

**Vision and values underpinning this policy**

This is the agreed vision statement of Christ Church School:



**Christ Church School, Hampstead**

A village school in London inspiring *life in all its fullness*

*Jesus, The Good Shepherd, promises 'life in all its fullness'. (JOHN 10:10)*

At Christ Church we believe every child and adult in our school should be able both to experience life in all its fullness now and to aspire to life in all its fullness in the future.

We all seek to inspire life in all its fullness for all in the school through:

- ensuring a **safe, welcoming and inclusive environment** for children and adults, where everyone is valued and has the opportunity to contribute and flourish;
- the pursuit of **academic excellence** in all areas, with a determined desire for each child to make the best possible progress as a result of high aspirations, hard work and the development of a personal love for learning alongside the highest-quality teaching and support;
- offering the widest possible **breadth of curriculum** both within school and through extra-curricular activities, enriched by the vast range of opportunities locally and across London;
- **creativity and positivity** in all we do, mixing innovation with tradition;
- planned and spontaneous opportunities for **spiritual development** through reflection, discussion and harnessing curiosity, as well as the provision, at the heart of our school life, of daily opportunities for prayer and worship;
- the development and modelling of **strong, positive and loving relationships**, with peers, amongst the school community and in the wider community;
- the promotion of **respect and compassion for ourselves and for all others**, by cultivating positive emotional and physical well-being, by celebrating the diversity within and outside our school and by encouraging all of us to be empowered global citizens, guided at all times by the example of Christ's compassion alongside the UN Convention on the Rights of the Child;
- engendering a **sense of community and responsibility** for others and for our local and global environment and enjoying working together towards our common goals and expecting and valuing contributions from all.

Our vision is brought to life through the school's five shared Christian values of **compassion, creativity, courage, simplicity and community**.

This Policy on Physical Contact with Children aims to support our vision for *life in all its fullness* by contributing, in particular, to how we promote respect and compassion for ourselves and others, how we develop and model strong, positive and loving relationships between all those in our school community and how we engender a sense of community and responsibility in all. This Policy also supports us in ensuring our school is a safe, welcoming and inclusive environment.

**Aims of this policy**

- To support the vision and values of our school, in particular ensuring our school is a safe, welcoming and inclusive environment for all
- To ensure that the school's duty of care to both pupils and staff is fully and appropriately discharged
- To clarify for all stakeholders (including parents) the school's philosophy and position on physical contact between adults and children in school
- To provide a framework for physical contact between adults and children that is legal, effective, safe, appropriate and proportionate
- To give confidence to all staff in situations when physical contact with children is necessary and appropriate

- To set out the school's procedures to follow in certain circumstances of physical contact between children and adults, e.g. in circumstances of physical restraint
- To ensure that the school fosters an environment in which pupils, parents and staff will work together

### **Development of this policy**

This policy was originally developed in consultation with all staff groups in the school, with the pupils, via school council, and with the Governors Behaviour and Safety committee. The policy is publicised to all parents in the school, via the school newsletter, and copies made available via the school office and school website.

This policy was developed in line with the guidance contained in the Camden Learning and Children's Safeguarding and Social Work document 'Physical intervention and restraint policy for schools, nurseries and centres' (September 2019) and the relevant legislation and government guidance (Education Act 1996, Section 93 of the Education and Inspections Act 2006, DfE Use of Reasonable Force July 2013, DfE Searching, screening and confiscation January 2018). The school has also adopted the Guidance for Safer Working Practice for those working with children and young people in education settings (May 2019 version).

### **Statement on physical contact with children**

All that happens at Christ Church School is founded on the vision and values set out above, which are reviewed regularly with staff, pupils, parents and governors.

At Christ Church School, we believe that there are many circumstances when physical contact between adults and children in the school is appropriate and necessary. These circumstances include instances of positive physical contact and the use of physical contact to restrain. We believe that staff members should have the confidence to use physical contact in these circumstances, within the framework of this policy and the wider legal framework, with the knowledge that they have the full support of the school's Headteacher, leadership team and Governing Body.

At Christ Church School, we also acknowledge that no policy or guidance can cover every possible circumstance where physical contact between adults and children in school may occur and that staff members should have the confidence to use their own professional judgement, within the framework of this policy and the wider legal framework.

This policy should be read alongside and implemented within the framework of the school's current Positive Behaviour and Anti Bullying Policy. This policy should also be read and implemented alongside the school's current Safeguarding and Child Protection policies and procedures, Complaints Policy, Health and Safety Policy and relevant risk assessments and Staff Grievance and Discipline Procedures.

