

The use of Physical Intervention in Educational Establishments

1 Introduction

1.1 Purpose of this Policy

This policy deals with all situations where physical intervention or physical restraint may be used. These situations include, not only those pupils for whom risks have been assessed and protocols agreed for the use of restraint or physical intervention, but also those pupils whose behaviour is unforeseeable and unpredictable e.g. a pupil who for no anticipated reason displays behaviour which could endanger her/himself, a member of staff, other pupils or a visitor.

This policy will assist staff to be aware of the type of situation where they may or may not require to intervene physically, and those situations where it is acceptable or unacceptable to physically restrain a pupil. Aberdeenshire Council accepts that there are situations where, as an act of care, physical intervention or physical restraint may be necessary. All educational establishments must adhere to this policy to which school discipline and behaviour policies should make reference.

1.2 Terminology

Physical intervention refers to the actions by which one or more people restrict the actions of another.

Physical restraint is the positive application of force with the intention of holding a pupil.

Both are acts of care and control aimed at ensuring safety of the pupil and of others.

1.3 Rationale

Every child has a right to the best education which can be provided in partnership between school, parents/carers, the authority and the community. Staff have a right to teach in an environment which is not subject to disruption or aggression. Good pupil behaviour and skilled management by staff of pupils' behaviour are essential pre-requisites for an effective learning environment. Behaviour which challenges good order is a barrier to learning and teaching.

A framework for pupil support is in development at present. This will provide a framework for taking a holistic approach to the support of pupils and will address how pupils' needs can be met. There will be a spectrum of behavioural support tools and training available to staff to help ensure that pupils' needs are met.

However, there can sometimes be occasions in any school when pupils' behaviours challenge the ability of staff to maintain good order. A pupil's behaviour may disturb other pupils, may risk damaging property, or may place that pupil or others at risk of harm. All staff need to know the appropriate steps to take to de-escalate situations, to

minimise their severity, and to avoid physical intervention or restraint becoming necessary.

Conflict and aggression can be minimised by using effective de-escalation techniques and by auditing and managing environments around the school using tools such as the ASSIST (Aberdeenshire Staged Intervention Supporting Teaching) environmental checklists. Confident, trained staff working within a supportive team climate will feel they can handle day-to-day situations effectively and will call on the support of colleagues.

1.4 Protocols, Plans and Programmes

Staff must strive to develop and maintain good working arrangements for all pupils within the class situation.

All staff should be made aware, in advance, of pupils whose behaviour is volatile and also of those who have additional support needs which make their behaviour difficult to manage. These pupils should have Behavioural Risk Assessments (See Appendix 1), which include behaviour management protocols (i.e. agreements between parents/carers, the pupil and school staff about how to prevent, minimise and manage specific potentially dangerous situations) and must be agreed and established for all situations in which a pupil's behaviour may be a serious concern. These protocols should link clearly to the behaviour targets which are included in the pupil's Individualised Educational Programme (IEP), Individual Behaviour Plan (IBP) or Personal Education Plan (PEP) and should form part of the Managing Accessibility Plan (MAP). Wherever possible parents/carers and the pupil must be partners in these processes.

Proactive pupil support planning should trigger risk assessments. Behavioural Risk Assessments

- a. must be made known to all staff involved with the pupil concerned
- b. may be requested by any member of staff
- c. must be triggered or reviewed where there has been a violent incident
- d. must be reviewed where there is a change of provision or a change of staff
- e. must be conducted by a trained and competent person

2. Background

This policy is set within a context of good practice and also takes account of the legal framework.

2.1 Health and Safety

Aberdeenshire Council has legal obligations to ensure the health and safety of its staff and service users. These obligations include:

- a. ensuring safe working practices
- b. carrying out risk assessments and taking appropriate action to eliminate or control risks
- c. providing appropriate information, instruction, training and supervision for staff

Each Head of Establishment is responsible for all health and safety matters as they relate to his/her establishment.

All employees are expected to co-operate in the implementation of the Council's health and safety policy by

- a. acting in the course of their employment with due care for their own safety and that of others, who may be affected by their acts or omissions at work
- b. co-operating, so far as is necessary, to enable the Council to perform any duty or to comply with any requirements, as a result of any health and safety legislation which may be in force.
- c. using correctly all work items provided by the Council in accordance with the training and the instructions they receive to enable them to use the items safely

2.2 The Standards in Scotland's Schools etc. Act 2000

Section 16 of the Standard's in Scotland's Schools etc. Act 2000 states that action taken to avert "an immediate danger of personal injury to, or an immediate danger to the property of, any person (including the pupil concerned)" would not be taken as corporal punishment.

