



Achieve Excellence

Exceed Expectations

Ysgol Maes y Felin

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Safe and Effective Intervention Policy

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Accessible Formats

This document is available in English and Welsh in Microsoft Word and pdf formats in Arial font size 12 as standard. This document is also available in large print. To request a copy of this document in an accessible format contact Mrs. Debbie Dickinson (01352 711366).



Safe and Effective Intervention Policy

Safe and Effective Intervention: Policy on the Use of Reasonable Force by Staff

This policy document sets out the principles on which the management of challenging behaviour in Ysgol Maes y Felin is based and the broader context in which it applies.

It encompasses a set of approved graduated interventions available to school professionals as circumstances and judgement dictate, including, in the most exceptional circumstances, where the use of reasonable force may be justified.

Staff will be supported in the use of the most appropriate intervention consistent with the application of this policy.

The policy should be read in association with the School Discipline Policy.

The principles set out an overall framework with some additional guidance provided by way of explanation. Day-to-day operation of the policy is a matter for the school, its Headteacher, SLT and all staff.

The principles are based on relevant legal and statutory duties, obligations and responsibilities included in Welsh Government guidance and the expectation by the Governing Body that a safe school environment conducive to teaching and learning is maintained at all times.

The effective application of this policy rests initially on a combination of clear guidance on the powers available, effectively communicated to, understood by and acted upon professionally and consistently by all school staff.

As the basis of effective education is positive behaviour by all pupils, the successful adoption of the policy requires also that pupils, their parents and carers are invited to participate in its formulation, implementation and review.

The Chairs of these Committees will act as governor 'links' to the school community for this policy.

The policy will be reviewed annually by the Governing Body. Criteria to be used include the extent and effectiveness of training, review of reported incidents and feedback regarding the diminution of low-level indiscipline.

Consideration should be given to the appointment of a Critical Incident Controller to oversee incidents that require the summoning of the emergency services prior to their arrival.

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Introduction and Objectives

The Governing body believes that a safe school environment conducive to teaching and learning is the responsibility of each member of the Ysgol Maes y Felin community and should be maintained at all times.

The prime objective of this policy, therefore, is to ensure the safety of pupils and staff.

The Governing Body acknowledges that effective behaviour management relies primarily on the sound professional judgements of members of staff, both individually and collectively.

The Governing Body recognises that clear policies and management strategies, as well as appropriate training in behaviour management, will minimise the number of incidents in which control and restraint are necessary. This policy is particularly aimed at those circumstances, few in number, in which such physical intervention, up to and including the use of reasonable force, is necessary.

A second objective is to prevent serious breaches of school discipline and serious damage to property

Circumstances in which behaviour may need to be managed and controlled and discipline maintained will be many and varied. However, no policy or guidance can anticipate every circumstance likely to arise that requires some form of intervention to be made. Nevertheless, clear guidance should be available sufficient for professional judgements to be exercised that are consistent with both the law and the policies of Ysgol Maes y Felin. Likewise, such guidance should be understood by pupils, parents, carers and others.

The policy and guidance set out below are particularly concerned with the management of difficult and challenging behaviour including the use of force in positive handling ('control') and physical intervention ('restraint').

A further objective of the policy is to recognise and reconcile the rights of each member of the school community.

The policy and associated guidance should be read in conjunction with 'Framework for Restrictive Physical Intervention Policy and Practice' from the Welsh Government, March 2005, revised guidance to be found in 'Safe and effective intervention – use of reasonable force and searching for Weapons', from the Welsh Government, October 2010 (Guidance Document 041/2010) and the School's Behaviour (Respecting Others) and Attendance Policies.

The Governing Body will monitor the implementation of the policy via relevant Committees and review the policy and guidance on an annual basis, using the extent and effectiveness of training, a review of reported incidents and feedback regarding the diminution of low-level indiscipline as criteria.

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Values and Principles

There is an overall requirement that the school environment and attitudes to behaviour are always conducive to good teaching and learning. **This is the responsibility of every member of the school community.** In addition, staff members, individually and collectively, are expected to maintain a safe and orderly learning environment at all times, if necessary by appropriate and proportionate interventions to deal effectively with poor or disruptive behaviour. Some examples of such preventative strategies are set out below.

