

CARE AND CONTROL POLICY

V3

June 2024

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1.0 Policy Statement

At Beckfoot Trust, safeguarding is everyone's responsibility. The Trust is committed to safeguarding and promoting the welfare (both physical and emotional) of every child. We focus on providing a safe and welcoming environment for all our children. In most instances, it should not be necessary to use any form of physical restraint on children.

The Education Act of 1996 and the Inspections Act (section 93) of 2006 clarify the power of all members of school staff to use reasonable force (see definition 3.1.1). Within the context of this policy, school staff applies to any member of staff who works for the Trust but can also apply to people whom the Headteacher has temporarily put in charge of pupils (such as unpaid volunteers or parents) accompanying children on an organised school visit (see 3.1.2).

This policy aims to create as much clarity as possible around the use of reasonable force, whilst making it abundantly clear that force should never be used as a pre-meditated strategy for control or to punish a child.

2.0 Scope and Purpose

2.1 This policy is read by all staff who work for the Trust once a year, either as part of compulsory safeguarding training each September, or as part of our induction process if staff begin mid-year. It is the responsibility of Headteachers in schools to ensure the policy is read and understood by any volunteer/parent who temporarily fits the description of a 'member of staff' detailed in section 3.1.2.

The policy applies to all pupils. As a Trust, we acknowledge that it is our duty to make reasonable adjustments for any child with special educational needs and/or disability.

2.2 The purpose of this policy is:

- To define what reasonable force is
- To explain who can use reasonable force
- To provide examples of when and how reasonable force can be used
- To signpost measures that can be taken prior to the use of reasonable force
- To clarify how to record/communicate when reasonable force has taken place

2.3 Legislation and policy guidance

This policy is based on the following advice and guidance:

- The Education Act (1996)
- The Education and Inspections Act (2006)
- Use of reasonable force – advice for Headteachers, staff and governing bodies (DfE, July 2013)
- Searching, screening and confiscation – advice for Headteachers, school staff and governing bodies (DfE, July 2022)
- Behaviour in Schools guidance (DFE, September 2022)
- Positive environments where children can flourish - A guide for inspectors about physical intervention and restrictions of liberty (Ofsted 2018)
- When To Call The Police – guidance for schools and colleges (NPCC, 2020)
- Reasonable Force, Restraint and Restrictive Practices in Alternative Provision and Special Schools (DFE Research Report, March 2024)

This policy also links to our Trust policies and local school protocols on:

- Behaviour
- SEND and Disability
- Child Protection and Safeguarding
- Suspension and Exclusion
- Anti-bullying and Harassment
- Incident Reporting Procedures
- Code of Conduct for Employees
- Supporting pupils with medical needs including Asthma
- Intimate Care Policy

3.0 Overarching Principles

Beckfoot Trust create positive, happy, and safe environments for children to live and learn. We:

- Promote positive interaction with children building trusting and understanding relationships
- Respect children's rights, protect their dignity and do not restrict their liberty
- Seek to understand triggers for challenging behaviours and find solutions, actively planning to use strategies to avoid behaviour escalating
- Seek to diffuse the situation distracting the child and diffusing the situation in a least intrusive way
- Only intervene physically with a child to keep the child or a member of staff safe
- Record and report all incidents of physical restraint including to parents
- Ensure that our staff are trained, skilled and confident in finding the best ways to keep children safe

3.1 Reasonable Force

3.1.1 What is reasonable force?

There is no legal definition of 'reasonable force'. The term covers the broad range of actions used by most staff at some point in their career that involve a degree of physical contact with children. Force is usually used to either 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 restraining a child to prevent violence or injury.

'Reasonable in the circumstances' means using no more force than is needed for the shortest period possible. Reasonable force should be used as a last resort and should be proportionate to the age, gender, special educational needs, medical conditions, and state of physical, emotional and intellectual development of the young person.

'Control' means either passive physical contact (such as standing between children or blocking a child's path), or physical contact (such as leading a child out of a classroom or supporting a child when completing a rotational movement in Physical Education to prevent injury).

