



WORKING WITH CHALLENGING BEHAVIOUR, PHYSICAL RESTRICTIVE INTERVENTIONS AND THE USE OF SANCTIONS POLICY

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I CONFIRM THAT I HAVE READ, UNDERSTOOD AND AGREE TO WORK WITHIN THE DIRECTION OF THE ABOVE POLICY.

NAME.....

DATE.....

ROLE.....

POLICY ON WORKING WITH CHALLENGING BEHAVIOUR, PHYSICAL RESTRICTIVE INTERVENTIONS AND THE USE OF SANCTIONS

Introduction

The Social, Emotional and Mental Health Needs Specialist Resource provision at Mountford Manor Primary School aims to keep children with SEMH in mainstream schools and return children to a mainstream setting within a limited time period. To enable this to happen the children need to feel safe enough both physically and emotionally to risk reacting, responding and relating in different ways - enabling change.

This policy is intended to help staff carry out tasks to create and maintain a safe environment for all with a specific focus on working with challenging behaviour, maintaining a nurturing environment and within this ensuring good order and discipline.

The Mountford Manor Primary School SEMH SRP trains all staff in 'Team Teach', a system that promotes positive handling. This term is used to cover a wide spectrum of risk reduction strategies. It includes an integrative holistic approach involving training, policy and guidance, management of the environment and the deployment of staff. At the SRP we believe that all behaviour is a communication and we are committed to exploring and understanding the meaning of this communication for each child.

95% of positive handling does not involve physical intervention but in some circumstances this is necessary to ensure the safety of the child and others.

The policy begins with general guidance on working with challenging behaviour. It then looks at sanctions that are used at the SRP and those which are prohibited. It also looks at the use of physical intervention and restraint, including reasonable force.

It is essential that the approach to working with challenging behaviour is matched to the individual child's level of understanding and ability to make use of the approach. This requires SRP staff to discuss with staff of host schools and plan appropriate, helpful approaches to individuals. These are identified in each child's De-escalating Behaviour Plan.

The underlying belief of the SRP is that children are most likely to behave well when:

- Expectations are clear and achievable;
- They feel valued and cared for;
- They receive regular praise and positive feedback;
- They feel they are being successful;
- They receive consistent messages from staff, their families and carers, host schools and their external networks.
- They feel understood

The SRP uses a reflective approach to supporting the child to learn to regulate their emotions and manage their own behaviour. Each child has a first chance and a second chance to make the right choice with their behaviour. If their behaviour continues or they have hurt, used swear words or damaged property, then they are expected to have a reflection time. This is time to allow the child to stop and think about what they are doing. The length of time is in relation to their age e.g. age in years plus 1 minute or severity of behaviour e.g. if they have hurt it is 10 minutes. It is not a sanction and an adult can be with the child if they wish.

When children have been upset it often takes longer than anticipated to be fully calm. Children are then expected to have a calming period where they can choose a calming activity e.g. reading a book, colouring, having a glitter bottle, using the chill out room. The length of this is child dependent and is in place to prevent further escalation of behaviour.

Once the child has had reflection time and calming time, they have the opportunity to talk through events with an adult to help them understand what has happened and to hopefully take responsibility for their actions. The child is then expected to 'make it better'. This reparation is about rebuilding relationships and fixing any damage where possible. The rationale for this is that children will learn that when something goes wrong we can make it better and feel better in themselves for doing so.

Important Statement:

As a general rule nobody has the right to touch, move, hold or contain another person. **However**, people with a duty of care (such as staff at the SRP), operate in exceptional circumstances where it is sometimes necessary to act outside the norm. Whenever they do so they should be clear about why it is NECESSARY. The best legal defence if ever challenged about an intervention is to show that any actions taken were in the clients BEST INTEREST and that they were REASONABLE AND PROPORTIONATE.

Definitions of terms used in this policy:

- Positive handling is the range of strategies used to defuse, avoid or intervene in challenging behaviours
- Physical intervention is any physical engagement with a child that is made by a staff member in order to establish the safety of the child, of others or to establish order.
- Restraint is 'the positive application of force by staff, in order to overcome rigorous resistance; **completely directing, deciding and controlling** a person's free movement'. The purpose of the application should be to safeguard the person, other people or prevent significant damage to property. (Team Teach 2003)
- De-escalating behaviour plans are documents prepared for each child detailing the agreed and recommended strategies that are most effective when working with that child and are found in the SRP office
- Seclusion is 'forcing a person to spend time alone'. At the SRP no child is forced to spend time alone as a consequence of challenging behaviour or as a punishment. Any separation from the child group would be in the company of or close proximity of an adult.