### **Positive Physical Contact between children and adults in school**

There are many regular circumstances of positive physical contact between children and adults in school. These circumstances, which never include restricting the movements of another person against their resistance, include:

- comforting, reassuring or calming children who are upset or anxious (e.g. an arm around the shoulder)
- refocusing children to their task (e.g. a gentle touch on the arm)
- guiding a child away from/to a situation, without force (e.g. holding hands leading a line of children, a guiding hand on the shoulder)
- giving first aid or helping a child to get changed (e.g. for a child who has wet themselves)
- supporting or guiding a child in certain lessons (e.g. providing support for a balance in gymnastics, demonstrating how to use a piece of equipment correctly, supporting or guiding a child in necessary therapy e.g. OT therapy)

At Christ Church School, we believe that, within the framework of this policy, these instances of positive physical contact support children and help to keep them safe.

### **Key issues to consider in any circumstances of physical contact between adults and children in school**

In any circumstances of physical contact between adults and children in school, (including the examples of positive physical contact described above,) there are a number of key factors for the adult involved to consider in making a professional and informed decision about whether the physical contact is appropriate. At Christ Church School, we recognise that these factors will need to be considered immediately and, sometimes, in difficult and challenging circumstances.

Issues to consider:

- adult's knowledge of the child (background, history, circumstances)
- age of the child (and age difference between adult and child)
- relationship between child and adult
- gender of child and adult
- context and circumstances of the situation (including why, where, when and the presence or not of other adults or children)
- type of physical contact and where on the body physical contact takes place

### **Physical intervention - legal framework**

On rare occasions, school staff may need to use physical intervention or restraint in order to safeguard pupils or maintain discipline within the school environment. Keeping Children Safe in Education (DfE) recognises that there are circumstances where it is appropriate for staff to use reasonable force to achieve these aims and states that schools should not have a no contact policy as this can put staff and pupils at risk.

Physical intervention and restraint on pupils should only be used as a last resort, normally when de-escalation strategies have failed, and when there is a clear risk of serious harm to the pupils or others or of serious damage to property or serious classroom disruption.

Section 93 of the Education and Inspections Act 2006 establishes the powers of adults in schools to use *reasonable force* in order to prevent children:

- committing an offence
- causing personal injury to any person (including the pupil themselves) or causing damage to the property of any person
- prejudicing the maintenance of good order.

(See Appendix 1 The Use of Reasonable Force: Briefing Note for more information)

This applies to teachers, support staff and any other adults that the Headteacher has authorised to have control of children in the school.

The Education and Inspections act makes it clear that physical intervention and restraint cannot be used a punishment.

Section 550ZB of the Education Act 1996 allows schools to use reasonable force to carry out searches for prohibited items where the young person has not consented to the search. Prohibited items are

- knives and weapons
- alcohol
- illegal drugs
- tobacco and cigarette papers
- fireworks
- pornographic images
- any article that has been or is likely to be used to commit an offence, cause personal injury or damage property

(See Appendix 2 Screening, Searching and Confiscation: Briefing Note for more information)

### **Senior leadership responsibilities, including access to training**

It is the responsibility of the Headteacher, leadership team and Governors of the school to

- ensure that there is a culture of respect and good relationships between staff and pupils so that the need for high-level or physical intervention is reduced.
- ensure that this Policy
  - is disseminated to all staff members so that it can be implemented by all staff members as a whole school approach
  - is reviewed regularly (at least every three years or when there is a change in guidance) taking into account the views of stakeholders and reviews of any incidents of physical restraint

- is part of an overarching strategy for behaviour management and is closely aligned with the school's Positive Behaviour Policy and other relevant policies.
- make relevant and appropriate training available to staff members (in both de-escalation and behaviour management strategies as well as general or specialist training in physical intervention and restraint techniques, as relevant) so that they are confident to deal with incidents and only use physical intervention where necessary. Senior leaders will also give consideration to the training requests of staff members.
- develop and regularly review a suitable risk assessment for the use of physical intervention in school and take steps to minimise risk to staff or pupils.
- ensure staff are aware of any agreed adjustments to the policy or procedures which are in place for individual pupils who are vulnerable due to learning and other disabilities, autism or mental health difficulties.
- provide appropriate support (to staff and pupils) following an incident where physical intervention has been necessary; (this may include providing medical treatment or immediate time out of the classroom); also provide through informal and formal processes the opportunity for staff to discuss concerns about physical contact
- ensure there is a system in place to record and monitor incidents where physical intervention or restraint have been used
- provide access to complaints procedures for children, parents and staff and implement these appropriately

### **Physical intervention – key principles and the use of *reasonable force***

Physical intervention can cover a wide variety of contact with pupils with varying degrees of intrusiveness ranging from positive handling, such as gentle guiding, to physical intervention that involves some degree of restraint and the use of physical force.