'Restraint' means to hold back physically or to bring a child under control. This would be an action typically used in more extreme circumstances (for example when two children are fighting and refuse to separate without physical intervention or if a child is seriously dysregulated putting themselves or others at risk of injury).

School staff should always try to avoid acting in a way that might cause injury, but in extreme cases to safeguard the majority, it may not always be possible to avoid injuring the child in need of physical intervention.

For this policy, three types of physical intervention have been identified: Passive physical contact, active physical intervention and restrictive physical intervention (see definitions 3.2).

3.1.2 Who can use reasonable force?

All members of school staff have a legal power to use reasonable force including temporary and unpaid voluntary staff, to control or restrain students in certain very defined circumstances outlined below.

Individual members of staff cannot be required or directed to use physical intervention. However, teaching and non-teaching staff work in 'loco parentis' and should always operate with an appropriate 'Duty of Care' to safeguard children, themselves and other members of the school community.

3.1.3 When can reasonable force be used?

The decision on whether or not to physically intervene is down to the professional judgement of the staff member concerned and should always depend on the individual circumstances.

Before intervening physically, where the individual circumstance allows (no immediate danger), the staff member should always attempt to use de-escalation strategies detailed in section 4.1 pro-actively managing challenging behaviours.

Calm and controlled verbal communication through one voice is imperative to ensure the child understands the staff member is trying to work with the young person to regulate their behaviour. The staff member should never display any frustration, irritation, or intention that their actions are to punish a child.

Reasonable force can be used to prevent a child from:

- Committing a criminal offence
- Vandalising property, including damage to the child's own property
- Hurting/injuring themselves or others
 - Children fighting
 - A child attacking a member of staff
 - A child running in a corridor or stairwell that might serious injury
 - A student absconding who would be at greater risk in the community
 - A child carrying or using a dangerous object
 - A child seriously dysregulated through physical outbursts
- Engaging in any behaviour prejudicial to maintaining good order and discipline at school or amongst children, either on or off site (organised activity) whilst with school staff.
 - A child persistently refusing to leave a learning space
 - A child behaving in a way that is seriously disrupting the learning of others which cannot be managed through the graduated response using the behaviour policy

In exceptional circumstances, it might be necessary for a member of staff to use reasonable force beyond organised activities or on the school grounds. For example, as a form of self-defence, to defend themselves against an attack by a child that happens within the community. The member of

staff should only use reasonable force to control the situation, or restrain in the event of an emergency where the child's behaviour was putting someone at risk of injury and the staff member is intervening to help and support the child or protect themselves.

Wherever possible, a staff member should not intervene physically without support from colleagues in order to safeguard themselves. If the staff member thinks there is a risk of injury to themselves, they should ask for assistance and attempt to continue to de-escalate the situation through verbal strategies until support arrives. This may mean the staff member removing themselves and other children to a different environment to mitigate risk and harm and prevent escalation.

Use of reasonable force should always be dependent on the situation and used with the minimum degree of force for the shortest time possible.

3.1.4 Power to search

Staff have the power to conduct a non-intimate search (for example, directing a child to empty their pockets) and to search items such as bags, coats and lockers with consent from the child themselves. The age, phase and ability of the child should be considered. Parental consent is not required and there is no need to record the child's consent. The Headteacher (or staff authorised by the Headteacher) have the power to search without consent if they have reason to believe the child has items prohibited by the school in their possession. Prohibited items are generally listed in the school's behaviour policy and/or student planner and include items such as:

- Alcohol and illegal drugs
- Knives and weapons
- Tobacco and vapes
- Fireworks
- Inappropriate images on mobile devices

Wherever possible searches will always be conducted with two authorised members of staff present, ideally of the same gender with the child present. Where possible, searches that require physical contact will be carried out by a family member or police officer. If time is of the essence and a search involving physical intervention is necessary to maintain good order or the health and safety of individuals, then the search may have to be carried out by an authorised member of school staff.

Parents/carers will always be informed if a search is required involving reasonable force.

3.2 Positive Handling

This policy does more than simply outline the use of positive handling in school. It aims to provide a transparent overview of how we use physical contact to both care for and, where appropriate, control our pupils.

