



## Care and Control Policy

## 1.0 Rationale

Titus Salt School is an inclusive school, committed to the care and wellbeing of all its pupils so that they may grow and learn in a safe, secure environment. There is a large and diverse population of pupils with some who do not have a family background which encourages and supports good social skills and controlled behaviour at all times. Consequently, situations sometimes arise where pupils can be out of control and where staff need to take a decision about whether or not to use physical contact.

Clearly there is always a risk when staff need to intervene physically in a situation with young people. The purpose of this policy is to support staff in making decisions and in seeking support from other colleagues. The aim is to minimise risks to pupils and staff.

As a school, we wish to develop a policy tailored to our particular circumstances and to share this with all staff, pupils and families.

Titus Salt School has adopted and adapted a model policy from the DfE on the use of reasonable force to control or restrain pupils. This policy is based on that model in consultation with staff, pupils and representatives of the teachers' associations and approved formally by the Governing Body. It is adopted to complement the Behaviour Policy.

## 2.0 What the law says

This policy is an important part of minimising risk and has been written in accordance with the Department for Education guidance Use of reasonable force: Advice for head teachers, staff and governing bodies (July 2013), Keeping Children Safe in Education (Sept 2022) and takes account of the school's public sector equality duty set out in section 149 of the Equality Act 2010.

This policy guidance should not be treated as a complete and authoritative statement of the law. Interpreting the law is a matter for the courts.

## 3.0 Objectives

In order to maintain the safety and welfare of our pupils, it may sometimes be necessary to use reasonable force on a pupil, as permitted by law.

Both using force and deciding not to can incur significant risks for pupils and staff. This policy sets out mandatory requirements for all staff when considering use of reasonable force and physical restraint to ensure that it is used:

- a) only when absolutely necessary; and
- b) in a manner that will protect the safety of both our staff and our pupils

## 4.0 Strategies to minimise the need to use reasonable force

This section includes suggestions for strategies to minimise the need to use reasonable force/use restraint. This is by no means an exhaustive list:

- create a calm environment that minimises the risk of incidents that might require using force arising
- develop effective relationships between pupils and staff
- use Social and Emotional Aspects of Learning approaches to teach pupils how to manage conflict and strong feelings

- take a whole school approach to positive behaviour management
- provide training for existing and new staff on behaviour management strategies
- de-escalate incidents if they do arise
- only use reasonable force when the risks involved in doing so are outweighed by the risks involved in not using force
- use risk assessments and positive handling plans for individual pupils that have a history of needing restraint.

### 5.0 Staff authorised to use reasonable force

All permanent teachers and staff who, as part of their role, are in charge of pupils, automatically have statutory powers to use force. Agency staff, or staff on temporary contracts should seek support from a permanent member of staff if they feel that restraint of a pupil is needed.

Temporary authorisation can be given to staff whose jobs do not normally involve supervising pupils. This can be done if these members of staff are temporarily in charge of pupils, e.g. supervising vaccinations.

### 6.0 Deciding whether to use reasonable force

Any use of force by staff will be reasonable, proportionate and lawful. Reasonable force will be used only when immediately necessary and for the minimum time necessary to prevent a pupil from doing or continuing to do any of the following:

- committing a criminal offence
- injuring themselves or others
- causing damage to property, including their own
- engaging in highly disruptive behaviour that undermines good order and discipline at the school or among any of its pupils, whether that behaviour occurs in a classroom or elsewhere.

Force should never be used as a punishment.

Possible examples when reasonable force may be considered:

- a pupil attacks a member of staff or another pupil
- pupils are fighting, causing risk of injury to themselves or others and a clear verbal instruction to stop fails
- a pupil is committing, or on the verge of committing, deliberate damage to property and a verbal request to stop fails
- a pupil is causing, or at risk of causing, injury or damage by accident, by rough play, or by misuse of dangerous materials or objects and a verbal warning to stop has failed
- a pupil tries to leave school and this could entail serious risk to the pupil's safety (taking into account age and understanding), to the safety of other pupils or staff or damage to property.

Staff should minimise the highest risks, for example by calling the police if a pupil is suspected of having a weapon.

Information about pupils who may present behaviour that requires restraint will be advised by the Assistant Headteacher (Personal Behaviour and Welfare) /SENDCo/Leader of Pupil Support through the appropriate channels, e.g. Individual Learning Plan.

### 7.0 Using reasonable force

It is important for authorised staff to use only the minimum force necessary to achieve the desired result. Before using reasonable force staff should:

- advise the pupil(s), giving a clear oral warning, that reasonable force may have to be used
- consider the types of reasonable force that could be used and the consequences of such
- consider all possible alternatives and as far as possible, they should not use reasonable force unless or until another responsible adult is present to support, observe and call assistance.

