



# POLICY DOCUMENT

For

## Physical Intervention

Adopted Blaenau Gwent Policy September 2022

Signed

March 2023

Mrs D Herald Headteacher

Signed

March 2023

Councillor J Morgan JP Chair of Governors

# PHYSICAL INTERVENTION POLICY

**September 2022**



Cyngor Bwrdeistref Sirol

**Blaenau Gwent**

County Borough Council

# Blaenau Gwent County Council

## Policy On Physical Intervention in Schools

The Council recognises the importance of ensuring good order and discipline in schools. To achieve this, it is recognised that, in extreme circumstances, it may be necessary for school staff to intervene physically to manage inappropriate behaviour by pupils.

1. It is the Council's policy that physical intervention, will be used as a last resort, normally after non-physical strategies have failed to manage a pupil's behaviour. While staff must use the minimum force for the shortest time, it is recognised that minor injuries such as bruises and scratches may occur during incidents. Such minor injuries will not, by themselves, be regarded as evidence of misconduct.
2. Physical intervention must be:
  - Reasonable
  - Proportionate
  - Necessary
  - In the best interest of the child.
3. Physical intervention will only be used to prevent pupils:
  - Harming themselves or others
  - Committing a criminal offence
  - Causing serious damage to property
  - Engaging in behaviour which is seriously prejudicial to the maintenance of good order and discipline.
4. Schools will have their own policies on Physical Intervention, based on a model school policy (a copy of which is attached as Appendix A) which will be approved by the school's Governing Body and reviewed annually.
5. Parent/Carers will be informed of the school's policy on Physical Intervention.
6. Head Teachers will keep an up-to-date list of staff who they authorise to use physical intervention to manage the behaviour of pupils, which will be reported to their Governing Body annually.
7. All incidents that result in restraint (where a child has to be held) will be recorded both in the school's 'Bound and Numbered Book' and in detail using the **Serious Incident Reporting Form** within 24 hours and reported to the Local Authority: [bsinclusionsupport@blaenau-gwent.gov.uk](mailto:bsinclusionsupport@blaenau-gwent.gov.uk) within 72 hours.
8. The Council will review all reported cases of physical intervention within schools on a termly basis providing statistical information to relevant reports.
9. A completed accident form must be sent to the Health and Safety Officer if a member of staff is injured during an incident. Sample forms are attached in Appendix B.
10. Any injury to a pupil must be recorded in the school's accident book.

11. The school's Bound and Numbered Book will be reviewed termly by the Head Teacher and the Governor with responsibility for Child Protection issues, and will be monitored annually by an LA representative.
12. A **Positive Handling Plan** must be drawn up by the school in cases where it can be pre-determined that a pupil is likely to require positive handling. This will be done with the agreement of parent/carers and in consultation with relevant agencies and the child, and will be reviewed regularly.
13. Head Teachers will determine the training needs of their staff after assessing the likely need and scope of physical intervention that might be required in their schools and arrange training as appropriate.
14. This policy will be effective from September 2022 and will be reviewed annually.

# ***POLICY ON THE USE OF PHYSICAL INTERVENTION***

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## Policy on the use of Physical Intervention

