



## 1. INTRODUCTION

Eagle House School (Sutton) is an independent day school, which provides an appropriate education for secondary-aged pupils who hold a Statement of Special Educational Needs or Education, Health & Care plan for an autism spectrum disorder and associated social and communication difficulties. This will include children and young people with moderate or severe learning difficulties. This policy is also applicable to Eagle House 6<sup>th</sup> Form (Strawberry Lodge) which is registered as part of the main school in Sutton.

This Policy is based on the “*Physical Interventions: A Policy Framework*” written under the aegis of the British Institute of Learning Disabilities (BILD) and the National Autistic Society (NAS), and funded by the Department of Health (DoH). This policy is designed to help staff members of Eagle House School to make sound judgements and take appropriate actions when working with pupils who exhibit aggressive and self-injurious behaviour. The fundamental aim of this policy is to guarantee that all practices at Eagle House School (Sutton) are always used in the best interests of the pupils and under a positive and non-punitive philosophy.

Teachers and other authorised school staff are reminded that use of physical force must be reasonable and comply with:

- DfEE Circular 10/98, "Section 550A of the Education Act 1996 : the use of force to control or restrain pupils"
- Joint DfES/DH guidance issued July 2002, "The use of restrictive physical interventions for staff working with children and adults who display extreme behaviour in association with learning disability and/or autistic spectrum disorder"
- DfE guidance issued July 2013, Use of reasonable force : Advice for Head teachers, staff and governing bodies
- DfE guidance issued Jan 2016, Behaviour and discipline in schools: Advice for Head teachers and school staff
- Local authority policies
- School behaviour policies - This policy should be read in conjunction with Eagle House School Behaviour Policies

## 2. DEFINITIONS

**Challenging behaviour:** “behaviour(s) of such an **intensity, frequency or duration** that the physical safety of the person or others is likely to be placed in serious jeopardy, or behaviour which is likely to seriously limit use of, or result in the person being denied access to, ordinary community facilities.” (Emerson 1995) At Eagle House School, such behaviours might include a pupil displaying; aggression, violence, damage to property, self-injury or a reckless disregard for their own safety or for the safety of others. In order to guarantee the pupil’s and others’ safety, these type of behaviours might need to be addressed by using restrictive physical interventions.

**Restrictive Physical intervention:** actions by which one person restricts the movements of another

person. Physical Intervention implies the restriction of a person's movement, which is maintained against resistance.

**Eagle House School has adopted Positive Behaviour Support (PBS) as its behaviour management philosophy.** This approach seeks to understand the reasons why a person with autism might show challenging behaviour and to provide strategies to prevent situations developing into incidents, by altering the environment, teaching alternative behaviours and skills and by de-escalation using low-arousal methods. This philosophy also underpins the **Team Teach** approach, which is a BILD accredited system adopted by Eagle House School that focuses on prevention but also provides a range of agreed physical supports and interventions that staff are trained to use. Eagle House School has access to a minimum of two Team Teach instructors. All members of staff are trained in PBS and Team Teach as part of their induction.

The emphasis of this policy is to ensure that, as far as possible, physical interventions are prepared, planned and used in the best interest of the child.

### 3. THE LAW

Any restrictive physical intervention should be consistent with the legal obligations and responsibilities of Eagle House School and their staff and the rights and protection afforded to people with learning disabilities under the law.

Eagle House School is responsible for the provision of care, including physical interventions, which are in the pupil's best interests.

The use of restrictive physical intervention which results in restraint must always be necessary, proportionate and in accordance with the law.

The use of restrictive physical intervention should only be used to prevent:

- Self-harming
- Injury to others
- Severe damage to property that is likely to cause harm to the pupil or to others
- 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

*(Section 93 Education and Inspections Act 2006)*

**It is important to remember that:**

- Physical Intervention should only be used as a last resort when all other strategies have been tried
- Only a minimum amount of physical support must be used – that is the minimum amount needed to avert danger – and this should be applied for the shortest possible period of time
- The risks of using physical intervention must be judged to be lower than the risks of not doing so

- Physical Intervention can and should be used to prevent a dangerous situation from occurring, for example to stop a pupil climbing on to the roof of a building
- Any physical intervention should avoid contact that might be misinterpreted as sexual
- Physical intervention is an exceptional rather than routine method of management
- The Head of Education, Executive Headteacher, CEO and Directors expect all staff employed in the school to act as responsible adults to keep pupils safe whether they have already received training on how to use Physical Interventions or not
- The school will provide annual Team Teach training in the use of Physical Interventions

#### 4. ADDITIONAL GUIDANCE ON THE USE OF REASONABLE FORCE

Schools can use reasonable force to:

- prevent a pupil behaving in a way that disrupts a school event or a school trip or visit
- 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
- prevent a pupil from attacking a member of staff or another pupil, or to stop a fight in the playground
- restrain a pupil at risk of harming themselves through physical outbursts

