

Recording and reporting incidents

The purpose of recording is to ensure policy guidelines are followed, to inform parents, to inform future planning as part of school improvement processes, to prevent misunderstanding or misinterpretation of the incident and to provide a record for any future enquiry.

Staff should ask the following questions when deciding if an incident should be recorded. If the answer is yes to any then a written record will be made.

- Did the incident cause injury or distress to a pupil or member of staff?
- Even though there was no apparent injury or distress was the incident sufficiently serious in its own right to require a written record?
- Is a written record needed to justify the use of force?
- Is a written record needed to help identify patterns of pupil behaviour or staff training needs?
- Were other agencies involved e.g. the police?

Incidents will be recorded on the school's care and control form and be uploaded to MyConcern.

After a recordable incident parents will always be informed. Parents will be informed when and where the location took place, which staff were involved, why force had to be used, what force was used, whether there were any injuries and what follow-up action (support and/or disciplinary) is being taken in relation to the child.

Post-incident support

Immediate action should be taken to provide first aid for any injuries. It is important that staff and pupils are emotionally supported after the incident. School will decide whether multi-agency partners should be involved and if so, which partners. School will ensure staff and pupils affected by the incident have continuing support for as long as necessary in respect of:

- Physical consequences
- Support to deal with emotional stress or loss of confidence
- Opportunity to analyse reflect and learn from the incident

Complaints and allegations

School will address complaints made by parents by following the guidance set in Safeguarding Children and Safer Recruitment in Education. Other complaints will be dealt with under the school's complaints procedures.

Monitoring and review

This policy will be reviewed annually and shared with all staff.

St. Bernadette's Catholic School
Positive Handling Plan
Risk Assessment

Name:

Class:

TRIGGER Behaviours: (Describe common behaviours / situations which are known to have led to Positive Handling being required. When is such behaviour likely to occur?)

TOPOGRAPHY of Behaviour: (Describe what the behaviour looks / sounds like?)

PREFERRED Supportive and intervention Strategies (Other ways of C.A.L.M.ing such behaviours. Describe strategies that, where and when possible, should be attempted before handling techniques are used)

Verbal advice and support		Distraction (Known key words, objects etc, likes)	
Reassurance		Take up Time	
C.A.L.M talking/Stance		Time out (requires a written Plan)	
Negotiation		Withdrawal (Requires Staff/Carer observation)	
Choices/Limits		Cool off: Directed /offered (delete as appropriate) Time allowed out to calm.	
Humour		Contingent Touch	
Consequences		Transfer Adult (Help Protocol)	
Planned Ignoring		Success Reminder	
Others?			

Praise Points / Strengths: (Areas that can be developed and built upon).
Please state at least 3 Bridge builders

1:

2:

3:

Medical Conditions that should be taken into account before physically intervening.
i.e. Asthma, Brittle bones

Preferred Handling Strategies :(Describe the preferred holds: standing, sitting, ground, stating numbers of staff, what “get outs” that can be used when holding, etc)

De-briefing process following incident: (What is the care to be provided)

Recording and notifications required:

Please print:

Establishment:

Placing Authority:

Parents/Guardians:

Name:

Date: ___ / ___ / ____

Please sign:

Name:

Name:

Name:

Signature:

Review Date: ___ / ___ / ____

Other Factors to Consider:

- Key behaviour difficulties
- Our understanding of the behaviour
- What we want to see instead
- Environmental Changes that might help
- How the individual can help
- How Parents or Carers can help
- Rewarding progress
- Monitoring progress