Types of reasonable force that could be used are:

- passive physical contact such as standing between pupils
- active physical contact such as:
  - leading a pupil by the arm
  - ushering a pupil away by placing a hand at the centre of the back
  - in more extreme circumstances, using appropriate restrictive holds, which require training (see Section 10).

### 8.0 Power to search pupils without consent

Reasonable force can also be used in order to conduct a search of pupils 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's rules

If a member of staff suspects a particular risk surrounding a pupil, i.e. possession of a weapon or drugs, then a senior member of staff, or the school's Safer School's Police Officer should be contacted immediately to deal with the pupil.

### 9.0 Disabilities and special educational needs

Those exercising the power to use reasonable force will take into account any Special Educational Needs (SEN) or disabilities a pupil may have. Reasonable adjustments will be made to ensure that a disabled pupil is not treated less favourably than other pupils because of their disability.

The SENDCo will discuss the needs of such pupils with the parents/carers and the members of staff who work with them to ensure that clear guidelines are in place as to the pupil's needs and when physical intervention may be necessary.

If physical restraint is likely to be necessary because of a pupil's disability or Special Educational Needs, a risk assessment will be put in place, following consultation with the parents/carers, setting out the techniques that should normally be used, taking into account the pupil's statement of Special Educational Needs or Education, Health and Care plan where appropriate.

The school will ensure that all members of staff involved with such pupils have received the appropriate training to enable them to carry out their responsibilities safely.

### **10.0 Staff training**

Staff given specific responsibility by the Headteacher will be provided with appropriate training through the District Achievement Partnership (Team Teach). This training is based on needs identified through Education, Health and Care Plans.

### **11.0 Recording incidents**

Staff will complete an incident recording form (Appendix 2/3) after each incident and pass a copy to the Headteacher and other appropriate people/organisations.

### **12.0 Reporting incidents**

All incidents will be reported to the Headteacher or Deputy Headteacher and may need to be reported to:

- parents/ carers (advice on reporting to parents/carers will be given with each individual incident)
- external agencies such as other local authority children's services, the local Children's Safeguarding Board, the Health and Safety Executive, youth offending teams and the police
- Governors.

### **11.0 Post incident support**

After an incident appropriate arrangements will be made to support staff and pupils involved, including meeting immediate physical needs and rebuilding relationships and ensuring that lessons are learned from the incident.

### **12.0 Complaints and allegations**

Any complaints or allegations of misconduct arising from incidents will be dealt with by the school complaint procedure and will follow the guidance set out in the Use of reasonable force: advice for head teachers, staff and governing bodies (July 2013),

### **13.0 Monitoring and review**

The policy will be reviewed by the school and governors after incorporating the most recent government legislation according to guidelines from the DfE and any other relevant agencies.

### **14.0 Further information**

Appendix 1 – Incident record and after care

Appendix 2 – Record of after care and agreed control plan

**Appendix 6**

**Incident record and after care**

Details of pupil or pupils on whom force was used by a member of staff (name and class).	
Date, time and location of incident.	
Names of staff involved (directly or as witnesses).  Directly:  Witness:	
Details of other pupils involved (directly or as witnesses), including whether any of the pupils involved were vulnerable for SEN, disability, medical or social reasons.  Directly:  Witness:	
Description of incident by the staff member involved, including any attempts to de-escalate and warnings given that force might be used.	
Reasons for using force and description of force used.	
Any injury suffered by staff or pupils and any first aid and/or medical attention required.  Staff:  Pupils:	
Reasons for making a record of the incident.	
Follow up, including post-incident support and any disciplinary action against pupils and staff (if necessary).	
Any information about the incident shared with staff involved in it and external agencies.	
When and how those with parental responsibility were informed about the incident and any views they have expressed.	
Report compiled by:  Name and role:  Signature:  Date:	Report countersigned by:  Name and role:  Signature:  Date:

**Appendix 7**

**Record of after care and agreed control plan**

After the incident please record brief details of the conversation(s) that took place with the pupil and/or parent/carer to:

- ensure the pupil is fully aware of the reasons why restraint was necessary
- plan strategies that can be used to avoid such incidents in the future (relevant staff will need to be informed of agreement)
- agree a method of restraint to be used should another incident happen and all measures above have been put in place and failed
- discuss any further support offered.

Member of staff	
Date of meeting	
Parent/member of the family present	
Report compiled by	Name and role
Signature	
Date	
Report countersigned by	Name and role
Signature	
Date	