Schools cannot use force as a punishment – **it is always unlawful to use force as a punishment.**

Searching pupils without consent:

In addition, the Head of Education and authorised staff can use such force as is reasonable given the circumstances to conduct a search for the following “prohibited items”:

- knives and weapons
- alcohol
- illegal drugs
- stolen items
- 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 to property

Force **cannot** be used to search for items banned under the school rules such as mobile phones and electronic cigarettes or similar items

## 5. VALUES

- Physical interventions should only be used in the best interest of the pupil.
- Pupils should be treated fairly and with courtesy and respect.
- Pupils should be helped to make choices and be involved in making decisions, which affect their lives.
- There should be experiences and opportunities for learning, which are appropriate to the pupils' interests and abilities.
- The use of restrictive physical interventions will always be considered within the wider context of other measures. These include establishing and maintaining good relationships with children and using diversion, diffusion and negotiation to respond to difficult situations.
- Use of physical force that is unwarranted, excessive or punitive is not acceptable. Failure to comply with this principle, when considering or using physical force, will be dealt with under school disciplinary procedures.

## 6. PREVENTION OF CHALLENGING BEHAVIOUR

- The emphasis of Behaviour Support Folders (BSFs) relies on prevention and proactive strategies.
- Challenging behaviours can often be prevented by careful management of setting conditions.
- Positive, non-punitive approaches are the only approaches used at Eagle House School.
- Setting conditions should be modified to reduce the likelihood of challenging behaviour occurring.
- Prevention procedures should be developed to ensure that problematic episodes are properly managed with non-physical interventions.
- For each pupil who presents a challenge there should be individualised strategies for responding to incidents of violence and reckless behaviour (See Behaviour Support Folders – BSF).

## 7. PROMOTING THE BEST INTEREST OF THE PUPILS

- Individualised procedures are established for responding to pupils who are likely to present violent or reckless behaviour. These procedures are documented in the individual's BSF and are intended to enable staff to respond effectively to challenging behaviour while ensuring the safety of all concerned.
- Physical interventions should only be used as a last resort and in conjunction with other strategies designed to help pupils learn alternative non-challenging behaviours.
- Planned physical interventions should be justified in respect of: what is known of the pupils from a formal multidisciplinary assessment, alternative approaches which have been tried

and evaluation of potential risks involved.

- The use of physical interventions should be subject to regular review.

## **8. PHYSICAL INTERVENTIONS AND RISK ASSESSMENT**

- All identified behaviours necessitating use of physical intervention should be formally risk assessed. The resulting risk management strategy must be compatible with a positive behaviour support approach. Planned use of physical intervention must be clearly shown to be in keeping with the pupil's statement/EHCP and his or her Personal Development Plan. It must also be properly documented within school records.
- All staff are aware of the distinction between physical contact or touch, used appropriately in everyday situations to support, encourage, guide or comfort a pupil, (See Touch Policy) and the use of force to restrict movement or to disengage from pupils whose behaviour presents a clear risk of injury.
- Techniques and methods for controlling and restraining pupils using restrictive physical interventions are assessed to ensure they are safe, suitable and appropriate for use with the named pupil.
- They should be agreed in partnership with the pupil, his/her parents (or those with parental responsibility) and other statutory agencies working with the pupil. This is especially the case when children are looked after by the local authority, or cared for by others with legal responsibility in order to ensure that there is a consistent approach to the use of force in and out of school.

## **9. MINIMISING RISK AND PROMOTING THE WELL-BEING OF PUPILS**

- Physical interventions should be employed as a last resort, using the minimum reasonable force.
- Any single physical intervention should be employed for the minimum duration of time.
- Physical interventions should not cause pain.
- Professionals at Eagle House School will discuss and identify possible contra-indications of physical interventions before they are approved.
- Pupils who receive a physical intervention will be routinely assessed for signs of injury.

## **10. USE OF RESTRICTIVE P.I. IN UNFORESEEN AND EMERGENCY SITUATIONS**

On occasion, staff may find themselves in unforeseen or emergency situations when they have no option but to use reasonable force in the form of physical intervention to manage a crisis. It is recommended that:

- before using force/physical intervention, staff attempt to use diversion or diffusion to manage the situation
- when using force/physical intervention staff must use techniques and methods with which they are familiar, confident and are permitted by the school

- in exceptional circumstances (where permitted techniques are ineffective or staff are unfamiliar with the action they should take) staff have a duty of care and should manage the situation as best they can to comply with Section 550A of the Education Act 1996 which states that:

A member of the staff of a school (“member of the staff”, in relation to a school, means any teacher who works at the school and any other person who, with the authority of the head teacher, has lawful control or charge of pupils at the school) may use, in relation to any pupil at the school, **such force as is reasonable in the circumstances** for the purpose of preventing the pupil from doing (or continuing to do) any of the following, namely:

- committing any offence,
  - causing personal injury to, or damage to the property of, any person (including the pupil himself), or
  - engaging in any behaviour prejudicial to the maintenance of good order and discipline at the school or among any of its pupils, whether that behaviour occurs during a teaching session or otherwise
- staff should always report and record use of force/physical intervention which is either agreed in a formal plan or that occurs in unforeseen or emergency situations using school procedures.