However, behaviour may be of such a kind that it places the pupil or others at risk of serious harm. This may require different approaches that require the use of force to control or restrain.

Through training, support and the consistent application of this policy staff should feel confident in exercising professional judgements in challenging situations.

In this context it is helpful to distinguish between aspects of control (positive handling) and restraint (physical intervention) that are discussed further below.

This policy and guidance acknowledges the importance of the human and legal rights of staff and pupils, including those not displaying challenging behaviour. They emphasise **prevention over intervention.**

This policy therefore acknowledges that, in exceptional circumstances, the use of reasonable force may be justifiable in law (See Section 2, p6-7, of Guidance Document 041/2010). Specifically, in this regard, the Governing body does not adhere to a 'no contact' policy.

The Governing body notes that it is always unlawful to use force as a punishment.

Minimising the Need to Use Force

It is expected that most incidents of poor behaviour will be manageable without the need for physical intervention by maintaining a calm environment or by the use of de-escalation techniques.

Risk assessments and Individual Behaviour Plans (Appendix A) should be prepared for pupils who repeatedly display unacceptable behaviour. Relevant staff should be informed about and advised how to deal with such pupils.

More direct physical interventions should be employed only when the risks of doing so are outweighed by the risks of not doing so.

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Maintaining a calm environment

The School Discipline Policy (and the support mechanisms available from the Local Authority) provides guidance for basic approaches for dealing with negative or poor behaviour.

Approaches might include:

- Using Positive Behaviour Management
- Adjusting the teaching environment (Seating arrangements etc.)
- Adjusting teaching style
- Modifying curriculum delivery
- Using non-threatening facial/body expressions
- Diversions
- Use of space
- Using low, calm tones
- Physical reassurance and prompts.

The use of de-escalation techniques.

Despite efforts to bring situations under control quickly and quietly, challenging situations can sometimes develop.

The following are suggestions for defusing a challenging situation. They are by necessity broad generalisations. There is no substitute for knowing a person well and what works for them. Some of the strategies suggested stand alone, others work better in combination.

Mostly they involve the control of individual behaviour.

- Remember that everyone involved will be in a heightened state of arousal. Obvious changes such as increased heart rate and muscle tension are likely to be accompanied by less obvious changes, e.g. facial expression, eye contact, quickening of the reflexes.
- When in a challenging situation staff should make every attempt to appear calm and confident, to show self-control and control of the situation. Whether this is genuine matters less than the impression created. However, care needs to be taken to avoid appearing arrogant, challenging, aggressive or confrontational.
- It is important always to consider the child or young person's self-esteem and dignity.

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- Any movement needs to be slow and purposeful. Hesitation and sudden movements should be avoided.
- Allow the pupil to save face by giving them an escape route. Token concessions can work; admit they may have a point.
- Personal boundaries of approximately one to three metres should be respected, unless approaching the person seems helpful.
- Speech and other forms of communication should remain as normal as possible i.e. quiet and clear.
- Aggressive or overtly defensive postures should be avoided.
- Avoid excessive eye contact and remember that the pupil may not want to engage in eye contact – do not make this an issue.
- Nervous laughter should be avoided. Never suggest anger or disgust. A neutral or empathic facial expression is safest.
- Take the discussion with the pupil to somewhere away from the peer group, but not away from a third party otherwise you may be vulnerable.
- Deferring potential discipline and having time out to reflect can help to defuse situations.

Staff Authorised to Use Force

This policy provides prior permanent authorisation to teachers and staff who have control or charge of pupils to use positive handling to control them or physical intervention to restrain them. Control and restraint may involve the use of force.

Others who work regularly in the school may be temporarily authorised by the Headteacher to use such control or restraint techniques.

Caution should be exercised in authorising anybody else to use physical intervention.

Authorisation can be on a long-term basis or for a specific time.

Training and guidance should be provided for all those authorised to use physical intervention to ensure that they are thoroughly conversant with their responsibilities.