A member of staff will sometimes need to rely on their professional judgement about whether or not to physically intervene by placing her/himself in a hazardous situation, or stand back and by that allow a child or colleague to face a potential hazard. Staff must balance the level and duration of their intervention against the seriousness and likely consequences of the incident.

At Christ Church School we believe there are several key principles to consider in the use of physical intervention:

- the use of physical contact to restrain children can be used in the extreme circumstances which fall within the legal framework set out above
- the definition of *reasonable force* will always be a matter of personal and professional judgement which will need to be justified and recorded; reasonable force should involve 'no more force than is needed'
- any physical contact should be aimed to reduce the situation rather than provoke it and should never have the reasonable expectation of injuring another person
- the risk of not intervening should always be considered against the risk of intervening (this balance may be different for different adults)
- the adult intervening must consider that the action they are taking is in the best interest of the situation and that the force used is reasonable and proportionate to the circumstances
- physical restraint should only be used as a last resort and in exceptional circumstances, not in place of other strategies set out in our positive behaviour policy
- adults should always attempt to de-escalate the situation before considering the use of physical contact
- any adult considering the use of physical contact to restrain should also take into account the key issues set out above (age, gender, circumstances etc)
- all stakeholders should be aware that there is the potential of injury to both child and adult in any physical intervention
- parents should be aware that their consent is not required to use physical intervention and restraint

### **Dealing with incidents – de-escalation**

De-escalation techniques must be used if possible in the first instance and staff should:

- make the pupil and others present aware that the staff member is taking control of the situation;
- ask other pupils to leave in order to calm the situation;
- send for assistance from another staff member (particularly if restraint is likely to be needed);
- remain calm and respectful and speak slowly and clearly to the pupil to give reassurance and instructions;
- be aware of their tone of voice and body language;

- where possible, use minimal force/positive handling to gently guide the pupil away from danger (but be aware of risk to self);
- be aware of their own emotions and avoid allowing the situation to spiral;
- if the pupil is pacing, try to remain still and avoid mirroring their anxiety;
- keep a respectful distance and avoid encroaching on the pupil's personal space
- give the young person options so that they have an opportunity to resolve the situation in a dignified manner
- be specific to a pupil's SEND or individual circumstances

De-escalation techniques should be used where there is an opportunity to do so but not in a situation where a pupil is already at risk of harm and action is needed. However, staff can continue to use many of the techniques listed above during restraint to calm and reassure the young person.

(See Appendix 3 and Appendix 4 for further advice to staff on managing confrontation and de-escalation)

### **Dealing with incidents – use of force and restraint**

All staff have a duty of care to pupils and have the power to use physical intervention and restraint where required. Use of force must be reasonable, proportionate and necessary.

The procedure for any physical intervention to restrain a child should include

- the use of other techniques to de-escalate the situation (for example reasoning, referral to positive behaviour policy or consequences, removal of audience etc)
- a clear instruction to the child to stop (stop kicking!)
- a warning from the adult that they are going to intervene (stop kicking x or I will have to hold your leg to keep you/x safe)
- an attempt from the adult to summon another adult
- physical intervention with the minimum amount of force and for the minimum amount of time necessary, while continuing to talk calmly to the child (if you stop kicking, I will let go)
- physical intervention should not restrict breathing or blood supply, should avoid bringing the pupil to the ground and should not involve any contact that may amount to a criminal offence such as assault
- the pupils should be released slowly and safely as soon as it is felt they are sufficiently in control of their emotions
- a record of the intervention made shortly afterwards
- a report of the incident made to the parents (if safe to do so for the child) as soon as is practicable

Although it is not possible to cover every circumstance where the use of physical contact to restrain might be considered, at Christ Church School these circumstances *may* include

- children fighting
- a child self-harming
- a child attacking an adult or child
- a child attempting to leave a safe area or the school site itself (including leaving the group when participating in an offsite visit) to enter a more dangerous area

Examples of the type of physical intervention which may be appropriate are:

- contact designed to control movement (e.g. holding arms by sides or holding arms or legs to prevent kicking/striking)
- the use of force (without causing injury) to remove a dangerous object from the child's grasp
- a holding tactic (learnt in specific training, without causing injury) until a child calms down
- physically preventing a child from leaving a safe area to prevent them exposing themselves to danger

### **Following an incident – recording and reporting**

Behaviour incidents are recorded in line with the school's Positive Behaviour Policy.