## 11. POST-INCIDENT SUPPORT

Incidents that require use of restrictive physical interventions can be upsetting to all concerned and may occasionally result in injuries to the pupil or staff. After incidents have subsided, it is important to ensure that staff and pupils are given emotional support and basic first aid treatment for any injuries. Immediate action should, of course, be taken to ensure that medical help is accessed for any injuries that require other than basic first aid. All injuries should be reported and recorded in accordance with school procedures. The school should take action to report any injuries to staff or pupils in accordance with RIDDOR.

Following serious incidents there is a formal debriefing meeting of all those involved to carry out a root cause analysis, facilitated by trained staff.

## 12. REPORTING AND RECORDING USE OF RESTRICTIVE PHYSICAL INTERVENTIONS

After incidents in which physical intervention is used, staff should report and record the matter in accordance with school procedures. All incidents requiring the use of physical intervention should be thoroughly and systematically documented within school records on SchoolPod (previously called BehaviourWatch). The school should take action to ensure that parents and the local authority are informed about these incidents in accordance with agreed local procedures and time scales.

## 13. MONITORING USE OF RESTRICTIVE PHYSICAL INTERVENTIONS

Use of physical intervention in school is monitored by the psychology team, behavior support specialist and Senior Leadership Team through a detailed analysis of incidents, in order to help staff learn from experience, promote the well being of the children and young people in their care, and provide a basis for appropriate support. Information on trends and emerging problems is

shared within the school at regular staff meetings. This is used to update risk assessments and Behaviour Support Folders.

#### 14. MANAGEMENT RESPONSIBILITIES

- Eagle House School Senior Leadership Team are responsible for developing guidelines on the use of physical interventions.
- Eagle House School Senior Leadership Team are responsible for ensuring that all incidents, which involve the use of restrictive physical interventions, are clearly, comprehensively and promptly recorded and addressed using school policy.
- All pupils, their families and their representatives should have ready access to an effective complaints procedure.
- Careful consideration should be given to the impact of resource management on the use of physical interventions.

#### 15. COMPLAINTS

If a pupil or parent complains about the use of restraint, the DfE 2013 guidance 'Dealing with allegations of abuse against teachers and other staff – guidance for local authorities, Head teachers, school staff, governing bodies and proprietors of independent schools' states that:

*"Suspension must not be an automatic response when a member of staff has been accused of using excessive force. Schools should refer to the "Dealing with Allegations of Abuse against Teachers and Other Staff" guidance (see the 'Further sources of information' section below) where an allegation of using excessive force is made against a teacher. This guidance makes clear that a person must not be suspended automatically, or without careful thought.*

*Schools must consider carefully whether the circumstances of the case warrant a person being suspended until the allegation is resolved or whether alternative arrangements are more appropriate.*

*If a decision is taken to suspend a teacher, the school should ensure that the teacher has access to a named contact who can provide support.*

*Governing bodies should always consider whether a teacher has acted within the law when reaching a decision on whether or not to take disciplinary action against the teacher.*

*As employers, schools and local authorities have a duty of care towards their employees. It is important that schools provide appropriate pastoral care to any member of staff who is subject to a formal allegation following a use of force incident."*

#### 16. EMPLOYERS RESPONSIBILITY TOWARDS STAFF

Employers and managers are responsible for the safety and well-being of staff.

Staff should be supported and encouraged to monitor all physical interventions that they use and those used by their colleagues and to report any incidents which give cause for concern.

## 17. STAFF TRAINING

All staff members at Eagle House School will be trained in Positive Behaviour Support strategies and Team Teach.

Staff who may be required to use physical interventions will receive regular training in knowledge, skills and values.

Training will be provided by an instructor with appropriate experience and qualifications.

Staff should only employ those physical interventions at Eagle House School, which they have been trained to use (but see use of PI in emergency situations above).

## 18. EVALUATION

All staff, pupils and Senior Leadership Team will review the policy annually via Staff meetings, the School Council, and Eagle House School Improvement and Strategy Group. Alterations will be implemented as necessary.

Criteria for evaluation will include:

- Pupils' involvement in, and commitment to, the policy
- Reduction of recorded incidents using restrictive physical intervention
- Effects of behaviour on the quality of learning

## 19. RELATED POLICIES AND DOCUMENTATION

- ❖ Behaviour Policy
- ❖ Rewards and Consequences Policy
- ❖ Touch Policy
- ❖ Risk Assessment Policy
- ❖ Debriefing Policy
- ❖ PI guidance for agency staff
- ❖ PI guidance for new staff

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