Passive physical contact: situations in which physical interaction occurs to either care for or guide students who may be distressed, or have an additional need or disability, or in subject areas such as physical education in order to promote inclusive learning opportunities and deliver the academic curriculum. It may include a comforting hand on the shoulder, a guiding hand on the elbow, or strategies such as 'hand over hand' supported writing.

Active physical intervention: this may be used to divert a student from destructive or disruptive action, for example, guiding or leading a student by the arm or shoulder with little or no force. The techniques implemented here may include physical prompts to move students in the right direction or linking arms with a student to walk them away from a situation (escorting). The important factor within these situations is the compliance of the child or young person. Examples of Team Teach techniques implemented here will include 'turn, gather, guide' and 'the friendly hold'.

Restrictive physical intervention (control and restraint): this will involve the use of reasonable force when there is an immediate risk to students, staff or property. The main factor that distinguishes this from the other two areas is the non-compliance of the child or young person. It is important to note that the use of reasonable force should be seen as a last resort and intervention should always be the least amount required and for the shortest amount of time. The following Team Teach techniques may be used, 'single elbow or double elbow', 'figure of 4 hold', 'Team Teach breakaways' and 'half shield.'

All incidents should be recorded and stored in an accessible way and in line with DfE guidance (see 4.5 below). Staff should record any incidents that cause harm, injury or loss of dignity. This will be followed up with Trust protocols to support the dignity of staff in the workplace.

4.0 Graduated Response: De-escalation strategies to reduce the need for physical intervention

4.1 Pro-actively managing challenging behaviour

The following strategies are employed as a means by which to deal proactively with challenging behaviours and to ensure that restrictive physical interventions are used as a last resort and only when entirely necessary:

- Knowing our pupils well
- Building strong positive and trusting relationships with children and with their families
- Establishing clear expectations for behaviour and conduct
- Teaching and reinforcing clear routines and acknowledging compliance
- De-escalation, diffusion and distraction strategies to calm and refocus pupils
- Using calm, non-confrontation communication
- Use of the school stepped consequence system if appropriate
- Positive handling techniques such as prompts, guides and escorts
- Analysing behaviours and setting in place supportive plans to manage difficult and challenging behaviour, involving pupils and parents/carers
- Implement reasonable adjustments for pupils whose special educational needs can result in behaviours that are challenging or endanger themselves and/or others
- Teaching self-regulation and working with pupils to support them to manage emotions and to raise self-esteem
- Referral to external agencies for expert guidance and support

4.2 Before using physical interventions

Beckfoot Trust takes effective action to reduce risk by:

- Showing care and concern by acknowledging unacceptable behaviour and requesting alternatives using negotiating and reasoning (appropriate to the level of understanding of the individual)
- Giving clear directions for pupils to stop
- Reminding the pupil about rules and likely outcomes
- Removing an audience or taking vulnerable pupils to a safe place
- Making the environment safer by moving furniture and removing objects which could be used as weapons
- Using positive guidance to escort pupils to somewhere less pressured
- Ensuring that colleagues know what is happening and call for help

Staff should always speak calmly as a way of reassurance e.g. “I am doing this to keep you safe.”

4.3 Supporting colleagues

Systems should be in place as part of the school behaviour protocol to ensure staff are not left to deal with incidents in isolation that may require some form of physical intervention. When children are demonstrating heightened or anxious behaviour, an identified named person may support in effectively de-escalating behaviours. Where possible, a familiar chosen adult should be deployed as the single voice. Staff should endeavour to work with others to support one another. Staff arriving to support should never assume physical intervention is required before speaking with the member of staff present and/or assessing the individual situation. To support colleagues, staff should always be prepared to take over as the main person managing the situation. Sometimes a change of face can help to diffuse and de-escalate. If prolonged physical intervention is required (for example, use of a bean bag as a shield) working in tandem or teams provides mental and physical support for colleagues and ensures there is always a witness present to safeguard both children and staff.

4.4 Action after an incident

In addition, procedures will be put in place to ensure that appropriate support is provided for staff and children, and that following an incident pupil/staff relationships are rebuilt and repaired to ensure that a positive learning environment is maintained.