### 1.0 Policy Statement

- 1.1 This policy should be read in conjunction with:
- the Council's Physical Intervention Policy
  - the Safe and Effective Intervention – Use of Reasonable Force and Searching for Weapons WG Guidance Document 097/2013 issued March 2013.
  - The Violence and Aggression at Work Policy issued January 2018
- 1.2 At *Pen-y-Cwm* we work to ensure each individual pupil is able to reach his or her potential. Every child is entitled to learn and every teacher is entitled to teach in an environment that is safe, secure and free from disruption.
- 1.3 Staff of *Pen-y-Cwm* are committed to providing the highest standards in protecting and safeguarding the welfare of children and young people entrusted to its care. We recognise there is a need, in line with Section 93 of the Education and Inspections Act 2006, to intervene when there is an obvious risk of safety to pupils, staff and property. All school staff members have a legal power to use reasonable force to prevent pupils committing a criminal offence, injuring themselves or others, or damaging property; and to maintain good order and discipline amongst pupils.
- 1.4 For the most part this is achieved through the fostering of good relationships, and the normal application of positive behaviour management to support and intervene. However, in exceptional or extreme circumstances this may involve the use of reasonable force.
- 1.5 It should be emphasised that if used at all, restraint (referred to in this document as **physical intervention**) should be seen in the context of a further positive action of care and concern. In line with WG guidance 2013, it is used as a 'last resort' option and in the most extreme cases, other strategies will always have been attempted first.
- 1.6 As best practice regarding physical intervention, this policy should be considered alongside other relevant school policies, specifically those involving behaviour, health and safety and child protection.
- 1.7 At *Pen-y-Cwm* the named member of staff responsible for monitoring incidents of physical intervention is *Sian Blackmore and Chris Carey*.

### 2.0 What is the Legal Use of Reasonable Force to control pupils?

Section 93 of the Education and Inspections Act 2006, replaced Section 550A of the Education Act 1996 and enables school staff to use such force as is reasonable in the circumstances to prevent a pupil from doing, or continuing to do, any of the following:

- committing any offence (or, for a pupil under the age of criminal responsibility, what would be an offence for an older pupil);
- causing personal injury to, or damage to the property of, any person (including the pupil himself); or
- prejudicing the maintenance of good order and discipline at the school or among any pupils receiving education at the school, whether during a teaching session or otherwise

The staff to which this power applies are defined in section 95 of the Act. They are:

- any teacher who works at the school, and any other person whom the head has authorised to have control or charge of pupils. This:
  - i) includes support staff whose job normally includes supervising pupils such as teaching assistants, learning support assistants, learning mentors and lunchtime supervisors.
  - ii) can also include people to whom the head has given temporary authorisation to have control or charge of pupils such as paid members of staff whose job does not normally involve supervising pupils (for example catering or premises-related staff) and unpaid volunteers (for example parents accompanying pupils on school-organised visits).
  - iii) does not include prefects.

Those exercising the power to use force must also take proper account of any particular special educational need (SEN) and/or disability that a pupil might have. Under the Equality Act 2010 schools have key duties:

- not to treat a disabled pupil less favourably, because of his/her disability, than a non-disabled pupil;
- not to treat a disabled pupil unfavourably because of a reason related to their disability, without justification;
- not to apply a provision, criterion or practice that puts or would put a disabled pupil at a particular disadvantage compared with a non-disabled pupil, without justification; and to take reasonable steps to avoid putting a disabled pupil at a substantial disadvantage in comparison with a non-disabled pupil (known as the reasonable adjustments duty).

- 2.1 The power may be used where the pupil (including a pupil from another school) is on school premises or elsewhere in the lawful control or charge of the staff member (for example on a school visit).
- 2.2. There is no legal definition of when it is reasonable to use force. That will always depend on the precise circumstances of individual cases. To be judged lawful, the force used would need to be in proportion to the consequences it is intended to prevent. The degree of force used should be the minimum needed to achieve the desired result. Use of force could not be justified to prevent trivial misbehaviour. However, deciding whether misbehaviour is trivial also depends on circumstances. For example, running in a corridor crowded with small children where there is a real danger of knocking them into walls or down steps may be dangerous enough not to be regarded as trivial.

2.3 Teachers and other persons authorised by the Headteacher to have charge of pupils, may use reasonable force to prevent pupils:

- causing injury to themselves or others
- committing a criminal offence (including behaving in a way that would be an offence if the pupil were not under the age of criminal responsibility)
- causing damage to property
- causing disruption by engaging in behaviour which is seriously prejudicial to good order and discipline.

### **3.0 Objectives of this Policy**

3.1 To provide all staff, governors, parent/carers and pupils with an understanding of care and control and the use of force.

