



# Hope Tree School

*Where difference is valued*

## **Physical Intervention Policy**

At Hope Tree School we believe that students need to be safe, know how to behave and know that the adults around them are able to manage them safely and confidently. Only for a very small minority of students will the use of physical intervention ever be needed and, on such occasions, acceptable forms of intervention will be used.

The majority of students behave well and conform to the expectations of our school. We have a responsibility to operate an effective behaviour policy that encompasses preventative strategies for tackling inappropriate behaviour in relation to the whole school, each class and individual students.

All the school staff need to feel able to manage inappropriate risk and behaviour, and to have an understanding of what and how challenging behaviours might be communicated. They need to know what the options open to them are and they need to be free of undue worries about the risks of legal action against them if they use appropriate physical intervention. Parents need to know that their children are safe with us and they need to be properly informed if their child is the subject of a Restrictive Physical Intervention, including the nature of the intervention and the rationale for its use.

### **Legal Framework**

The use of restrictive physical interventions needs to be consistent with the Human Rights Act (1998) and the United Nations Convention on the Rights of the Child (ratified 1991). These are based on the presumption that every person is entitled to:

- Respect for his or her private life
- The right not to be subjected to inhuman or degrading treatment.
- The right to liberty and security
- The right not to be discriminated against in his/her enjoyment of those rights.

### **Definition of "Restrictive Physical Intervention"**

The Law allows for teachers and other persons authorised by the Headteacher to use Restrictive Physical Intervention to prevent a student from doing or continuing to do any of the following :

- committing a criminal offence
- injuring themselves or others
- causing damage to property

· engaging in any behaviour that is prejudicial to maintaining the good order and discipline at the school, whether during a teaching session or otherwise.

“Restrictive Physical Intervention” is the term used by the DCSF to include interventions where bodily contact using force is used. It refers to any instance in which a teacher or other adult authorised by the Headteacher has to, in specific circumstances, use “reasonable force” to control or restrain students.

There is no legal definition of “reasonable force”. However, there are two relevant considerations:

- the use of force can be regarded as reasonable only if the circumstances of an incident warrant it;
- the degree of force must be in proportion to the circumstances of the incident and the seriousness of the behaviour or consequences it is intended to prevent. The definition of physical force also includes the use of mechanical devices (e.g. splints on the student prescribed by medical colleagues to prevent self-injury), forcible seclusion or use of locked doors. It is important for staff to note that, although no physical contact may be made in the latter situations, this is still regarded as a Restrictive Physical Intervention.

### **Good working practices to reduce the need for restrictive physical interventions**

The use of restrictive physical interventions should be minimised by the adoption of primary and secondary preventative strategies. Primary prevention is achieved by:

- taking steps to ensure that the number of staff deployed and their level of competence corresponds to the needs of children and the likelihood that physical interventions will be needed. Staff should not be left in vulnerable positions.
- helping children to avoid situations which are known to provoke violent or aggressive behaviour. • Positive Handling Plans, which are responsive to individual needs and include current information on risk assessment.
- talking to children and their families about the way in which they prefer to be managed when they pose a significant risk to themselves or others. Some children prefer withdrawal to a quiet area to an intervention which involves bodily contact Secondary prevention involves recognising the early stages of a behavioural sequence that is likely to develop into violence or aggression and employing 'diffusion' techniques to avert any further escalation.

Although preventative measures will not always work, there are a number of steps that staff can take to help reduce the likelihood of situations arising where the use of reasonable force may need to be exercised:

- creating a calm, orderly and supportive climate that minimises the risk and threat of violence of any kind;
- developing effective relationships between students and staff that are central to good order;
- adopting a whole-school approach to developing social and emotional skills.
- taking a structured approach to staff development that helps staff to develop the skills of positive behaviour management; managing conflict and also to support each other during and after an incident;
- recognising that challenging behaviours are often foreseeable;

- effectively managing individual incidents. It is important to communicate calmly with the child/young person, using non-threatening verbal and body language and ensuring the child can see a way out of the situation.

Where there is clear documented evidence that particular sequences of behaviour rapidly escalate into serious violence, the use of a restrictive physical intervention at an early stage in the sequence may, potentially, be justified if it is clear that:

- primary prevention has not been effective, and
- the risks associated with not using a restrictive physical intervention are greater than the risks of using a restrictive physical intervention, and
- other appropriate methods, which do not involve restrictive physical interventions, have been tried without success.

**Physical intervention must only be used as a last resort.**

### **When the use of restrictive physical interventions may be appropriate at Hope Tree School**

Restrictive Physical Interventions will be used when all other strategies have failed and therefore only as a last resort. However, there are other situations when physical handling may be necessary, for example in a situation of clear danger or extreme urgency. Certain students may become distressed, agitated and out of control and need calming with a brief Restrictive Physical Intervention that is un-resisted after a few seconds. The safety and well-being of all staff and students are important considerations. Under certain conditions this duty must be an over-riding factor.

### **Who may use restrictive physical intervention at Hope Tree School**

All staff at Hope Tree School are aware of this Policy and its implications. Some of the staff have received appropriate training in Restrictive Physical Intervention techniques.

