



# Hoole St. Michael Church of England Primary School

## Care and Control Policy

Member of staff responsible: J Price

Date approved by the Chair of SEC: November 2022

Date to be reviewed: November 2024

### Mission Statement

*Christ's love is in everything we do at Hoole St Michael. Our high-reaching and creative Church of England Primary School is safe, loving and supportive. We encourage the building of good relationships and friendship through respect, tolerance and understanding. Within our Christian family, where parents are our partners in all aspects of school life, we aim to inspire a love for learning within each and every child.*

### 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 school to explain the school's arrangements for care and control. Its contents are available to parents and pupils. A statement about the School's Discipline and Behaviour policy is made to parents in the School 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.

The policy was prepared after staff discussion on 30<sup>th</sup> November 2009 and was accepted by the Governing Body on 1<sup>st</sup> February 2010. The responsible person for the implementation of the policy is the Headteacher. The policy will be reviewed annually by the Headteacher and the Pupils and Curriculum Committee on behalf of the Governing Body.

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

- Behaviour Policy,
- Child Protection Policy,
- Managing Violence and Aggression in Schools
- Guidance for Safer Working Practice for Adults who Work with Children and Young People

### PURPOSE OF POLICY

Good personal and professional relationships between staff and pupils is 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 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 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.

However individual members of staff cannot be required to use physical restraint if this would comprise their own personal safety or that of others.

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, e.g. 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**

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

Both staff and pupils have a right to work in a safe environment but the primary focus of the policy is with the child.

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.

Staff must work within the framework of the policy.

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

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

### **AUTHORISED STAFF**

At Hoole St Michael C of E School, all staff are authorised to use reasonable force to have control or charge of pupils. They may use reasonable force to manage or control pupils to:

- Prevent hurting self or others.

Authorisation is not given to volunteers or parents.

Should a situation arise where a teacher is not present e.g. lunchtime, then it is important that a member of the teaching staff is sent for without delay. The school operates a 'walkie-talkie' system at lunch and playtimes, these should be used to summon immediate help.

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 this school's policy and have undertaken training.

The Headteacher will maintain a list of those who have been authorised and training which has been provided. This list will be reviewed termly.

## **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. This will apply to EWOs, EPS and Support Teachers and SSAs. The LA has responsibility to monitor the Incident Book.

## **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.

Training will be appropriate to the age, maturity and learning needs of the pupils.

## **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:

1. Verbal acknowledgement of unacceptable behaviour with request for the pupil to refrain; (this includes negotiation, care and concern)
2. 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.
3. Warning of intention to intervene physically and that this will cease when the pupil complies. If possible summon assistance.
4. 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 of specific training sessions. It is imperative that all staff that 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 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 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 schools 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:

- a) where action is necessary in self-defence or because there is an imminent risk of injury;  
*The examples quoted are from Paragraphs 14 and 15, Circular 10/98.*
- 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 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**

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

- 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.

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.

The overall ethos of the school 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 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

The incident book should be a hard-backed book with each incident numbered to avoid any accusations of removing pages. It should be held in the Headteacher's Office. Refer to definitions in Paragraph 3

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

Model Incident Book format attached.

Where an incident has been resolved, we will advise the governors in broad terms but without specific references to individuals.

The Serious Incident Book report will be completed by a senior member of staff as soon as possible after the incident and be signed by all staff involved and the Headteacher. Staff involved in the incident will be asked to contribute to the report in written form.

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

- 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.

Staff may find it helpful to seek advice from a senior colleague or representative of their professional association/union when contributing to the 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 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.

Welfare Counselling telephone no (01772) 533863. Stress Line (01282) 692079.

### **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

Advice on the appropriate procedure should be sought from the Senior Area Personnel Officer. DfE circular 10/95 and 11/05 give guidance about procedures for dealing with allegations against 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.

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

### **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 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 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.

RF1

**POLICY ON CARE AND CONTROL OF PUPILS**

NAME OF SCHOOL (OR SERVICE): .....

**RECORD OF THE USE OF REASONABLE FORCE**

Reference should be made to the School's Policy on Care and Control of Pupils (Paragraph 12. Recording) before completing this report form. This report should normally be completed as soon as practically possible after the incident.

Name of Pupil

Registration Group/Class

Date and Time of Incident am/pm

Place

Reporting Staff

Staff Witnesses

Child Witnesses



## **1. RECORD OF INCIDENT**

Reason why reasonable force was thought necessary:

Was the child concerned liable to injury? Yes / No

Were other children liable to injury? Yes / No

Were staff liable to injury? Yes / No

Was property about to be damaged? Yes / No

Was good order prejudiced? Yes / No

Other reasons:

RF1

1.1 Concise details of how the incident began, nature of pupil behaviour, the use of techniques other than physical control to defuse the situation, and measures taken to avoid harm to the pupil.

1.2 Description of physical intervention/control/restraint used, including the degree of force used, how that was applied, and for how long.

1.3 Record of any injuries to pupils/staff (a body map should be attached [LACPC Multi-Agency Policy, Guidance and Procedures]).

1.4 Record of any damage to property.

1.5 Measures taken to ensure that the pupil was calmed after the incident.

1.6

Signature

Time am/pm

Date

Report passed to

Designation

RF1

## **2. ACTION TAKEN BY HEADTEACHER/DEPUTY HEADTEACHER/SENIOR MANAGER**

2.1 Name and Designation

2.2 Incident Book completed Yes / No

Signed by Headteacher Yes / No

Head to initial action

Parents informed Yes / No

Incident discussed with pupil Yes / No

Time

Date

Other Professionals informed Yes / No

Name

Designation

Date Informed

2.4 Action Log (any other actions taken/follow up from other professionals etc)

Date

Summary of Actions/Reports

## **APPENDIX A: SERIOUS INCIDENT BOOK SAMPLE**

Headteacher/Deputy/Governor

Entry

No

Date

Staff

Signature

Time

Place

Name of Pupil

(where appropriate)

Serious Incident

HS1

Filed

Signed