Property should only be considered a relevant cause for physical intervention when such damage to property could cause significant harm to individuals.

Physical intervention or physical restraint can only be justified if all other intervention strategies and non-physical methods have proved ineffective and there is an immediate danger of significant harm.

In no other circumstances can physical intervention or restraint against a pupil be justified.

3 Duty of Care

Aberdeenshire Council staff working in or at educational establishments, including off-site provision, have a duty of care in relation to the wellbeing of pupils and colleagues. Staff will need to use their professional judgement as to whether or not to use reasonable force to avoid a situation escalating out of hand. Members of staff may, if acting in accordance with this policy, intervene to avert immediate dangers.

Failure to act when there is evidence that a greater and significant harm may occur could result in allegations of negligence and consequent litigation. **Action does not necessarily mean physical intervention.**

Any physical contact carries with it the possibility of an allegation of inappropriate physical contact and may lead to an investigation and possible action by Aberdeenshire, by the police and by the GTCS.

When the action taken is in line with this policy staff are in a more legally defensible position if allegations of inappropriate action are made.

4. Implications for Head Teachers

Head Teachers must ensure that:

- a. Behavioural Risk Assessments are carried out where necessary for the purpose of establishing appropriate protocols (see Paragraph 1.4 and Appendix 1)
- b. Behaviour protocols are developed and agreed (see Paragraph 1.4)
- c. Staff, where appropriate, are offered training in
 - behaviour management
 - de-escalation
 - approved methods of physical intervention (see Section 7)

5. Principles Relating to Physical Intervention

It is essential that every member of staff is aware of these principles and applies them to their practice.

Staff should not put themselves at risk of harm.

A pupil must never be asked to physically intervene or to restrain another pupil.

5.1 Physical Intervention

Physical Intervention refers to the actions by which one or more people restrict the actions of another

5.1.1 If all steps have been taken to ensure that a pupil does not exhibit violent behaviour towards another person and the situation continues then the pupil should be warned that if they do not desist physical intervention may be used.

5.1.2 When it is apparent that a pupil is not responding to the behaviour management strategies being used by an individual member of staff and a violent incident seems imminent, then, wherever possible, another member of staff must be summoned. This will not be seen as a failure; the presence of a second adult could prove helpful in ensuring safety, objectivity and calm control as well as providing a witness to what takes place.

5.1.3 Staff should only attempt physical interventions where they are convinced of a satisfactory outcome i.e. the child is brought under control by the strategy employed.

- a. Physical intervention, up to and including physical restraint, should be used only as a last resort when all other strategies, including that of removing other pupils and summoning assistance from another member of staff have been considered.
- b. Such physical intervention should only be used to de-escalate or prevent a violent situation from developing.
- c. Physical intervention should not be used as a method of enforcing discipline or compliance.

5.2 Physical Restraint

Physical restraint is the positive application of force with the intention of holding a pupil

5.2.1 Physical intervention/restraint techniques should only be used by those staff members who are trained in such techniques unless in an emergency

5.2.2 When it becomes necessary to restrain a pupil, staff should maintain a calm and reassuring manner

5.2.3 Restraint must at all times be reasonable and judgement of what constitutes reasonable rests with the member of staff at that point of time. Reasonable is using minimum force and, where possible, using appropriate, recognised, recommended techniques

5.2.4 Care must be taken to avoid pain or injury to the pupil. **Restraint must never:**

- a. interfere with breathing, blood supply or genital areas.
- b. involve holding the head, throat, wrists, joints or fingers.
- c. be in a prone position.

5.2.5 Restraint should be relaxed and released at the earliest opportunity. The pupil should be told what will happen next to avoid unnecessary anxiety. If the member of staff is going to release the grip and stay quietly with the pupil, this should be explained.

5.2.6 Restraint should always be an act of care, never of punishment.

6 Procedural Points following Physical Intervention

Any incident where physical intervention has been used must be reported to the Head of Establishment immediately or as soon as feasible and the circumstances and justification recorded (Appendix 2).