A list of people authorised should be kept by the Headteacher, with a clear distinction between those with permanent or with temporary authorisation. It is the Headteacher's responsibility to ensure that those with permanent authorisation are aware of those with temporary authorisation.

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Deciding When to Use Force

There will be occasions when there is a need for immediate and direct intervention involving the use of force, for example, to prevent a pupil from running across a busy road or to prevent injury.

This should only occur:

- when the possible consequences of not intervening are sufficiently serious to justify a consideration of the use of force
- when the chances of defusing the situation by non-physical intervention are low
- when the risks associated with not using force outweigh the risks associated with the use of force
- when there is a clear and significant risk to the health and wellbeing of another individual (child or adult).

Where such situations arise, the welfare, safety and health of both pupils and professionals need to be reconciled.

Any action taken should be properly recorded for accountability and lesson-learning purposes.

Reasonable force

School staff have a legal power to use 'reasonable' force to prevent pupils committing a criminal offence, injuring themselves or others, damaging property and to maintain good order and discipline amongst pupils.

Under the law, in certain circumstances, it is defensible to use force to prevent injury to oneself or to others. **The 'reasonableness' or otherwise of the force used may well be examined and tested in a court of law.**

It is not possible, ahead of time, to define or describe what may be considered 'reasonable' or not in any particular set of circumstances. The following criteria are likely to be used to judge whether the use was force reasonable:

- Was it proportionate to the consequences it was intended to prevent?
- Was the degree of force the minimum needed to achieve the desired result?

Using Force

Only the **minimum force** should be used, proportionate to the circumstances its use is designed to prevent.

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A clear oral warning to the pupil that force may have to be used should always be given.

As far as possible, force should not be used unless or until another responsible adult is present to assist, observe and call for further assistance.

The appropriateness of the physical intervention must always be related to the age, maturity, understanding and capacity of the individual. Appropriateness will also be dependent on the risk factors associated with the individual, the staff and other individuals within the vicinity.

Reasonable force can be used in the following circumstances:

- premeditated violent activity
- violence directed towards others (including that arising from panic, distress or confusion) self-directed violence or self-injury
- where there is a developing risk of significant damage to property
- where a crime is being/likely to be committed.

The Guidance Document 041/2010 also includes the following circumstances under which it may be appropriate to use reasonable force:

- to prevent a pupil from attacking a member of staff, or another pupil, or to stop a fight between two or more pupils
- to prevent a pupil causing serious, deliberate damage to property
- to prevent a pupil causing injury or damage by accident, by rough play, or by misuse of dangerous materials or objects
- to ensure that a pupil leaves a classroom where the pupil persistently refuses to follow an instruction to do so
- to prevent a pupil behaving in a way that seriously disrupts a lesson, or
- to prevent a pupil behaving in a way that seriously disrupts a school sporting event or school visit.

Acceptable types of physical intervention

This policy includes provision for staff to receive accredited training on behaviour management, de-escalation techniques and physical intervention.

It recognizes that there may be situations where staff who have not received such training need to act and use physical intervention. This policy accepts, whether or not authorised staff have received training, there is a legal obligation on them to intervene to prevent harm or injury to a pupil in the school.

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Examples of this might be the use of:

- physically interposing between pupils
- standing in the way of a pupil
- leading a pupil away from an incident.

Forms of physical intervention that should not be used are:

- holding face down on the ground
- holding round the neck or any other hold that might restrict breathing
- kicking, slapping or punching
- forcing limbs against joints (e.g. arm locks)
- tripping or holding by the hair or ear
- any technique reliant on pain.

Use, Threats to Use or the Display of Weapons

Due regard will be given to Welsh Government advice to be found in Guidance Note 041/2010 entitled 'Safe and effective intervention – use of reasonable force and searching for weapons'.

The teacher responsible will notify the Head of any such incident and the police will be called if it is deemed appropriate.

It is not, at present, considered necessary to encompass within this policy the power, given to Schools under Section 45 of the Violent Crime Reduction Act 2006, to search pupils for weapons without their consent. This aspect of policy will be formally reviewed annually by the Governing body.