Following any incident which necessitates physical contact to restrain, the record should be completed within 24 hours of the incident and include details of

- time/date
- staff and pupils involved
- events leading up to the incident
- reason for the use of physical intervention
- nature of physical intervention including degree of force and duration
- outcome of incident, including any injuries sustained

The head teacher must be informed of all incidents immediately. The Designated Safeguarding Lead should also be informed of any incidents that may raise safeguarding issues.

Parents will be almost always be informed following serious incidents involving the use of force to physically intervene or restrain a pupil and this decision should be made by the head teacher. Parents will be informed by telephone or email immediately after the incident and a written notification giving details of the incident sent within a reasonable timeframe. Parents of vulnerable pupils will always be notified when physical intervention and restraint has been used.

A report on the use of instances of physical intervention and restraint forms part of the head teacher's annual behaviour report to the Governing Body.

### **Following an incident - support**

It should be acknowledged that the use of physical intervention and restraint carries an inherent risk of injury to staff and pupils involved. It may be necessary to ensure staff and pupils receive any required medical attention and are able to talk to someone who was not involved in the incident about what happened and why.

Use of physical intervention and restraint can be upsetting for pupils and staff and schools should have procedures in place for dealing with the aftermath of incidents so that those involved have time and space to recover and reflect on what happened so that this learning can be used to review and improve policies.

For vulnerable pupils, staff and parents, where possible, should be able to discuss the incident and consider whether the behaviour support plan needs to be changed and what learning can be taken from the incident.

### **Following an incident – monitoring and reviewing**

Christ Church School will regularly monitor and review the use of force, physical intervention and restraint as a means of learning from incidents to improve practice and inform risk assessments in order to avoid the need for physical intervention and restraint. Information on incidents helps to inform any risk assessment both on a whole-school level and in terms of individual or groups of pupils. This is particularly important in the case of vulnerable pupils who may be more susceptible to experiencing physical intervention and restraint.

Separate debriefing sessions for both pupils and members of staff who have been involved in the intervention will allow opportunities to explore antecedents, consequences and alternative courses of action. The school's leadership team will review the incident to consider:

- whether the physical intervention was necessary, appropriate and proportionate
- whether the school's policy was followed
- whether steps were taken to ensure that physical intervention used the minimum reasonable force for the minimum length of time and caused the minimum amount of pain and distress
- whether any alternative strategies could have been used
- whether any alternative or additional training or guidance is necessary for an individual member of staff or the whole staff team
- whether any further steps can be taken to reduce the need for physical intervention in the future
- what steps were taken following the incident and whether separate debriefing sessions were held for all those involved

The Headteacher will report the outcomes of any such review and the actions taken to the Governors Behaviour and Safety committee.

## Vulnerable pupils

This policy is intended to cover the range of behaviours and situations usually found at Christ Church School, but it should be recognised that there may be individual children whose behaviour falls outside this range (on a long term or temporary basis) Some pupils may exhibit challenging behaviour in response to overstimulating environments, stressful situations or an inability to communicate distress in any other way. This can make them more vulnerable to experiencing physical intervention and restraint and it is likely the experience will be traumatising.

Schools should be mindful of pupils that may be vulnerable such as (but not limited to):

- children who have learning and other disabilities and autism
- children who are experiencing mental health difficulties
- children who have experienced trauma in their lives, for example, looked after children, refugee children and unaccompanied minors, children living with domestic abuse and children with child protection plans.

Under the Equalities Act 2010, it is essential that schools can demonstrate that reasonable adjustments have been made to ensure any policy on physical intervention and restraint does not disadvantage these pupils.

Government guidance *Reducing the need for restraint and restrictive intervention* also requires schools to take steps to reduce the use of physical intervention for vulnerable children and this will be a feature of any inspection carried out by the CQC and Ofsted

<https://www.gov.uk/government/publications/reducing-the-need-for-restraint-and-restrictive-intervention>

Schools must demonstrate that the specific needs of these pupils have been considered and that the school will tailor their approach accordingly to avoid discrimination against these pupils. School policies on behaviour management should uphold the rights of vulnerable pupils, ensure their safety and dignity, and work in partnership with parents to reduce the need for physical intervention and restraint.