6.1 Parents/carers should be contacted by the Head of Establishment at the earliest opportunity and on the same day in all cases.

6.2 Both the pupil and parents must be made aware of the reason why physical intervention was necessary. The views of the pupil and parents should be recorded at the time of discussion.

6.3 Immediate support should be given to staff and pupils involved. Time must be taken to ensure that the member(s) of staff involved has the opportunity to discuss the incident and their feelings around it. Personnel directly involved may require some protected time to reflect. After a serious incident it is sometimes helpful for staff to have an opportunity to talk with someone who is external to the establishment and/or not in a line management relationship to them (possibly a colleague or trade union representative, or a member of the Employee Assistance Programme).

6.4 Staff debriefing should take place no earlier than 24 hours after the incident but within a 72 hour period. The Head of Establishment should discuss the incident and reasons with the member of staff involved This will be an appropriate time to reconsider

the strategies in place and to re-assess risk in the light of what has happened. (See Section 4)

6.5 Pupil debriefing should take place no earlier than 24 hours after the incident but within a 72 hour period. This should be carried out by a member of staff who has a good relationship with the pupil and knows her/him well. This will be an appropriate time to reconsider the strategies in place and to re-assess risk in the light of what has happened. (See Section 4)

6.6 This policy will be monitored by the Education and Recreation Service to ensure that physical restraint does not become routine.

7 Staff training

7.1 Network Managers and Heads of Establishment must receive training on this policy and related operational issues.

7.2 The development needs of teaching staff are identified and agreed through the PDRS process. Where pupil management skills are an agreed development need, Aberdeenshire offers CPD opportunities. For example, training is offered in de-escalating aggressive behaviour and through Aberdeenshire Staged Intervention Supporting Teaching (ASSIST).

7.3 The only training in physical intervention allowed by the Education and Recreation Service is that provided by CALM Training Services and staff who use these methods must have received the required training. The need to have staff trained in such techniques would be identified through the Risk Assessment process.

7.4 Staff will not be required to participate in training in physical intervention techniques without their consent.

7.5 Staff trained in the use of recommended techniques must maintain their skills and have time protected to allow them to undertake the appropriate level of practice and re-accreditation. Both individual members of staff and Aberdeenshire Council are vulnerable to legal action if staff use CALM techniques without valid and up to date re-accreditation.

Appendix 1

Behavioural Risk Assessment

Where there is a known risk there must be a behavioural risk assessment incorporated into the child / young person's support plan.

A planned behavioural risk assessment should:

- involve the pupil where possible
- involve all staff who work with the pupil
- involve parents/carers where appropriate
- be conducted by a person trained and competent in behavioural risk assessment

A planned behavioural risk assessment may:

- involve outside agencies (e.g. NHS Grampian, Social Work)

A planned behavioural risk assessment must:

Identify and assess impact of the risk

- describe foreseeable risk naming the actual behaviour and including previous behaviour and relevant behaviour of others
- quantify risk from very low to very high
- take into account pre-existing medical conditions
- In what situation does the risk occur?
- Who is likely to be injured or harmed?
- What kinds of harm, injuries are likely to occur?
- How serious are the adverse outcomes?

Manage the risk

- detail previous body of evidence and known relevant situations
- consider different risk reduction options including
 - proactive intervention
 - early intervention
 - reactive intervention
- detail benefits and drawbacks of these
- measures should reduce the probability of the risk and the impact if it occurs
- agree a behaviour management plan and school risk management strategy with parents/carers and staff

Communicate the management plan

- to all who need to know
- record communication of plan
 - i.e. each member of staff involved with the pupil should sign the plan to say they have read it

Identify staff training issues

- identify training needs
- record training given

Be evaluated regularly

- including the views of
 - pupil
 - staff
 - parents/carers
- taking into account past incidents, body of evidence and available competent knowledge of all agencies

Specimen risk assessment pro-forma for assessing and managing foreseeable risks for children who present challenging behaviours

School

Name of pupil

Class group

Name of teacher

Participation in risk assessment	
Pupil	
Staff	
Parent/carer	
Involvement of outside agencies	

Identify and assess impact of risk					
Describe the foreseeable risk					
Name the actual behaviour					
Evidence of previous behaviour related to this risk					
Relevant behaviour of others					
Quantify risk	Very High	High	Medium	Low	Very low
Relevant pre-existing medical conditions					
In what situation does this risk occur (triggers)?					

