

# OUTDOOR LEARNING CENTRE

## Physical Intervention Policy

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**Prepared by Mark Fry 14<sup>th</sup> November 2020**

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## Introduction

At the Outdoor Learning Centre there are times where there are students with severe emotional and behavioural difficulties who present challenges that may necessitate the use of physical interventions to prevent injury to themselves or others, damage to property or the breakdown of discipline.

New Forest Care Education does not permit staff to use ground holds which use prone or supine techniques. In extreme circumstances the use of a 'Shield' hold can be used to ensure the safety of the student, peers and staff.

Section 550A of the Education Act 1996 recognised that, in certain specific circumstances, necessary **reasonable** force which is **proportional** can be used by teachers and others authorised by the Director of Education to control or restrain students. Guidance from OFSTED (HMI April 2013) 'The use of force, including restraint and the restrictions of liberty, in education settings', is also incorporated in specific training for all staff.

The use of restrictive physical interventions should always be considered within the wider context of other measures. These include establishing and maintaining good relationships with children and using distraction, 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, should be dealt with under New Forest School Education (*New Forest Care Ltd's*) disciplinary procedures.

## **Rational and Scope**

The purpose of this policy is to ensure:

- The safe response to and management of extremely challenging or disruptive behaviour
- Staff understand company expectations and deliver consistent responses to students who exhibit challenging behaviour
- Students experience a high degree of predictability so aiding sensible decision making at times of distress
- Minimum risk of harm to students, staff and visitors to the centre

## **Key objectives for the Physical Intervention Policy**

- Ensure adequate training for new staff as part of the Induction Training as well as on-going 'refresher' training for established staff
- Ensure all staff understand the importance of developing strong, influential relationships with students
- Ensure there are clear expectations made of students and staff
  
- Ensure all staff feel empowered to challenge unwanted or dangerous behaviour
- Ensure processes are properly followed with correct documentation completed to evidence safe management of the students
- The Director of Education to monitor, evaluate and when necessary, challenge the application of the policy

## **Positive Behaviour Management**

All staff should adopt a positive approach to improving behaviour in order to reward effort, application, and to build self-esteem.

Staff should refer to the Outdoor Learning Centres Behaviour Policy when developing and implementing Individual Behaviour Plans. All Individual Behaviour Plans should be formally agreed before implementing them. Plans should be formally recorded in accordance with procedures and set out the action taken to:

- meet the student's needs
- encourage the student to make positive choices and develop self-control
- support the student in difficult situations
- safely manage crises if and when they occur

### **Play Fighting**

Many students will seek physical contact, in the form of play fighting from staff and peers; this should be actively discouraged with any student.

### **Powers to Search**

In addition to the general power to use reasonable force, the Director of Education and staff authorised by the Director of Education 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 e.g. mobile phones, etc.

### **Risk Assessment and Planning for Use of Restrictive Physical Interventions**

The Outdoor Learning Centre acknowledges that some children behave in ways that make it necessary to consider the use of restrictive physical intervention as part of a behaviour management plan.

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 management approach. Planned use of physical intervention must be in keeping with the student's own individual behaviour plan.

As stated IBPs we will be completed after a student assessments is completed and greater understanding of the needs of the student is understood. In the event of any incident occurring during assessments, staff will use their training and knowledge to manage behaviour in the safest way possible.

Any physical intervention used must be recorded as per New Forest Care's Education recording policy and guidelines as advised in DfES letter dated 24<sup>th</sup> April 2001 to Chief Education Officers in England "Positive handling strategies for students with severe behavioural difficulties".

Copies of the Incident Report are to be sent to Head Office electronically for notification and distribution to social worker and parents/carer (if appropriate). The centre will also maintain a copy its online system.

All staff should be aware of the distinction between physical contact or touch, used appropriately in everyday situations to support, encourage, guide or comfort a student, and the use of force to restrict movement or to disengage from students whose behaviour presents a clear risk of injury.

Techniques and methods for controlling and restraining students using restrictive physical interventions must be assessed to ensure they are safe, suitable and appropriate for use with the named student, taking into account their physical, emotional or medical needs. The Outdoor Learning Centre uses Team Teach.

The level and duration of any intervention used should be the **minimum** necessary to achieve the desired result, such as to restore safety. At no point should physical intervention be used to enforce compliance or be used as a sanction by staff. Corporal punishment is prohibited within the Outdoor Learning Centre.

## **Guidance for Using Restrictive Physical Intervention**

### **Power of members of staff to restrain students**

Restraint could be undertaken following failure of all attempts at de-escalation in the following circumstances

1. A member of the staff of a centre may use, in relation to any student at the centre, such force as is **reasonable** in the circumstances for the purpose of preventing the student from doing (or continuing to do) any of the following namely:

- (a) committing any offence,
  - (b) causing personal injury to, or damage to the property of, any person (including the student him/herself), or
  - (c) engaging in any behaviour prejudicial to the maintenance of good order and discipline at the centre or among any of its students, whether that behaviour occurs during a teaching session or otherwise.
2. Subsection (1) applies where a member of staff is –
- (a) on the premises of the school/education site, or
  - (b) elsewhere at a time when, as a member of its staff, s/he has lawful control or charge of the student concerned; but it does not authorise anything to be done in relation to a student which constitutes the giving of corporal punishment within the meaning of section 548.
3. Subsection (1) shall not be taken to prevent any person from relying on any defence available to him otherwise than by virtue of this section.
4. In this section -
- 1. "member of the staff", in relation to a school/centre, means any teacher who works at the school/centre and any other person who, with the authority of the Director of Education, has lawful control or charge of students at the school/centre;
  - 2. "offence" includes anything that would be an offence but for the operation of any presumption that a person under a particular age is incapable of committing an offence.

**Guidance for using positive physical intervention to prevent a young person from absenting themselves from the centre:**

All actions taken by staff should always be in line with the local authority agreed Care Plan, Risk Assessments, Individual Behaviour Plan for the student taking into account their age, vulnerability, any disability and known history.

There are times when it is legally permissible to positively intervene to prevent a student from absenting themselves from the classroom.

These are:

- When there is likelihood of significant injury of harm to themselves or others
- Serious damage to property at some time in the predictable future
- To prevent serious disruption to other's learning

## **Training**

To ensure that such intervention is consistently applied all staff will receive training and regular refresher courses in the Principles and Practice of Team Teach, a nationally recognised system.

All physical interventions are in keeping with the guidelines issued under the Children Act 2004 and DfEE Circular 10/98. Heavy emphasis is placed on de-escalation within the Team Teach system.

Amongst the staff group, The Outdoor Learning Centre has one qualified Team Teach Instructors to 'Advanced' level.

All the Centre staff are to also fully conversant with individual risk assessments and the Individual Behaviour Plans for students.

Following an incident, a debrief is conducted with the student as well as careful on-going work to address issues ensuring greater stability and assist in preventing repeated use of positive physical intervention.

## **Responding to Complaints**

The use of physical intervention may at times lead to allegations of inappropriate or excessive use. In the event of a complaint being made in relation to the use of force by staff, the matter should be dealt with Director of Education, who will refer to New Forest Care Education's Complaints and/or Safeguarding Policy.