Vulnerable pupils at Christ Church School will be subject to the requirements set out in this policy and the school's Positive Behaviour Policy, but, for these pupils, Christ Church School will also put in place the following additional provision:

- Vulnerable pupils whose behaviour is likely to increase the risk of physical intervention and restraint will have a Behaviour Support Plan in place and pupils and parents will be fully involved in agreeing this plan. However, it should be noted that not all vulnerable pupils will require this.
- The Behaviour Support Plan will be written by the school's senior leadership team and be in place from the first practical point after it is identified that the pupil's behaviour may increase the risk of physical intervention and restraint. (Triggers for writing a plan include, but are not restricted to, two separate incidents of physical intervention taking place.) The Plan will be regularly reviewed with pupil, parents and staff.
- The Behaviour Support Plan will include:
  - basic information about the pupil and where to find additional information
  - strategies for managing challenging behaviour and a hierarchical response ranging from prevention, de-escalation and detailing how incidents will be dealt with and recorded
  - an assessment of the pupil's particular needs and how these contribute to challenging behaviour, including any triggers for challenging behaviour and what steps can be taken to avoid these triggers and maintain a positive learning environment for the pupil
  - any techniques for de-escalating situations and how best to manage challenging behaviour in order to avoid use of physical intervention and restraint
  - forms of restraint or intervention to be used, which are identified and agreed in advance and set out clearly so that pupils and parents understand the circumstances in which they will be used
  - which staff members will be responsible for the plan's implementation and what specific training they will receive to support them in this role
  - information about any transitions that a pupil may experience between services or locations as movement to unfamiliar places may be a trigger for challenging behaviour
  - a plan for progression to work towards the removal of the need for physical contact
- The Behaviour Support Plan will run alongside or incorporate a specific risk assessment for the individual pupil considering the risks to the pupil and others pupils and adults, the risks from different physical intervention and the risks from not intervening.

- The Behaviour Support Plan will be available for all adults working with the child.

### **Training**

Training increases staff confidence in dealing with incidents and reduces risks. Camden recommends schools use the Team-Teach training available from Camden Learning to train staff in specific de-escalation, physical intervention and restraint techniques.

Christ Church School's leadership team considers training needs in the context of

- the needs of pupils, including individual vulnerable pupils
- the needs and training requests of staff members
- the number and seriousness of incidents that are likely to occur in the school
- the fact that any member of staff may need to intervene in emergency situation.

All staff receive training on how to prevent the need for physical intervention, including how to de-escalate situations and awareness of positive handling techniques.

The Senior Leadership Team will identify the most appropriate members of staff for specialist training (e.g. Team Teach training) in restraint techniques and keep a record of which training staff have received and those staff who have received specialist training in restraint techniques.

### **Review and monitoring**

As set out above, the Governors Behaviour and Safety committee will monitor the number and type of instances where physical intervention has been necessary.

Monitoring will include

- whether the number of incidents needing physical intervention have increased or decreased
- the methods of physical intervention used and whether the length of time physical intervention is used is kept to a minimum
- whether vulnerable children (or other specific groups of children) are involved

It will also review the actions taken by the school's leadership in response to these instances.

This policy will be reviewed every three years by the school leadership and Governors Behaviour and Safety Committee, in consultation with stakeholders where and when appropriate, to ensure that it is a reflection of current guidance and best practice and relevant to the current circumstances of the school.

Most recently reviewed and agreed by the Full Governing Body in June 2020

## Appendix 1 The Use of Reasonable Force: Briefing Note

From Camden Learning and Children's Safeguarding and Social Work Physical Intervention and Restraint Policy for schools, nurseries and centres, Sept 2019