Who is likely to be harmed?					
What kinds of harm/injuries are likely to occur?					
How serious are the adverse outcomes?					
Manage the risk					
Previous body of evidence		What happened?	When?	What were the circumstances?	
Risk reduction options					
Foreseeable risk	Measures	Possible options	Benefits	Drawbacks	Indicate reduction of probability or impact of risk

	Measures	Possible options	Benefits	Drawbacks	Indicate reduction of probability or impact of risk

Assessment completed by:

Signature

Date

Agreed behaviour management plan & school risk management strategy

Focus of measures	Measures to be employed	Level of risk

Agreed by:

	Name	Signature	Date
Pupil			
Staff			
Parent/carer			

Communication of behaviour management plan and school risk management strategy			
Plans and strategies shared with:	Communication method	Signature	Date actioned

Staff training issues (Trained staff must be in place in the establishment in which the pupil is placed/readmitted or transferred.)		
Identified training needs	Training provided to meet needs	Date training completed

Evaluation of behaviour management plan and school risk management strategy (See section 1.4 of the Physical Intervention Policy)¹

Measure set out	Effectiveness in supporting the child	Impact on risk

ACTIONS FOR THE FUTURE

Pupil	Name	Signature	Date
Staff			
Parent/carer			

¹ Where the evaluation determines that the Risk Assessment has been largely successful in supporting the child and in reducing the risk, then the "Actions for the Future" should be completed.
Where the evaluation determines that there have been significant failings, then a more fundamental review of the risk assessment is required as per Section 1.4 of the policy

Appendix Two

Recording

The following form should be completed in every school for every incident where there is physical intervention or physical restraint. Reports should be completed as soon as possible after the event. Reports should be submitted by all staff members involved.

An Aberdeenshire Council Violent Incident form should be completed and logged on the database.

In the event of injury any injury must be reported on an Aberdeenshire Council Accident and Injury form and logged on the database **and** any injury sustained by child/young person or member of staff while using a CALM technique must be reported to CALM Training Services either directly or through the Aberdeenshire Council Education and Recreation CALM Coordinator.

Physical Intervention Report Form

Senior Manager to whom incident reported.....

Date

Time

Location

(a)	Child/Young Person(s) involved		
(b)	Staff involved – including adult witnesses		
	1. 2. 3. 4.		
(c)	Informed Parties – parents/police/social work/education officer and time of contact		
(d)	Background and Build Up to the Incident		
(e)	Antecedent	Behaviour	Consequence

	If no state reasons:
(i)	Description of how the incident was resolved
(j)	Injuries (if any) to staff/young person and action taken – i.e. first aid/school nurse/hospital
(k)	Damage to Property
(l)	Additional Actions carried out

Date of completion of Record

Record completed by

Signatures of agreement or disagreement of those involved and witnesses.

	signature	print name	date
1.
2.
3.
4.

Appendix 3

Procedures for CALM (Crisis & Aggression Limitation & Management) trained staff

CALM trained staff have received two days theory training and two days physical intervention training in CALM techniques.

CALM trained staff may only use physical intervention under the same conditions as those laid out in this policy.

CALM trained staff must

- **have their training re-accredited annually.** They are not allowed to use CALM techniques after a year has elapsed from the date on their latest certificate. It is the responsibility of CALM trained staff to arrange their own re-accreditation through their school either directly with CALM training services Ltd or through liaising with the Aberdeenshire Education and Recreation CALM Coordinator.
- **practice their techniques regularly approximately every four weeks** and keep a log of this practice, noting dates and techniques practised.
- **follow the Aberdeenshire Education policy on physical intervention** with regard to use of physical intervention, including behavioural risk assessment and recording procedures.

Schools bear the costs of their own annual re-accreditation.

It is helpful if schools who have CALM trained staff can inform the Aberdeenshire Education CALM coordinator of any changes so that the data base can be kept up to date and any need for newly trained staff be noted such changes include

- CALM trained staff leaving the school
- CALM trained staff no longer able to reaccredit (medical reasons)
- CALM trained staff no longer wishing to reaccredit (no longer a need in school)