3.2 To emphasise that the use of physical intervention is:

- part of a positive care and control approach to discipline and welfare
- last resort, or a necessary expedient option to be used in extreme circumstances.

3.3 To ensure that all members of staff or authorised persons who may have to positively handle pupils clearly understand the options and strategies open to them.

3.4 A section about the school's legal duty to maintain a safe environment and the possible use of physical intervention will be included in the school brochure/prospectus/website.

### **4.0 Who can use Physical Intervention?**

4.1 We recognise that most of the time physical intervention will be used infrequently, that is, as a last resort to maintaining a safe environment.

4.2. All teachers have a legal power to use reasonable force to prevent pupils committing a criminal offence, injuring themselves or others, or damaging property; and to maintain good order and discipline amongst pupils.

4.3 Any other persons whom the Headteacher has authorised to have control or charge of pupils. A list of authorised staff is maintained by the school.

### **5.0 When might Physical Intervention might be appropriate**

5.1 The focus should be on preventing, as far as possible, the need for the use of force on pupils, by creating a calm, orderly and supportive school climate that lessens the risk and threat of violence of any kind. The use of force should only be a last resort, schools should minimise the possibility of force being needed.

However, this may not always be possible and in such circumstances staff need to be aware of sensitivities associated with any form of physical contact with pupils.

- 5.2 Strategies other than force will be considered, for example (not exhaustive):
- The use of a range of de-escalation strategies, especially those which have been identified as effective through an individual pupil's positive handling plan (where one exists);
  - Providing the disruptive pupil with a choice of locations to exit to;
  - Giving clear directions;
  - Change of face – calling a staff member who is known to have a positive relationship with the pupil;
  - Allowing 'take-up' time thus allowing a 'face-saving' opportunity;
  - Removing the audience, i.e. requesting that other pupils leave the room
  - Implementing Team Teach help protocols so that another member of staff takes over the strategic lead of the incident, if he/she feels it is appropriate to do so.
- 5.3 Some examples (not exhaustive) of situations where physical intervention might be used are:
- 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.
- 5.4 Wherever possible, early support from colleagues will be sought. Single-handed intervention increases the risk of injury to both parties and does not provide the person intervening with the support of a colleague acting as a critical friend.

## **6.0 Procedures and practical considerations**

- 6.1 Wherever practicable staff are expected to:
- Use a calm and measured approach;
  - Tell the pupil to stop, remind the pupil of consequences, tell the pupil what will happen if she/he does not stop;
  - Seek assistance from other colleagues at as early a stage as possible;
  - Staff who become aware that another member of staff is intervening physically with a pupil have a responsibility to provide a presence, and to offer support and assistance should this be required;
  - Try to defuse the situation verbally and prevent escalation;
  - Try to remove the pupil from the peer audience;
  - Attempt to communicate with the pupil throughout the incident;
  - In as calm a manner as possible, explain that the reason for intervention is to keep the pupil and others safe;

- Make it clear that physical intervention will stop as soon as the pupil calms and the risk assessment indicates it is no longer necessary;
- If it is not possible to control the behaviour without risk of injury to yourself or others, remove the other pupils who may be at risk and summon assistance.

6.2 It is good practice to:

- Remain calm;
- Do not lose your temper or act out of anger or frustration;
- Do not give the impression you are trying to punish the pupil;
- Call for assistance;
- Intervene with the support of a colleague acting as a critical friend.

## 7.0 Responding to specific incidents

7.1 Considerations in *non-urgent situations* where the risk to people or property is not imminent:

- Consider carefully whether physical intervention is the right course of action. Staff must be sensitive to matters relating to culture and gender issues and any known individual characteristics or special circumstances relating to pupils.
- Try to deal with the situation through other strategies before using force;
- Try to defuse and calm the situation to establish good order, the use of positive handling could lead to an escalation of the problem;
- Take into account the age, understanding, personal characteristics of the pupil;
- The use of positive handling to enforce compliance is likely to be increasingly inappropriate with older pupils;
- Never use force as a substitute for good behaviour management;
- In non-urgent situations force should only be used when all other methods have failed.