After every incident/crisis, the process that should take place for positive listening, learning and debriefing are to support staff and children. Relationships should be rebuilt and repaired to ensure that a positive learning environment is maintained.

- **Reflection:** What did we do?
- **Repair:** Is there anything we can do to repair the relationship?
- **Re-build:** What we can do next time – learning opportunities.

Where staff have been involved in an incident involving reasonable force, they should ideally have the opportunity for a brief period of rest and relaxation and in the case of more serious incidents, access to counselling and support.

The Headteacher will ensure that each incident is reviewed and investigated further as required. If further action is required in relation to a member of staff or a pupil, this will be pursued through the appropriate procedure:

- Review of the pupil’s Behaviour Support Plan (including positive handling plan)
- Risk Assessment

- Local School Behaviour Protocol
- Care and Control Policy
- Child Protection/ Safeguarding Procedure
- Health and Safety
- Intimate Care
- Suspension or Exclusion Procedure

The member of staff will be kept informed of any action taken. In the case of any action concerning a member of staff, he/she will be advised to seek advice from his/her professional association/union.

4.5 Recording, reporting and monitoring

Lower level but active interventions, such as guiding a child by the hand, may or may not include an element of force. If the intervention does not include an element of force, then it is not restraint. If it is not restraint, it does not need to be recorded as such.

Whenever a member of staff has occasion to use reasonable force, this will always be recorded and documented following agreed procedures. See Appendix 1 for an example.

All incidents involving restraint will be recorded on CPOMS or in a bound and numbered book. Within these recording strategies, all details must be recorded within 24 hours of the incident and, if entered the bound and numbered book, signed by at least the staff member involved and the Headteacher.

All staff involved in an incident should contribute to the record which should be completed before the colleague leaves site that day or, if is not physically possible, at the latest within 24 hours of the event occurring.

All bound and numbered book/ CPOMS documentation must be held by the school for 75 years after the date of birth of the child, in the locked safeguarding files.

Any injury to staff or children must also be recorded in the school's first aid records and, if necessary, by using the Trust incident reporting procedure.

All incidents of physical restraint will be reported to parents, unless there is a signed agreement otherwise in the behaviour support plan. All reports to parents will be logged.

Where there are repeated incidents triggers are analysed and proactive, preventative and supportive plans are drawn up, where appropriate involving the pupil and the parents/carers. This is recorded as a pupil Behaviour Support Plan (BSP) and will help to guide staff on how best to offer support to a pupil (Appendix 2).

Monitoring of incidents will help to ensure that staff are following the correct procedures and will alert Headteachers to the needs of any pupils whose behaviour may require the use of reasonable force. Headteacher's monitor trends and patterns in the data about individual children, individual staff and groups of staff.

Reports of violent incidents across the Trust are reported on an annual basis to the Trust Board. A summary of incidents of physical intervention will also be provided in the annual safeguarding report to the Board.

4.6 Planned Strategies – a staged approach and seclusion

The below are all short term planned strategies to support a child to resume their engagement with their educational programme:

4.6.1 Staged Approaches

- **Offered time out** – positive offer (should they wish to) to allow the young person to use a different environment for a short period to encourage emotional regulation
- **Directed time out** – adults may verbally direct (rather than offer) the young person to use a different environment for a short period to encourage emotional regulation as part of the behavioural management strategy
- **Withdrawal** – which involves removing the young person from a situation which causes anxiety or distress to a location where they can be continuously observed and supported until they are ready to resume their usual activities
- **Segregation** – similar to withdrawal the young person is removed from a situation that causes overwhelming, prolonged anxiety or distress to an individual learning space/classroom for an extended period of time where they can be continuously observed and supported until they are able to manage being in a classroom. This strategy will be reviewed at regular intervals to ensure that it remains to be in the best interests of the young person.

4.6.2 Seclusion

This is defined as ‘The supervised confinement and isolation of a person, away from others in an area from which the young person is prevented from leaving e.g. either by being able to unopen a door or gate or by a person blocking the way’.