In the unlikely circumstances of a weapon being associated with challenging behaviour then the Head (or his or her Deputy) will be alerted as soon as practicable to take responsibility of the incident until the Police arrive.

Actions Following the Use of Force.

All incidents when control or restraint techniques involving the use of force are used must be recorded as soon as possible. The following information (as a minimum) must be detailed on an incident sheet or book together with written statements of witnesses:

- names of pupils involved
- the time of the incident
- the place where the incident occurred

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- the names of staff or other authorised adults involved.

Where the incident has been prolonged, or where considerable force has been used, the following details must also be recorded. There must be a clear audit trail which is accessible to all involved, including pupils and their parents/carers and those agencies with a legal right to access such information.

- names of all witnesses, pupils and adults
- signed witness statements
- the reason for physical intervention being used
- a description of the way the incident developed
- details of the outcomes of the incident including injuries and damage
- when the parent/carer was told and how
- names of external agency officers who were informed.

A sample recording form can be found in Appendix B.

A post-incident review should be held after all involved have had sufficient time to be calm. This should include the pupil so that lessons can be learned by pupils and staff. There should be a designated space and time allocated to a review. Any such review should be recorded. Pupils and their parents/carers must have clear information about how to make their views known, how to make a complaint and how to access the services of an advocate.

Investigating Complaints about the use of Positive Handling and Physical Intervention

Complaints procedures

The School's complaints procedure must be followed.

If a complaint is received which alleges some form of abuse or injury the Headteacher or designated person must record the complaint in writing. It is important that the Headteacher confirms to the complainant that the matter will be dealt with in line with the Child Protection Procedures, which will require referral to Social Services for Children and the police. In these cases, the Headteacher should avoid carrying out his own investigation into complaints, other than those essential to determine whether or not the matter should be dealt with under the Child Protection Procedures.

Cases that do not involve allegations or suspicions of abuse

If the Headteacher concludes, after having collected, reviewed and considered all appropriate evidence, that the course of action taken during the incident complied with the school's policies as approved by the Governing Body, and the local authority guidelines and directives, and that in the circumstances there was no

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other reasonable course of action available, or no case to answer, then the following actions must be undertaken:

- notify the complainant of the outcome of the investigation
- notify the pupil's parents or guardians, or responsible person or agency, of the outcome of the investigation
- notify the Director of Lifelong Learning and Chair of Governing Body
- record the outcome of the investigation, sign the record of the incident, ensuring a copy is placed on the appropriate file
- consider whether any disciplinary action is required against the member of staff or pupil involved. If so, this will be pursued in accordance with approved school policies on discipline and behaviour.

Training Opportunities

Training is necessary for the effective implementation of this policy by the School and to give staff confidence in the rare instances that physical intervention may be considered appropriate.

Training in the use of de-escalation techniques can be provided by the Inclusion service through the Behaviour Support Team and the Educational Psychology Service.

Team Teach offers “training in positive handling strategies through a whole setting holistic approach to managing difficult, disturbing and sometimes dangerous behaviours”

Team Teach is a whole school holistic approach to physical intervention.

