# The Rosary Catholic Primary School

**Telephone No 0121 464 4519**

**www.rosaryrc.bham.sch.uk**

**CARE & CONTROL POLICY**

**(including Physical restraint)**

**Based on the values and principles of the UN Convention on the Rights of the Child.**

**2024 - 2025**

“Jesus Christ, son of Mary, Son of God, is the centre of the Rosary community where we live, love and learn together”

Adopted: October 2023

Review: October 2024

The Rosary Catholic Primary School

*The use of Positive Handling to manage physically challenging behaviour.*

# *For the spirit God gave us does not make us timid, but gives us power, love and self-discipline. Timothy 1:2*

*Our school is committed to the UN convention on the rights of the child. This policy reflects the following articles;*

*Article 3 – Best interests of the child*

*Article 19 – Protection from violence, abuse and neglect*

*Article 28 – Right to education*

This policy has been developed taking note of DFE guidance: The Use of Reasonable Force (July 2013), Keeping Children Safe in Education, Section 93 of The Education and Inspections Act 2006 and the joint DFES/DOH guidance: Guidance for Restrictive Physical Interventions (July 2002). It follows the outline of the Birmingham City Council model Care and Control Policy.

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

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

*The word ‘staff’ in the context of this policy is taken to include; teaching, non-teaching and authorised regular volunteers working in The Rosary Catholic Primary School.*

# Purpose of the 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 the Rosary Catholic Primary 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. The Rosary School acknowledges that physical techniques are only part of a whole setting approach to behaviour management and will only ever be used as a last resort when all other de-escalation techniques have been considered and/or ruled out.

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

1. 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
2. are provided with appropriate training to deal with these difficult situations.

# Implications of the policy

The Education and Inspections Act 2006 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 Rosary Catholic Primary School or among any of it’s pupils, whether the behaviour occurs in a classroom during a teaching session or elsewhere within school (this includes authorised out-of-school activities).
* Self – injuring
* Causing injury to others
* Committing a criminal offence

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.

The Head Teacher and staff authorised by them have a statutory power to search pupils or their possessions, without consent, where they have reasonable grounds for suspecting that the pupil may have a prohibited item e.g. knives or weapons, alcohol, stolen items.

School will follow the guidelines given in the DfE publication *Searching, screening and confiscation – advice for head teachers, school staff and governing bodies* (February 2014) in implementing any search.

# Definitions of Positive Handling

For the purpose of this policy 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.

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.

2.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 arm or shoulder where the pupil is compliant.

3.Physical Control/Restraint

This will involve the use of reasonable force when there is an immediate risk to pupils, staff or property. It is important to note that the use of reasonable force should be seen as a last resort. **ALL SUCH INCIDENTS MUST BE RECORDED & REPORTED TO THE HEAD TEACHER.**

**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 the 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 the school and their parents have a right to:

* Individual consideration of pupils 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 the 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 that govern behaviour in the school.

## Authorised staff

In The Rosary School all teachers are authorised to use reasonable force within the context of The Education and Inspections Act 2006 ‘The Use of Reasonable Force to Control and Restrain Pupils’.

Only staff specifically authorised by the Headteacher & who have received appropriate training, to have control or charge of pupils may use reasonable force to manage or control pupils.

The school provides training for all authorised staff and the Headteacher retains a list of all those staff trained and authorised. The list is reviewed on an annual basis.

Authorisation is not given to volunteers, students on placements, visitors or parents. Supply staff must ensure that they make themselves familiar with this policy.

**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.**

## Training

Training for all staff will be made available and will be the responsibility of the Head Teacher. 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.

The Rosary 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 for learning policy annually.
* 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
* All training will include theory on the following:
* Causes of challenging behaviour
* Primary prevention strategies
* Positive behaviour management
* De-escalation
* Risk assessment
* Behaviour support planning
* De – brief
* Effective review of policy following the training

Physical techniques are not treated in isolation and the school is committed to ensuring that as a result of incidents learning opportunities are created for children that allow them to ‘own’ and take responsibility for their behaviour.

In addition procedures will be put in place to ensure that appropriate support is provided for staff and that following an incident pupil/staff relationships are rebuilt and repaired to ensure that a positive learning environment is maintained.

All the techniques used take account of a young person’s;

* age,
* gender,
* level of physical, emotional and intellectual development
* special needs
* social context

They should also provide a gradual, graded system of response.

Where appropriate Positive Handling Plans are written for individual children and where possible, these will be designed through multi agency collaboration.

Vulnerable child risk assessments need to be completed against each child when physical restraint may need to be used in the context of the identified target behaviour(s) and environments in which they occur. The assessment should identify the benefits and the risks associated with the strategies being proposed

### Strategies for dealing with challenging behaviour

As endorsed in the school’s Behaviour for learning policy, staff utilise consistent positive strategies to encourage acceptable behaviour and good order in line with the Trauma Informed Attached Aware (TIAAS) approach.

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 and in association with the Education and Inspections Act 2006 Section 93.

* 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 from a member of the SLT (using the red hand system).
* Physical intervention. Reasonable force being used to prevent a child harming him or herself, others or property.

### Types of Incident

The incidents described in The Education and inspections Act 2006 The Use of Reasonable Force to Control and Restrain Pupils 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 which he or she might have or cause an accident likely to injure him 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 kept in the 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**

* Strategies for preventing occurrence of behaviours which precipitate the use of physical intervention are to be employed. Positive strategies to be used to prevent situations escalating.
* Strategies for ‘de-escalation’ or ‘diffusion’ which can avert the need for a physical intervention include transference for the pupil in question in another classroom or with a member of the SLT.
* If physical intervention is necessary all incidents to be recorded. Parents will be informed and invited to a meeting to discuss the situation.
* The concept of reasonable force where ‘reasonableness’ is determined with reference to all the circumstances, including
1. The seriousness of the incident
2. The relative risks arising from using a physical intervention compared with using other strategies
3. The age, cultural background, gender, stature and medical history of the child or service user concerned

## Recording

Where physical control or restraint has been used a record of the incident will be kept in the school Care & Control Incident Book. This is a hard-backed book retained by the Head teacher.

Appropriate documentation will be completed as soon as possible after the incident, (within 24 hours) normally prior to staff going off duty and be signed by all staff involved and the Head Teacher.

After the review of the incident, a copy of the details will be placed on the pupil's file.

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 had 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.

To support the Head Teacher & school and ensure objectivity external support will be sought.

### 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 procedure:

Review of Behaviour Plan

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

Staff or Pupil Disciplinary Procedure

School Behaviour Policy

Exclusions Procedure in the case of violence or assault against a member of staff

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.

**POLICY ON CARE AND CONTROL OF PUPILS**

MODEL STATEMENT FOR PARENTS ON THE USE OF REASONABLE FORCE FOR 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.