We take the view that staff should not be expected to put themselves in danger and that removing students and themselves is the right thing to do. We value staff efforts to rectify what can be very difficult situations and in which they exercise their duty of care for the students.

### **Duty of Care**

Schools owe a duty of care to their students. The duty of care requires that reasonable measures are taken to prevent harm. Choosing not to intervene when there is evidence that a greater and significant harm may occur, may result in allegations of negligence and consequent civil litigation for failure to exercise that duty of care.

### **Planning for the use of restrictive physical interventions at Hope Tree School**

Staff will use the minimum force needed to restore safety and appropriate behaviour. The principles relating to the intervention are as follows:

- Restrictive Physical Intervention is an act of care and control, not punishment. It is never used to force compliance with staff instructions
- staff will only use it when there are good grounds for believing that immediate action is necessary and in the student's and/or other student's best interests
- staff will take steps in advance to avoid the need for Restrictive Physical Intervention through dialogue and diversion and at the level of understanding of the student
- only the minimum force necessary will be used to prevent severe distress, injury, or damage
- staff will be able to show that the intervention used was in keeping with the incident
- every effort will be made to secure the presence of other staff and these staff may act as assistants and/or witnesses
- as soon as it is safe, the Restrictive Physical Intervention will be relaxed to allow the student to regain self-control
- a distinction will be maintained between the use of a one-off intervention which is appropriate to a particular circumstance and the using of it repeatedly as a regular feature of school policy
- escalation will be avoided at all costs, especially if it would make the overall situation more destructive and unmanageable
- the age, understanding, and competence of the individual student will always be taken into account
- in developing Individual Education/Behaviour Plans, consideration will be given to approaches appropriate to each student's circumstance
- procedures are in place, through the pastoral system of the school, for supporting and debriefing students and staff after every incident of Restrictive Physical Intervention, as it is essential to safeguard the emotional well-being of all involved at these times. Acceptable forms of intervention at Hope Tree School.

There are occasions when staff will have cause to have physical contact with students for a variety of reasons, for example:

- to comfort a student in distress (so long as this is appropriate to their age);
- to gently direct a student;
- for curricular reasons (for example in PE, Drama etc);
- in an emergency to avert danger to the student or students;
- in rare circumstances, when Restrictive Physical Intervention is warranted.

In all situations where physical contact between staff and students takes place, staff must consider the following:

- the student's age and level of understanding;
- the student's individual characteristics and history;
- the location where the contact takes place (it should not take place in private without others present).

Physical contact is never made as a punishment, or to inflict pain. All forms of corporal punishment are prohibited. Physical contact will not be made with the participants neck, breasts, abdomen, genital area, other sensitive body parts, or to put pressure on joints. It will not become a habit between a member of staff and a particular student.

### **Developing a positive handling plan at Hope Tree School.**

If a student is identified, for whom it is felt that Restrictive Physical Intervention is likely, a Positive Handling Plan will be completed. This Plan will help the student and staff to avoid difficult situations through understanding the factors that influence the behaviour and identifying the early warning signs that indicate foreseeable behaviours that may be developing.

The plan will include:

- involving parents/carers and students to ensure they are clear about what specific action the school may take, when and why
- a risk assessment to ensure staff and others act reasonably, consider the risks, and learn from what happens
- a record needs to be kept in school of risk reduction options that have been examined and discounted, as well as those used
- managing the student, strategies to de-escalate a conflict, and stating at which point a Restrictive Physical Intervention is to be used
- identifying key staff who know exactly what is expected. It is best that these staff are well known to the student
- ensuring a system to summon additional support
- identifying training needs

### **Guidance and Training for Staff**

Guidance and training is essential in this area. We need to adopt the best possible practice. All staff receive ongoing behaviour management training and some of the staff have received specific training on Restrictive Physical Intervention techniques.

### **Recording and Reporting**

At Hope Tree School all incidents of restrictive physical intervention should be reported immediately to the Head of Learning, or the Head of Pastoral Care, in her absence. An incident form is always completed and details are recorded. An accident form is completed if appropriate. The Head of Learning or the Head of Pastoral Care are always available to provide guidance to staff in completing the appropriate records. They will also ensure that a parent of the student who has been involved in the intervention, is notified that day by telephone. However, if we believe that it is likely that reporting an incident to a parent will result in significant harm to that student, then we will report the incident to the Local Authority instead. We do not keep a written record of trivial incidents involving physical contact between staff and students.

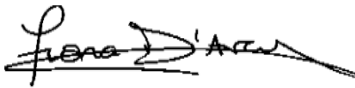
## Complaints

It is intended that by adopting this policy and keeping parents and governors informed we can avoid the need for complaints. Please refer to the Complaints Policy for more information.

Signed:

A handwritten signature in blue ink, appearing to read 'P. Sandf'.

Head of Learning

A handwritten signature in black ink, appearing to read 'Lionel D'Arcy'.

Head of Pastoral Care

Date: March 2024

Review Date: March 2025