Seclusion must not be seen as part of the routine staged approach. The use of seclusion that prevents a child from leaving a room of their own free will only be considered in **exceptional circumstances as a one-off response** when all other efforts and options have been exhausted. If there is an agreement there may be a foreseeable need to use this again this would need to be agreed in full consultation with other appropriate professionals e.g. clinical psychologist/psychiatrist. It must be part of a clear short-term Behaviour Support Plan supported by a comprehensive risk assessment which is regularly reviewed and agreed by parents. **Seclusion must not be used with any intent to punish or teach the person any new behaviours.**

Seclusion must be recorded in the bound Serious Incident book/CPOMS and clearly identified as seclusion.

In all instances the Trust will ensure the health and safety of pupils and any requirements in relation to safeguarding and pupil welfare.

The Trust ensures that reasonable adjustments should be made to ensure that expectations of pupils who have special educational needs and/or disabilities are developmentally appropriate and fair.

5.0 Training

The Trust will provide appropriate basic training materials that should be delivered locally to all staff in schools, on the functions of behaviour and dynamic risk assessments. Schools should assess how many staff need further Team Teach training as appropriate for their cohort and review this regularly.

Accredited training in positive handling will be delivered to those staff by Team-Teach accredited trainers. The approach is affiliated to The General Services Association and its courses have been accredited by the British Institute of Learning Disabilities and The Institute of Conflict Management (2015).

6.0 Complaints

All complaints will be dealt with in line with the Trust's Complaints policy and will be investigated thoroughly and speedily.

If necessary, staff disciplinary procedures may be used to respond to any concerns of misconduct.

Where a member of staff has acted legally and in line with this policy, this will provide a defence to any criminal or civil action. The onus is on the person making the complaint to prove that his / her allegation is true and not for the member of staff to show that he / she has acted reasonably. Suspension of the member of staff will not be automatic and will be considered in line with our Staff Code of Conduct, Discipline Policy, Grievance Procedure and Child Protection and Safeguarding Policy.

7.0 Review of Policy

This policy will be reviewed annually and, as guidance from the local authority or DfE is updated. At every review, the policy will be approved by the Trust Board.

Appendix 1: Incident record form for physical intervention

Pupil name:	Class/form:	Year:
Date of incident:	Time:	Location:
Name(s) of staff involved:		

Please provide a detailed account of what happened:

Reason summary (please select all that apply):

Reason	Tick ✓	Reason	Tick ✓
To keep the child / young person safe		Responsive / reactive	
To keep other children safe		De-escalation	
To keep staff / other adults safe		Confiscation	
To remove a dangerous item			
To prevent damage to property			
Other (describe below)			

De-escalation strategies used:

Strategy	Tick ✓	Strategy	Tick ✓
Give verbal advice and support		Take up time	
Give space		Transfer adult	
Give reassurance		Success reminded	
Help scripts		Acknowledgement	
Negotiation		Apologising	
Choices		Agreeing	
Humour		Removing audience	
Consequences		Other	
Planned ignoring			

Positive handling strategies used:

Intervention	Tick ✓	Notes/comments/learning points for future
Intermediate		
Friendly escort		
Single elbow		
Figure of four		
Double elbow		
Single elbow to seats		

Were there any injuries sustained, damage to property, or verbal abuse (please note if it is related to protected characteristics)? (Student must be first aid checked twice, preferably not by the person who has been involved)