The Use of Reasonable Force: Advice for Head Teachers, Staff and Governing Bodies (DfE 2013);	
What the law says	Camden advice / good practice
<p><b>Key points:</b></p> <ul style="list-style-type: none"> <li>• School staff have a legal power to use force and lawful use of the power will provide a defence to any related criminal prosecution or other legal action.</li> <li>• Suspension should not be an automatic response when a member of staff has been accused of using excessive force.</li> <li>• Senior school leaders should support their staff when they use this power</li> </ul>	<ul style="list-style-type: none"> <li>• It is good practice to set out in the behaviour policy, the circumstances in which force might be used. The policy should acknowledge their legal duty to make reasonable adjustments for disabled children and children with Special Educational Needs (<b>SEN</b>)</li> <li>• The definition of 'reasonable' will always be a matter of personal and professional judgement that will need to be justified, as <b>proportionate and necessary</b>, reported and recorded.</li> </ul>
<p><b>When can it be used:</b></p> <ul style="list-style-type: none"> <li>• remove disruptive children from the classroom where they have refused to follow an instruction to do so</li> <li>• prevent a pupil behaving in a way that disrupts a school event or a school trip or visit</li> <li>• prevent a pupil leaving the classroom where allowing the pupil to leave would risk their safety or lead to behaviour that disrupts the behaviour of others</li> <li>• prevent a pupil from attacking a member of staff or another pupil, or to stop a fight in the playground</li> <li>• restrain a pupil at risk of harming themselves through physical outbursts</li> </ul> <p><b>It is always unlawful to use force as punishment.</b></p> <p>To take no action, where the outcome is that a child injures himself, or another, including staff, could be seen as negligence (<i>see advice on taking action</i>).</p>	<p><b>Useful considerations:</b></p> <ul style="list-style-type: none"> <li>• Is the risk of intervening greater – e.g. escalation, damage to relationship – greater than the risk of not intervening?</li> <li>• Have other strategies been attempted? – use of force should be a <b>last resort</b></li> <li>• Any force applied should be done in a manner that attempts to <b>reduce</b> rather than <b>provoke</b></li> <li>• Staff should <b>not</b> act in a way that might reasonably be expected to cause injury</li> <li>• The best legal defence (for intervening physically) would be to show that any actions were taken out of <b>best interest</b> were <b>reasonable and proportionate</b> to the context – i.e. the force used should be proportionate to the consequences it was intended to prevent</li> </ul> <p>It is a power, not a duty, to use force.</p> <p><b>Taking action</b> may include other interventions – e.g. issuing clear instructions and consequences, providing distraction, utilising de-escalation and diffusion strategies, seeking help etc.</p>
<p><b>Who?</b></p> <p>All members of school staff have a legal power to use reasonable force – this includes people whom the head teacher has temporarily put in charge of pupils – e.g. unpaid volunteers/parents &amp; carers</p>	<p><b>Staff awareness:</b></p> <ul style="list-style-type: none"> <li>• Are staff aware of their powers and responsibilities?</li> <li>• Do staff require advice and training? – Camden has accredited tutors able to deliver certificated</li> </ul>

	Team-Teach training in physical interventions and de-escalation strategies
<p><b>Recording and reporting:</b></p> <p>It is up to schools to decide whether it is appropriate to report the use of force to parents</p>	<p><b>Recording:</b></p> <ul style="list-style-type: none"> <li>• Schools should keep a record of incidents where physical force has been used – <b>include:</b> time, reason, length, involved staff, degree of force, outcome</li> <li>• Pupils requiring regular physical interventions should have an individual PI plan</li> <li>• It is good practice to have a transparent and open dialogue with parents about the use of physical force – this is likely to maintain relationships and reduce the possibility of complaints</li> </ul>
Legislation: Education Inspections Act 2006; Education Act 2011	For further advice and information, contact: Martin Cresswell, Camden Learning. Email: <a href="mailto:martin.cresswell@camden.gov.uk">martin.cresswell@camden.gov.uk</a>

## Appendix 2 Screening, Searching and Confiscation: Briefing Note

From Camden Learning and Children’s Safeguarding and Social Work Physical Intervention and Restraint Policy for schools, nurseries and centres, Sept 2019

Screening, Searching and Confiscation: Advice for Head Teachers, Staff and Governing Bodies (DfE 2018)	
What the law says	Camden advice / good practice
<p><b>Screening</b></p> <p>Without consent of pupils:</p> <ul style="list-style-type: none"> <li>Schools can require pupils to be screened by a walk-through or hand-held metal detector (Schools have a <i>statutory power to make rules on pupil behaviour and manage the safety of staff, pupils and visitors</i>)</li> <li>Any member of staff can screen pupils</li> <li>Screening without physical contact is not subject to the same conditions as the powers to search without consent</li> </ul> <p>Failure to comply:</p> <p>Schools can refuse to have pupil on premises – coded as unauthorised absence and not as fixed term exclusion</p>	<p><b>Screening:</b></p> <ul style="list-style-type: none"> <li>School behaviour policy should make reference to the school’s power to screen and, if the school chooses to use this power, describe the school’s implementation of the legislation</li> <li>There are models of good practice in Camden settings: for further information, contact Martin Cresswell or Hilary Forbes</li> </ul>
<p><b>Searching</b></p> <p><b>With consent:</b> Any item banned by the school rules – searches may include bags, lockers etc.</p> <p>Failure to comply: - Schools can apply appropriate disciplinary sanctions</p> <p><b>Without consent:</b> (<i>Education Act, 1996</i>)</p> <ul style="list-style-type: none"> <li>For knives or weapons (of any description), illegal drugs, alcohol and stolen items (<i>‘prohibited items’, likely to be increased</i>)</li> </ul> <p><b>Who:</b> Any member of staff authorised by the HT. <i>Staff can be authorised to search for some items but not others. Staff can refuse to undertake a search</i></p> <p><b>Where:</b> School premises or where the staff member is in lawful charge of the pupil, e.g. trip</p> <p><b>Search protocols:</b></p> <ul style="list-style-type: none"> <li>Staff must be the same gender as the pupil</li> <li>There must be a witness (same gender if possible)</li> <li>Only outer clothing may be removed – <i>defined as: clothing not worn next to the skin or over underwear</i></li> </ul>	<p><b>Searching:</b></p> <ul style="list-style-type: none"> <li>Staff should have <b>reasonable grounds</b> for undertaking a search for a ‘prohibited item’ – e.g. other students have raised concerns</li> <li>The school’s behaviour policy should list all prohibited items and communicate them with parents/carers</li> <li>Schools should only use the power to search <b>without consent</b> if all other options have been satisfactorily exhausted – e.g. questioning, parent/carer contact</li> <li>Schools may wish to have a condition of a pupil having a locker that he/she consents to a search</li> <li>If in doubt as to whether a search is intimate or not, seek further advice and/or contact the police</li> </ul>

