



# Chiltern Way Academy

Turning Futures Around

## Care and Control Policy

**Responsibility for this policy (job title):** Heads of Campus / Behaviour Director

**Responsibility for its review:** CEO

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## **Introduction**

The Heads of Campuses are responsible for the implementation of this policy. The policy has been approved by the Trustees of the Chiltern Way Academy (CWA). This policy applies to all staff.

The policy acknowledges that CWA staff must care for and educate some very challenging young people.

The policy has been developed with reference to:

Education and Inspection Act 2006 section 93  
Use of Reasonable Force in Schools DfE 2013

Positive handling/physical intervention and the extent of the force applied should always be proportionate and the minimum necessary to control the situation. Staff are expected to prevent and reduce challenging behaviour by exhausting all behaviour management strategies, where possible, before using physical intervention. What is the reason behind the behaviour being displayed?

The following policy applies when the students are in the care of the Academy staff.

## **Policy Objectives**

- To protect the safety and welfare of all Academy students.
- To protect the safety and welfare of all members of Academy staff.
- To protect the safety and welfare of all visitors to the Academy.
- To protect Academy property.
- To protect property beyond the Academy.
- To ensure the safe smooth running of the Academy.

## **Definition of Reasonable Force (Use of Reasonable Force DfE 2013)**

1. The term 'reasonable force' covers the broad range of actions used by most teachers at some point in their career. It involves a degree of physical contact with students.
2. Force is usually used either to control or restrain. This can range from guiding a student to safety by the arm through to more extreme circumstances such as breaking up a fight or where a student needs to be restrained to prevent violence or injury.
3. 'Reasonable in the circumstances' means using no more force than is needed.
4. As mentioned above, schools generally use force to control students and to restrain them. Control means either passive physical contact, such as standing between students or blocking a student's path, or active physical contact such as leading a student by the arm out of a classroom.
5. Restraint means to hold back physically or to bring a student under control. It is typically used in more extreme circumstances, for example when two students are fighting and refuse to separate without physical intervention.

6. Academy staff should always try to avoid acting in a way that might cause injury, but in extreme cases it may not always be possible to avoid injuring the student.

### **Definition of Positive Handling**

Positive Handling describes a broad spectrum of risk reduction strategies. Positive handling is a holistic approach involving policy, guidance, management of the environment, and deployment of staff. It also involves personal behaviour, diversion, defusing and de-escalation.

The Academy creates Positive Handling Plans for its students when necessary, these are referred to as Behaviour Management Plans. They are based on a risk assessment and identify positive prevention strategies and triggers for each individual student.

General Services underpins all of the Academy's behaviour policies, protocols, guidelines and practice. General Services is a holistic positive behaviour management approach. All staff at the Academy will receive General Services training.

### **Authorised Staff**

The Head of Campus has authorised all teachers/staff to use positive handling / physical intervention within each Campus.

All staff have the statutory power to use reasonable force within the context of the Education and Inspections Act 2006 and the subsequent guidance 'The Use of Reasonable Force to Control and Restrain Students'.

The Academy provides training for all authorised staff and the Head of Campus retains a list of all those staff trained and authorised.

The Head of Campus is responsible for making it clear to those with authorisation, in what circumstances and settings they may use force and for what duration of time this authorisation will last.

All members of staff are reminded that all students who have challenging behaviour will have a Risk Assessment with Highlighted Behaviour Management Strategies. These Assessments are reviewed annually and all staff and parents / carers are encouraged to make a contribution to the plans.

If any member of staff believes that a Behaviour Management Plan is no longer effective/suitable for any reason they MUST discuss this with the Head of Campus / Behaviour Lead.

## **Strategies for Dealing with Challenging Behaviour**

Staff will apply the Academy Behaviour Policy. Staff will use General Services training to underpin all behaviour management. Staff will exhaust all behaviour management strategies before considering positive handling or physical intervention.

### **Proactive Prevention**

#### **Primary Prevention**

This is achieved by:

- Ensuring all staff receive General Services Training;
- Ensuring the staff receive training on Positive Behaviour Support;
- Ensuring that the Academy CPD programme is appropriate for the students' needs;
- Ensuring all staff have access to all available information on every student;
- The deployment of appropriate staffing numbers;
- Avoiding situations and triggers known to provoke challenging behaviour;
- Creating opportunities for choice and achievement;
- Exploring students' preferences relating to the way/s in which they are managed;
- Ensuring the staff reflect on any intervention.

#### **Secondary Prevention**

This involves the recognition of the early stages of a behaviour sequence that is likely to develop into violence or aggression. Staff are trained to employ diffusion, distraction and de-escalation techniques in an attempt to prevent the behaviour intensifying. It is our aim within the Academy to change behaviour proactively and manage behaviour reactively through intervention.

In accordance with the Inspections Act 2006 Section 93, some or all of the following approaches should be taken depending on the circumstances/severity of the behaviour/incident.

- Verbal acknowledgement of unacceptable behaviour with a request for the student to stop; (this includes negotiation, care and concern)
- Further verbal discussion testing cooperation of the individual stating:
  - that this is the second request for compliance;
  - an explanation of why observed behaviour is unacceptable;
  - an explanation of what will happen if the unacceptable behaviour continues.
- Warning of intention to intervene physically and that this will cease when the student cooperates with requests, if possible seek / summon assistance from other staff – use walkie-talkies and code word for emergency assistance.
- Physical intervention. Reasonable force being used to prevent a child harming him or herself, others or property.
- Police intervention

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

- Primary prevention has not been effective, and
- The risks associated with **NOT** using a PI are greater than the risks of using a PI, and
- Other appropriate methods, which do not involve PI, have been tried without success.