7.2 Methods that staff **may use** in appropriate circumstances where a risk assessment judgement supports this:

- passive physical contact such as standing between pupils or blocking a pupil's path;
- active physical contact such as leading a pupil by the hand or arm, ushering a pupil away by placing a hand in the centre of the back;

7.3 In more extreme circumstances, using appropriate restrictive holds, **which require specific expertise or training. In Pen-y-Cwm staff are trained in Team Teach.**

7.4 Should an injury occur as a result of an incident at school, immediate steps will be taken to secure appropriate medical attention. This will be reported and recorded in accordance with Blaenau Gwent policy.

## 8.0 Recording and Reporting Incidents

- 8.1 All incidents that result in restraint (where a child has to be held) will be recorded both in the school's 'Bound and Numbered Book' and in detail using the **Serious Incident Reporting Form**.
- 8.2 If a Positive Handling Plan is in place, then a record of the incident will also be recorded and the Positive Handling Plan reviewed accordingly.
- 8.3 The member of staff concerned will report the matter verbally to the Head or a senior member of staff as soon as possible. The incident will be recorded by staff at the earliest opportunity and always within 24 hours.
- 8.4 Staff may wish to seek advice from a senior colleague or their professional association when compiling a report. A written report should be completed within 24 hours of the incident's occurrence, and should be signed and dated, and provided to a designated person.
- 8.5 Other witnesses to the incident, staff, pupils, should also complete witness accounts with 24 hours (this would usually be in the case of a serious incident). These will be signed and dated and provided to a designated person.
- 8.6 The Head or his/her representative will tell parent/carers about the incident by the end of the school day. However, if parent/carers cannot be reached a letter will be sent to inform them of the incident and offer them the opportunity to discuss the matter.
- 8.7 A copy of the **Serious Incident Reporting Form** will be placed in the pupil's file and on MyConcern.
- 8.8 The Bound and Numbered Book will be reviewed by the Headteacher and relevant staff to consider control measures and possible training or further training needs etc.

#### 8.9 **Reporting to Governors**

The WG guidance document Safe and Effective Intervention (March 2013) states that monitoring information should be reported on a regular basis to school governors. This information should include:

- number of restraints
- training needs
- any significant issues involving restraint.

This information should be included in the Headteacher's report to the Governing Body.

#### 9.0 **Debriefing Following Serious Incident**

- 9.1 Pupils and members of staff will be checked for any sign of injury and first aid will be administered if required.
- 9.2 The child must also be given the opportunity to debrief in a manner suited to his/her individual needs. The debrief must be undertaken with the child at a time when the child is able to listen, wherever possible within 48 hours of the incident. The debrief should be done wherever possible with a member of staff not

involved in the restrictive physical intervention. The purpose of this is to provide opportunity for the child to express their own views of the incident and raise any concerns.

- 9.3 If a serious incident has occurred, this will be dealt with by a senior member of staff in accordance with the school's behaviour policy.
- 9.4 The child may wish to make a complaint following an incident or discuss the incident further with a member of staff, parent/carer or Independent Person. If a complaint is made the complaints procedure must be followed.
- 9.5 All members of staff involved will be allowed a period to debrief and recover from the incident. This may involve access to external support. A senior member of staff will provide support to the member of staff involved.

## **10.0 Planning for Incidents and meeting training needs**

- 10.1 If the school is aware that a pupil is likely to require physical intervention on more than one occasion in a term the school will plan how to respond in line with protocols and guidance. This will include full discussion with parent/carers to ensure they are clear about what specific action the school might need to take and obtaining medical advice if the child has any specific health needs. A risk assessment and a positive handling plan will be drawn up.
- 10.2 In cases where it is known by the school that a pupil is likely to require physical intervention, appropriate training will be provided.