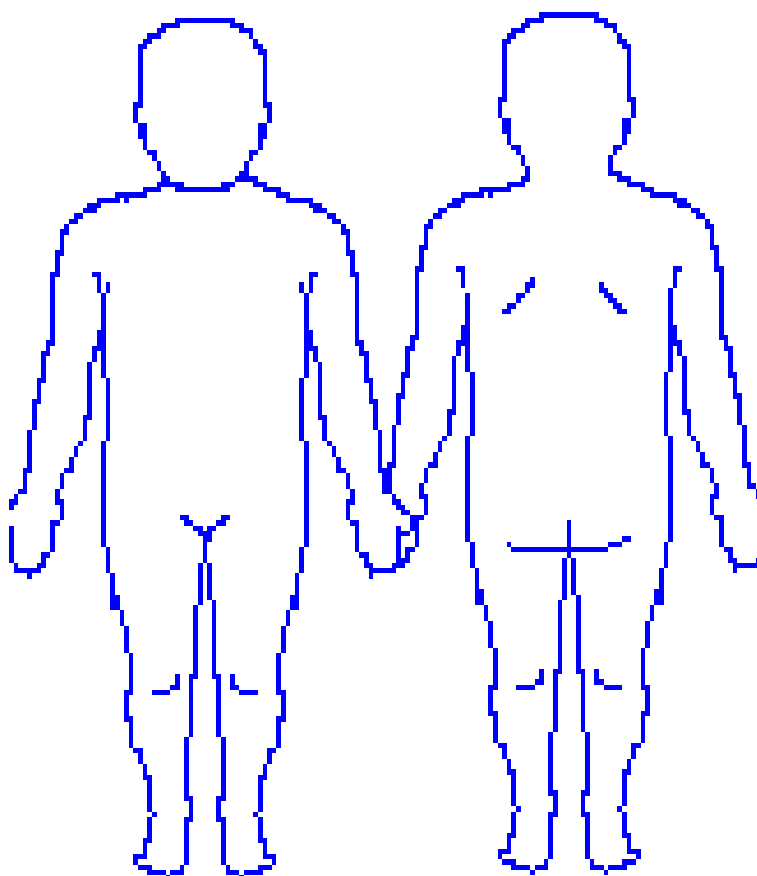
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Incident checklist:	Tick ✓
All witness statements collected and attached	
Parents informed / parent meeting	
Positive Handling Plan considered / completed / updated	
Risk Assessment considered / completed / updated	
Restorative work planned	
All documentation logged via CPOMS or bound and numbered book	
Were any Positive Handling Plans or Risk Assessments already in place adhered to? If not, why not? What action is being taken (complete below)	Yes/No

Form completed by:	Date:
Checked/witnesses by:	Date:

Positive Handling - Child body map

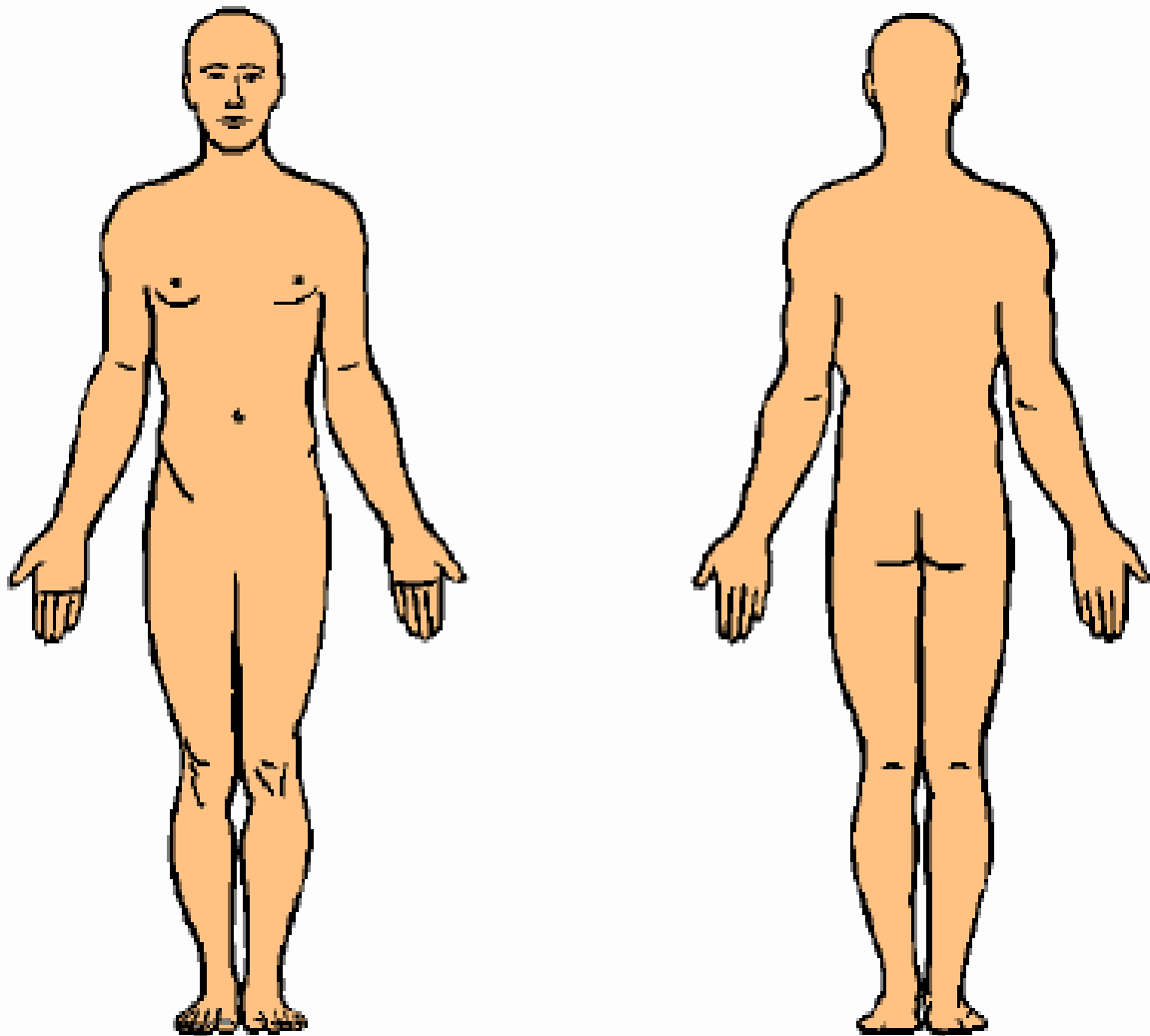
Please use this form to document any injuries sustained during restraint on the following body maps, indicating location of injury and type of injury e.g. graze, cut, bruise.