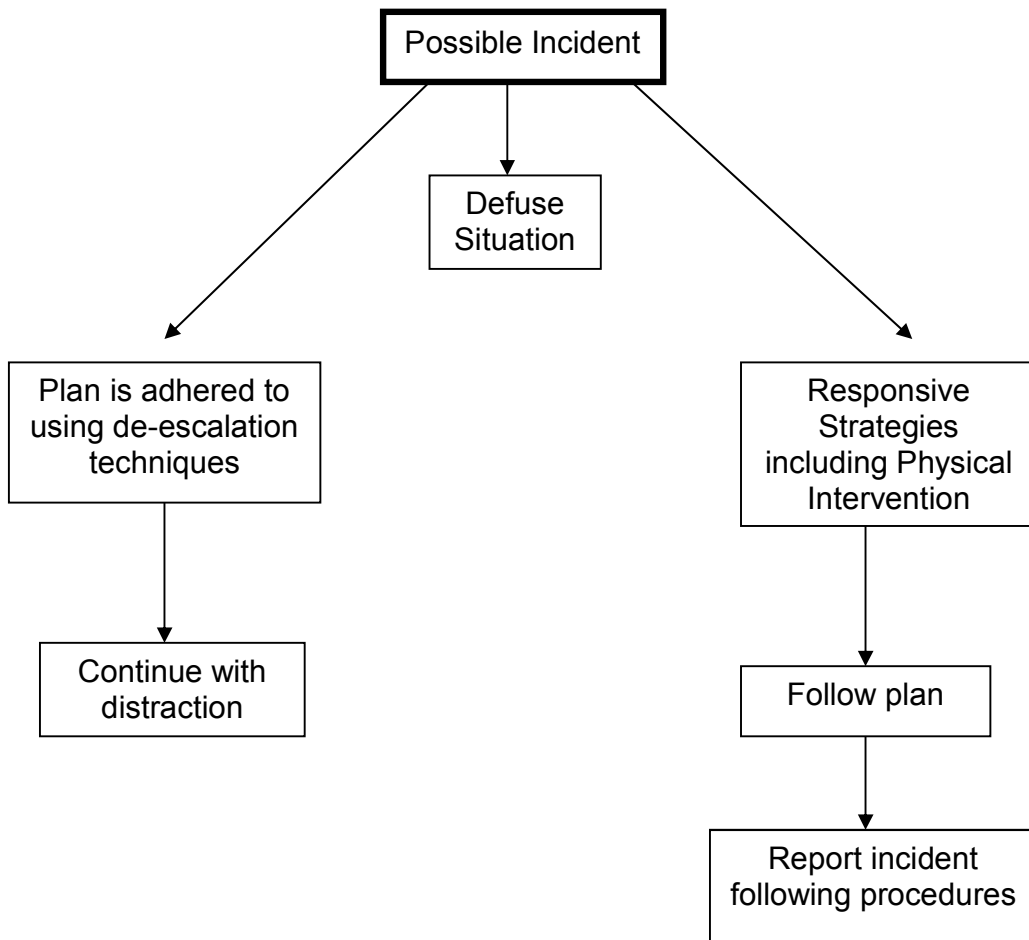
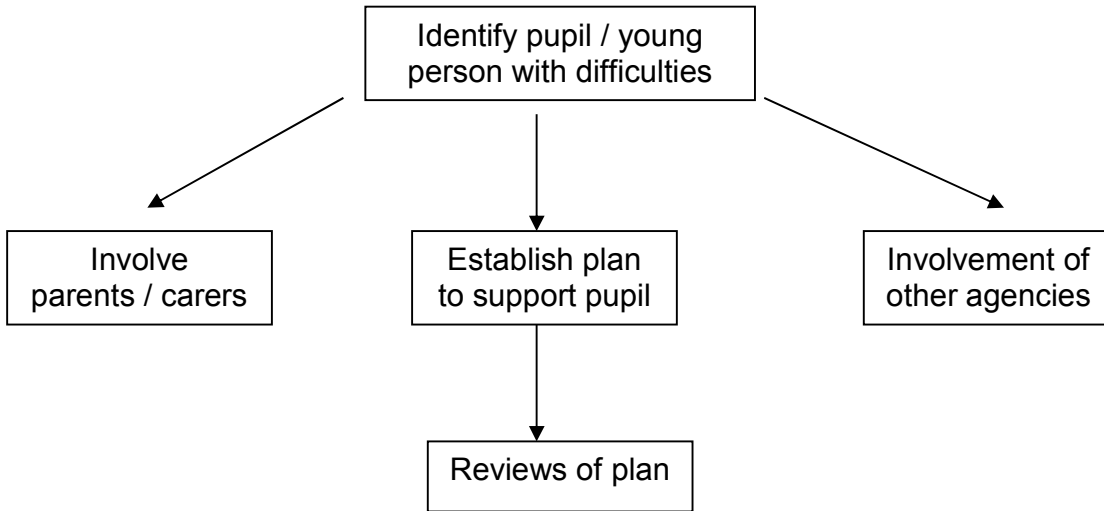
It would be impractical to train all staff within a school in the use of physical intervention techniques. Schools might consider a risk assessment to guide them as to the number of staff it would be practical to train within their school.