## **11.0 Complaints**

- 11.1 This policy is in accordance with the 'Safe and Effective Intervention – Use of Reasonable Force and Searching for Weapons WG Guidance Document 097/2013' and Section 93 of the Education and Inspections Act 2006.
- 11.2 All complaints will be dealt with in line with the schools agreed policy and procedure.

## **12.0 Review**

- 12.1 This policy will be regularly monitored by the Head and reviewed and updated annually.

## Appendix 1



### Incident record form and RPI

#### SECTION A – Basic Data

School:

Name of learner:

D.O.B.

Age:

Full names of staff involved:

Date of incident:

Location of incident:

Time:

Duration of incident:

Minutes

Full names of staff /learner who witnessed the incident:

#### SECTION B - Reason for Intervention

(Please tick appropriate)

1. Risk of personal injury to learner
2. Risk of injury to another person
3. Risk of significant damage to property
4. Compromising good order and discipline
5. At risk of committing criminal offence

#### SECTION C - Details of Incident

- **Antecedents:** (Where did incident start, what was happening at the time?)

#### **De-escalation: Please tick all used**

Humour  Verbal advice and support  Firm clear directions  Negotiation  Limited choices   
Distraction  Diversion  Reassurance  Planned ignoring  Contingent touch  Calm talking   
Patience  Withdrawal offered  Withdrawal directed  Swap adult  Reminders about  
consequences  Success reminders

- **Description of Incident**

**SECTION D: Method of Physical Intervention**

- How was the learner held?
- How long did the learner need to be held?  
Minutes
- Has the learner been physically restrained before? Yes / No  
How many times at your school?
- How effective was the intervention?
- How was the intervention in the best interest of the young person?

**SECTION E: Outcome of incident**

1. Was anybody injured? Yes / No  
(Please give details (nature of injuries, treatment required))
2. Response and view of learner
3. Does learner have a behaviour programme Yes / No  
Do any changes need to be made Yes / No  
If yes please specify
4. How was the incident resolved and what were the consequences?

**SECTION F: - Follow up action**

1. Do other agencies need to be contacted? Yes  
/ No  
If yes please specify who and with what aim.
2. Parent/carer informed by Direct Contact  Letter  Telephone
3. Follow up support/interview for Learner  Staff

**SECTION G: Additional comments**

**Form completed by:** (Print) (Signed) **Date:**

**Designation:**

**Head Teachers signature** **Date:**

**Appendix 2.**

**PEN-Y-CWM SCHOOL**

**GENERIC RISK ASSESSMENT – PUPIL**

<b><u>NAME:</u></b>				<b><u>DOB:</u></b>	
<b><u>RISK ASSESSED BY AND DESIGNATION</u></b>					
<b><u>SUBJECT OF ASSESSMENT</u></b>				<b><u>Weight:</u></b>	
				<b><u>Height:</u></b>	
<b><u>RISK IDENTIFIED</u></b>					
<b><u>PERSONS AT RISK</u></b>					
<b><u>INDIVIDUAL</u></b>	<b><u>Yes</u></b>	<b><u>MEMBERS OF THE PUBLIC</u></b>		<b><u>Yes</u></b>	
<b><u>STAFF</u></b>	<b><u>Yes</u></b>	<b><u>PUPILS</u></b>		<b><u>Yes</u></b>	
<b><u>OTHER</u></b>	<b><u>Yes</u></b>				
<b><u>EXISTING MEASURES IN PLACE</u></b>					
<b><u>ADDITIONAL INFORMATION</u></b>					
<b><u>MONITORING</u></b>					
<b><u>SIGNED</u></b>					
<b><u>DATE AND UPDATE:</u></b>				<b><u>To be Reviewed:</u></b>	