### **Physical Contact**

It would seem reasonable that young people do require opportunities for close contact such as if tearful / upset and as long as this is within public view appropriate touch on the arm, back, sensitively carried out and age/person-appropriate. Trustees fully support this approach.

### **Physical Intervention**

There is a hierarchy of interventions. Challenging behaviour and physical interventions involve a risk to both staff and students. A risk assessment aims to balance these risks. The risks of employing a physical intervention should be lower than the risks of not doing so.

Students whose behaviour poses a risk to staff or students will be the subject of a Risk Assessment and will have Behaviour Management Strategies detailed as part of this. These will be shared with all staff and stored in the staff section of the Academy website.

All staff authorised to use physical intervention with students receive General Services Trainings. Within this training there is a particular focus on de-escalation but also the dangers and avoidance of positional asphyxia should a PI occur.

### **Guiding or Redirecting a Student**

This may be used to divert a student from a destructive or disruptive action, for example guiding or leading a student by the arm or shoulder where the student is compliant.

## **Physical Control or Restraint**

There are occasions when physical intervention is an appropriate response to the risks presented in a particular situation. However, the scale and nature of any physical intervention must be proportionate to both the behaviour of the individual, and the nature of the harm they might cause. Staff should apply General Services techniques. There should be a minimum of two staff involved, we accept that in some situations this is not always possible.

## **Ground/Prone Holds**

Some of the most challenging students will require Ground (Prone) Recovery Holds, this is included in their personalised Risk Assessment/Behaviour Management Plan. Given the risk, the inclusion of ground recovery within a plan must be agreed by the Director of Schools/Behaviour Director. Parents / carers will be consulted as part of this process, without parental support for the planned intervention, an alternative school may need to be found.

Ground recovery holds will only be used when required. There may be occasion when staff determine ground recovery holds should be used for a student and it has not been previously agreed. In this event the risk assessment for this student will be updated, parents / carers informed and the inclusion of ground recovery included within the student plan.

## **Recording Incidents**

Where incidents of a volatile nature, physical control or restraint have occurred a record of the incident will be kept. This record should be made in Behaviour Watch/CPOMS as per Academy protocol, website [go.behaviourwatch.co.uk](http://go.behaviourwatch.co.uk) or <https://www.cpoms.co.uk/>. Nominated staff or the Head of Campus / Behaviour Lead will sign physical Interventions/Significant Incidents. This incident will be logged against the student's record and saved within Behaviour Watch.

In the event of an injury (student or staff) or a Health and Safety breach, Smartlog will be completed.

## **Reporting**

All incidents recorded relating to a PI will be reported to parents / carers via phone call. The Student Behaviour Plan / Risk Assessment may be amended as a result of the PI.

All incidents involving a student being taken to the ground and held in (Prone) Front Ground Recovery, will be reported to parents / carers by telephone and recorded in Behaviour Watch. Any incidents whereby injuries are sustained during a ground restraint must be reported to the appropriate accredited body with all incidents of this practice being passed to the accredited body and the local authority every 6-8 weeks.

Where there is any concern over the appropriateness of an intervention the Behaviour Lead / Head of Campus may refer the incident to the Buckinghamshire Children's Safeguarding Board for clarification and/or investigation.

## **Monitoring**

Monitoring of incidents will take place on a regular basis (at least half-termly). The results will be used to inform planning, to meet individual student and Academy needs. To ensure objectivity the School Improvement Partner and a Trustee will be involved in the monitoring of all statistics.

The Head of Campus will present an annual summary of Physical Interventions to the Academy Health and Safety Committee.

### Other Post Incident Actions

- Debrief the student if possible. Check for injuries. Ensure that the student's views are recorded and acted upon if appropriate. Reflect on incident.
- Debrief the member/s of staff. Check for injuries. Ensure all recording and notifying procedures are followed. Reflect on incident.
- Review of Behaviour Management Plan/Risk Assessment as appropriate.

### Reasonable Force - Types of Incident

The incidents described in The Education and Inspections Act 2006 The Use of Reasonable Force to Control and Restrain Students fall into three broad categories:

- Where action is necessary in self-defence or because there is an imminent risk of injury.
- Where there is a developing risk of injury, or significant damage to property.
- Where a student is behaving in a way that is compromising good order or discipline.

#### \*COVID-19

#### Where action is necessary based upon a developing risk to health or an actual risk to health

Examples of situations which fall within one of the first two categories, are:

- A student attacks a member of staff, or another student;
- Students are fighting;
- Student causes a breach in Health & Safety or interrupts the smooth running of the Academy day
- A student is engaged in, or is on the verge of committing, deliberate damage or vandalism to property;
- A student is causing, or at risk of causing, injury or damage by accident, by rough play, or by misuse of dangerous materials or objects;
- A student is running in a corridor or on a stairway in a way which he or she might have or cause an accident likely to injure him or herself or others;
- A student absconds from a class / quiet area / room or tries to leave Academy (NB this will only apply if staff deem the student may be placed at risk by absconding).
- **A student threatening to or actually deliberately coughing or spitting at any member of the school community \***

Examples of situations which fall into the third category are:

- A student persistently refuses to listen to staff if asked to leave a classroom;
- A student is behaving in a way that is seriously disrupting or undermining a lesson.

Neither list is exhaustive.

## **Complaints**

All complaints about the use of force will be thoroughly, speedily and appropriately investigated. The Academy will contact the Local Authority Designated Officer (LADO) as appropriate. The Academy will follow the relevant guidance and policy.