Detail	Comment
Name of child sustaining injury:	
Date and time of incident:	
Treatment received:	
Follow-up actions (if appropriate)	
Name of person completing form:	

Positive Handling - Adults body map

Please use this form to document any injuries sustained during restraint on the following body maps, indicating location of injury and type of injury e.g. graze, cut, bruise.



Detail	Comment
Name of adult sustaining injury:	
Date and time of incident:	
Treatment received:	
Follow-up actions (if necessary)	
Name of person completing form:	

Appendix 2: Model Behaviour Support Plan

Pupil name:	Class/form:	Year:
Date of plan:	Review date:	
SEND status: EHCP EHCA MSP SEN(K)	Primary need:	
Name(s) of staff involved:		
Name of parent(s)/carer(s) involved (where appropriate):		

Stage 1: Anxiety behaviours	Stage 2: Defensive behaviours	Stage 3: Crisis behaviours

What does the behaviour look like?

What are common triggers and early warning signs?

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Preferred de-escalation strategies

Strategy	Try ✓	Avoid ✓	Notes/comments
Give verbal advice and support			
Give space			
Give reassurance			

Help scripts			
Negotiation			
Choices			
Humour			
Consequences			
Planned ignoring			
Take up time			
Transfer adult			
Success reminded			
Acknowledgement			
Apologising			
Agreeing			
Removing audience			
Other			

Diversions and distractions / Praise points

1. 2. 3. 4.

Any medical conditions to be taken into account before using physical interventions

Preferred method of physical intervention

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Intervention	Try ✓	Avoid ✓	Notes/comments
Intermediate			
Friendly escort			
Single elbow			
Figure of four			
Double elbow			
Single elbow to seats			

Are there any factors to consider when debriefing? E.g. Communication aids, staff etc

<p>Hear</p> <p>Explain</p> <p>Link</p> <p>Plan</p>	
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How should we record incidents and who should we inform?

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Role/position	Print name	Signature
Headteacher		
Parent/Carer		
Social Care (if applicable)		
Educational Psychologist (if applicable)		
Child		
Other (state role)		