<ul style="list-style-type: none"> <li>• Can search possessions – e.g. bags, lockers – <i>in the presence of pupil and staff witness</i></li> </ul> <p><b>Intimate search:</b> Only a police officer can carry out a search of a person or their clothing beyond outer clothing; a staff member should be present if the search is at school</p>	
<p><b>Reasonable force:</b> May be used to conduct a non-consensual search (for ‘prohibited items’). Any use of reasonable force should be <b>reasonable</b> and <b>proportionate</b> to the context – <i>please see separate guidelines on ‘The Use of Reasonable Force’</i></p>	<p><b>Consider:</b> degree of risk; contacting the police; contacting parent/carer; applying appropriate sanctions; removal from school site</p>
<p><b>Confiscation:</b> <i>Education and Inspections Act 2006</i></p> <ul style="list-style-type: none"> <li>• Staff have the discretion to confiscate (and dispose of) items found in a consensual search as long as it is reasonable in the circumstances</li> <li>• <b>Weapons</b> and <b>controlled</b> drugs must be delivered to the police</li> <li>• <b>Stolen</b> items should be delivered to the police unless this is unreasonable – e.g. low value items which can be returned to the owner</li> </ul>	<p><b>Recording:</b></p> <ul style="list-style-type: none"> <li>• All instances involving searches, consensual or not, should be recorded</li> <li>• If reasonable force has been used include: time, reason, length, involved staff, degree of force, outcome</li> <li>• Any comment made by the pupil should also be recorded, preferably quotes – <i>this may reflect their state of mind</i></li> </ul>
<p>Legislation: Education Act 1996; Education Inspection Act 2006; Education Act 2011; Health and Safety at Work Act 1974</p>	<p>For further advice and information, contact: Martin Cresswell, Camden Learning. Email: <a href="mailto:martin.cresswell@camden.gov.uk">martin.cresswell@camden.gov.uk</a></p>

### **Appendix 3 - Managing Confrontation and Physical Intervention - additional guidance**

From Camden CSF Physical Intervention Guidance - May 2010

#### **Advice for staff**

At all times try to manage your own emotions – maybe take a deep breath – and don't become involved in a 'conflict spiral'. Situations are rarely personal.

**Name the inappropriate behaviour; express clearly the desired behaviour** – calmly, confidently and assertively.

**Use 'language of choice'** – put the responsibility/ownership of behaviour with the child/pupil

**Remaining Calm** - the ability to try and remain calm and appear relaxed is less likely to provoke.

**Calm Stance** - Think of the values of stepping back from a situation, both physically and emotionally.

**Pacing and Chasing** - Angry people often pace around in tense situations. Try to remain still when attempting to help a student calm down.

**Awareness of Space** - Try to be aware of the space around you and avoid stepping in to another individual's personal/intimate space.

**Intonation** - When people are anxious or angry they tend to talk faster, higher and more loudly. In a crisis situation staff should deliberately speak slower, lower and more quietly. How we deliver a message is as important as what we say.

**Help Script** – Particularly useful when addressing an agitated student. Connect by using student's name; recognise the feelings – "I can see you are upset"; "I'm here to help"; Give direction but not promises.

#### **Diffusing body language responses**

- Social distance
- Sideways stance, step back
- Intermittent eye contact
- Relaxed body posture
- Palms open

## Appendix 4 – Before, During and After – Some Advice and Scripts

From Camden CSF Physical Intervention Guidance - May 2010

### Before

#### De-escalation to prevent the crisis

##### *What we say*

- Express desired behaviour
- Use 'Thanks' when requesting compliance – conveys authority and expectation
- Calm, even and assertive tone
- Offer a way out / support to sort it out (but not promises you can't deliver)
- Language of choice, add consequences where appropriate – 'if you carry on choosing to do this, x will happen' or 'you can do this or this'
- Take-up time – means not standing over 'watching' whilst he/she does as requested
- Acknowledge feelings – 'I can see you're upset'
- Deflection – alternative activity, compromise, humour
- Partial agreement – 'maybe so, but here the rule is...'
- 'We' can sort this out
- Personal boundaries that model acceptable behaviour – 'I'm not shouting, talk respectfully as I am to you'
- Positive self-talk (coping / confidence) – 'I'll get through this', 'I can manage this'
- Talk *to* the young person, not *at*