**POSITIVE HANDLING PLAN**

**Environment**

**Triggers**

**To self:**

**To others:**

**De-escalation/Diversion and Distractions**

**Positive Intervention**

**Post Incident Support (learning and Listening Support)**

**LIKES:**

**DISLIKES:**

**SIGNED**

**DATE AND UPDATE:**

**To be Reviewed:**

**Appendix 3**



Organisational Development  
Accident / Incident Report Form

Please ensure all sections are completed, \*indicates mandatory field

**AFFECTED/INJURED PERSON**

\*Name:  \*Age:

\*Home Address:

\*Postcode:  \*Home Telephone:

Status:  Employer:

Occupation (if employee):   
(Employer/Agency worker/Trainee/Contractor/Member of public/pupil)

Department:  Education Section/School:  Pen-y-Cwm School

**ACCIDENT/INCIDENT DETAILS**

Location of Accident:

Postcode:  \*Day  \*Date  \*Time

\*Type of Injury:

(Slip, trip, fall on same level, fall from height, manual handling, violence and aggression, harmful substance (COSHH), Contact with machinery/equipment, Contact with vehicle, Contact with electricity, NAI (No actual injury), Other)

What Happened?



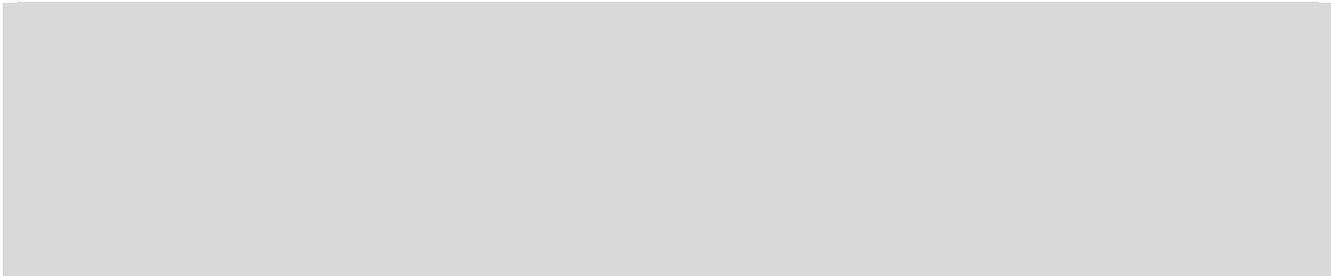
**ACCIDENT/INCIDENT DETAILS**

Name:  Occupation:

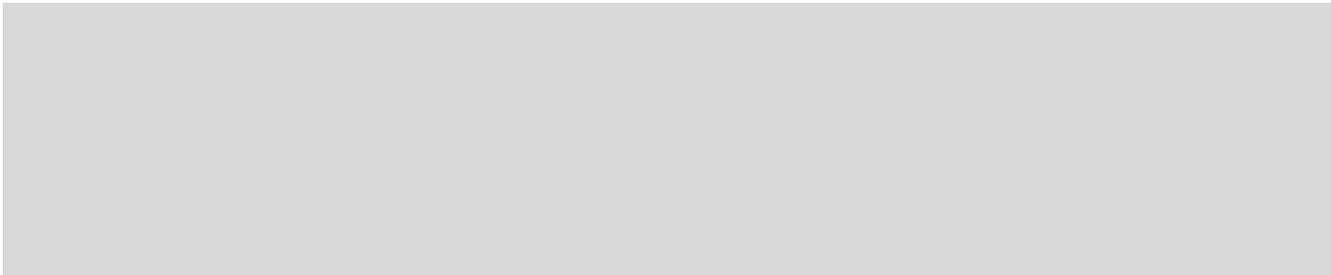
Address:

Did Witness actually see the accident?:

If no, How was witness made aware of the accident?



**MANAGEMENT ACTIONS TAKEN/REQUIRED**



**PERSON COMPLETING THE FORM**

Name:  Position:

\*Was treatment given:  \*Date of report:   
(onsite, hospital, DRs)

Comments