Schools who wish to consider formal training for staff in the use of Positive Handling and Physical Intervention techniques should contact David Messum, Principal Learning Advisor for Inclusion, County Hall, Mold.

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Positive Handling and Physical Intervention



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APPENDIX A

Behaviour Plan

Name _____

Year Group _____

Date of Plan _____ Review Date _____

Risk

Disruption Damage to property Fighting Violence and Aggression

Absconding Impulsive / dangerous Self Harm

Additional information (include any information relating to the safety of the individual and others)

What might happen? (Describe any triggers and behaviour seen)

Preferred supportive and intervention strategies.

| | | | | | |
|----------------------------------|--|--------------------|--|-------------------------|--|
| Verbal Advice and Support | | Distraction | | Time Out | |
| Take Up Time | | C.A.L.M. | | Supportive Touch | |
| Negotiation | | Withdrawal | | Planned Ignoring | |
| Limited Choices | | Humour | | | |
| Reminder of | | Change Face | | | |

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| | | | | |
|--------------------------|--|--------------------|--|--|
| Consequences | | | | |
| Success Reminders | | Reassurance | | |

Other

(it is preferable to divert negative attention please note here any proven strategies / subjects of conversation which build bridges with the student).

APPENDIX B

**YSGOL MAES Y FELIN
Positive Handling and Physical Intervention Form**

Log No:

Name _____ Year _____

Date _____ Time _____ Time Span (mins) _____

Location _____ Activity _____

Report compiled by _____

Name(s) of staff involved:

Name(s) of witnesses (staff)

Name(s) of witnesses (pupils)

Incident book completed yes/no

Reason for intervention

Immediate danger to: pupil other pupil(s) Member(s) of staff

To avoid damage to property To prevent or disrupt a criminal act

Behaviour prejudicial to good order In response to a known trigger

Antecedents (a brief description of events leading up to the incident / behaviour)

Behaviour

persistent refusal verbally abusive disruption to lesson
property damage pushing kicking hitting spitting
head butting self-harm biting other (give details below)

.....

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De-escalation techniques used:

Help Script/ verbal advice and support reassurance distraction
changing face option/get out with dignity offered
limited choices offered time out planned ignoring
choices boundaries and consequences other
.....

Can you explain why the above did not have a positive effect?

.....

Intervention strategies used:

None Escort Help Hug Friendly hold Single elbow
Figure 4 Double Elbow Shield other strategy
.....

Total duration of all holds (mins):

Effectiveness of holds:

Who held which body part.....

Were de-escalation techniques used prior to hold yes/ no

Has a debrief taken place for the student(s) involved yes/no

Medical Intervention

Checked by first aider yes / no

Details

Injury to student yes/no

Nature of injury

Is referral to GP necessary? yes/no

Injury to others

Checked by first aider yes / no

Details

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Nature of injury Is referral to GP necessary? yes/no

To whom was the incident reported?

Reported to Time

Where physical intervention strategies have been used the compiler should record the incident in the bound and numbered book. This book is to be found with Headteacher or Deputy. Parents should be informed at this stage.

Monitoring by appropriate personnel—Head, Deputy, Assistant Head

- Was sufficient/appropriate de-escalation undertaken? []
- Were there grounds for use of physical control? []
- Were approved physical controls used? []
- Has appropriate/sufficient post incident action been taken? []
- Is the record keeping comprehensive and complete? []
- Were all relevant people informed? []
- Were there any staff/pupil complaints about the incident? []
- Other comments:

Signed: _____ Date: _____

Head Teacher's monitoring

Parents informed Name: _____ Time: _____ Date: _____

Parental comments: _____

Any further action taken : _____

Head Teacher to sign that the above is completed appropriately and that appropriate action/consequence has been taken.

Signed