##### *What we do*

- Observe – who, what, when
- Praise for doing the 'right' thing, making the right 'choice'
- Remove the trigger if possible
- Active listening – listen and refer back to show listening and to check accuracy
- Give information about what is happening / what's happening next
- Give feedback
- Invite, rather than demand compliance
- Keep our word (or if not able to, explain why, make alternatives, acknowledge own responsibility)
- Safe distance – avoid intimidation through proximity
- Signal non-aggression, e.g. sit down
- Communicate with colleagues – avoid being alone – or let others know where you are who you are with
- Find privacy to talk
- Same level talk – e.g. both sitting
- If we need to give a sanction keep it proportionate – '*certainty not severity*'

##### *And what we don't do*

- Use humiliation
- Plead
- Shout
- Pre-judge and/or bring up the past
- Use inappropriate threats/sanctions or threats/sanctions we cannot/don't have the authority to carry through
- Use ultimatums
- Talk too much – clear and concise is best
- Use lots of questions – they can lead to further argument / irritation
- Blame

- Use accusing and depersonalising language e.g. “you lot...”
- Apologise for our own correct behaviour – we can be sorry they feel like that about the rule or boundary, but not for the rule or boundary itself

Body language - best avoided:

- Moving into personal or intimate body space
- Use body size or height to intimidate
- Straight forward, square shouldered body stance
- Arms crossed
- Unrelenting eye contact
- Fist shaking or clenched
- Finger pointing/ shaking

Danger signs to watch for

- “I don’t care”
- Depersonalised language, e.g. ‘you lot’
- Degrading language, e.g. abusive, sexualised, racist
- Repetition
- Increasing volume
- Emotional content evident (e.g. short sharp delivery)
- Bragging about capacity to harm
- Threats of harm – these socialise people towards action
- Clenched fists
- Twitching - facial
- Movement
- Peer reactions – encouragement, excitement, fear, tension

## **During**

**Strategies during the crisis**

**Calm yourself first!**

*What we say*

- Clear and simple assertive language and instruction – ‘I need you here, now’, ‘Put that down’(avoid wind-ups, threats, questions)
- ‘Broken record’ – repeating the instruction (several times if necessary) can help, be sensitive to response
- ‘We’ not ‘you’
- Refer to previous successes
- State clear consequences

*What we do*

- Make a professional judgement based on experience, knowledge, context and relationship
- Protect yourself and others
- Be aware – others, objects/weapons
- Avoid an audience – can you remove them? – Think .... Audiences fuel fights
- Be aware of own stress responses: think ‘calm’ to modify body language (slow breathing, drop shoulders, drop voice)
- Non-threatening stance, palms open
- When supporting colleagues, identify who will lead – avoid lots of different voices
- Consider taking the place of your colleague if they are the focus of the anger/confrontation

e.g. 'I'll take over' or 'there's an urgent phone call for you'

- State facts – 'I saw this happen'

*And what we don't do*

- Shout
- Allow your exit to be blocked
- Use physical restraint except as a last resort - in general when there is a risk of injury
- Blame
- Take things personally

## **After the crisis is over**

- Reassure
- Provide space to calm down – don't address consequences immediately unless there are safety issues
- Plan when to address consequences later if need be – communicate at least that some-one will be in touch
- Record incident to protect yourself:
  - Antecedents, the incident, consequences,
  - What type of physical handling was used, if there was physical contact, and for how long
  - Injuries sustained to service user and/or adult
  - Witness statements if need be ...
  - All this should be described in the centre's policies and procedures, for example a standardised format
- Debrief with staff
- Agree what follow-up is needed and with whom?
- Repair relationship – allow time, space and opportunity for response
- Describe what happened what you saw/did and why – state facts/'reality'
- Raise issues at an organisational level – does the procedure need amending? Do you need training in physical interventions? Are your current arrangements appropriate and safe?

*And what we don't do*

- Try to talk about it too soon – it may trigger another event
- Take it personally!

## **And finally a few thoughts...**

- The only thing we can control is our own behaviour and our responses to the behaviour of others
- What we do can determine whether a situation escalates or de-escalates
- We all work within a team and it is okay to ask for help
- We need to be teaching and modelling the skills children need to learn