A. GENERAL GUIDANCE ON WORKING WITH CHALLENGING BEHAVIOUR

It should always be remembered that when working with challenging behaviour, interventions of any nature should be: **in the best interests of the child, reasonable, proportionate and necessary**

I. Anticipate and prevent

Get to know each child well: a strong relationship based on trust and respect is one of the most effective preventative measures – know their background information contained in their files and their positive handling plan;

Involve the children: in decisions about their treatment and about reasonable limits appropriate to each child's age and understanding;

Teach by example: model respect for the children and for each other in all of our work;

Encourage age appropriate behaviour: notice and respond when children are being helpful or constructive, friendly or just quiet and co-operative;

Be consistent: as far as you can maintain consistent limits within the team and find out about the limits the child is used to at home and elsewhere;

Be clear: children need to be aware of what is expected of them in terms of their behaviour and responsibilities. Problems often occur when expectations are unclear or unreasonable.

Work as a Team: make use of your team to avoid unnecessary conflict and engage in ways that help the child think

Praise and positively reinforce behaviour whenever possible – remember you generally 'get more of what you talk about'.

II. **When things become difficult, what helps:**

Try and avoid head on conflict: try distraction or compromise - defuse the situation wherever you can and stop it escalating. Relaxed humour is not out of order on occasions.

Use the opportunity for the child to learn: try and teach a positive alternative to an unacceptable behaviour - i.e. "let's do this" rather than "don't do that" - always aim to increase the child's own self- control, at least until they demonstrate that they have really lost it.

Make a distinction between the child and the behaviour: make it clear that you will go on caring for the child whatever he or she might do and recognise yourself that the behaviour is not really a personal affront to you.

Encourage children to find a way out of difficult situations: offer alternatives, make sure the child has a way out of the confrontation without losing face and make sure there are gains in getting out of the conflict.

If you have to use sanctions, make them immediate, fair, reasonable and try to ensure that the child understands why. If it does not make sense and means nothing to the child there is probably no point in doing it.

Recognise the child's feelings: it may be unreasonable for the child to kick, bite or scream but it is not unreasonable for them to feel cross or unhappy. Confirm the feeling with/for the child and help find acceptable ways to express the feelings. Many of our children struggle to label their feelings!

Keep your own self-control: get help and do not be afraid to go away and hand over the situation to others if you feel you are losing your own self-control.

Move confidently but calmly

Make simple clear statements to the child

Make sure your voice is quiet, firm and assured

Reduce the threat of your presence by sitting, kneeling or giving space for the child to move about. If you are challenging the child it can help to avoid direct eye contact.

Talk to the child even if it appears he/she is not listening - try to maintain eye contact and focus on being reassuring, offering comfort and security through staying with the child when distressed and out of control. Don't try to sort things out in the heat of the moment; leave that for later when the child is calmer. Together you can agree what needs to happen next in order to resolve the entire situation.

Use physical intervention only after other alternatives have been tried: if a child is presenting a risk to themselves or others, physically intervene, with the minimum force necessary and for just long enough to calm the child down. Never use physical intervention or restraint as a form of punishment. Know and believe that physical intervention and restraint can be used positively. Don't leave a child alone when upset unless you are sure the child is safe and only use "time out" where this has been agreed as appropriate for that child. Remember, physically intervening or restraining a child who is out of control can offer a sense of security and can help the child feel you are able to control with care and concern, but this is only when your restraint is of a non-aggressive nature, however firm you must be.

III. When things become difficult avoid further unnecessary problems:

- Don't take it personally or make it personal
- Don't go it alone if you feel out of your depth: ask for help or ideas or advice;
- Don't throw your weight around and make alarming, woolly or unrealistic threats you cannot carry out;
- Don't corner and overcrowd or inhibit a child's movement unless the child or others are at risk;
- Don't use sarcasm: or tease or belittle or shame a child into obeying you;
- Don't shout as a routine response, or give complicated garbled messages with a high-pitched voice;
- Don't try to sort things out by bombarding the child with statements and questions, loudly or harshly put;
- Don't leave the child in order to look for the help/containment that should be available;
- Don't use physical interventions or restraint as such a regular feature of practice that it comes to be seen by children as such an everyday method of control and one which they will come to demand/expect before accepting adult authority. Children should be involved in discussing and identifying behaviours that might require adult intervention and physical intervening/restraint. This should occur at calm times, both prior to the need for any such intervention and as part of talking through occasions of restraint.
- Do use strategies included in the child's De-escalating Behaviour Plan
- Do ensure that one person takes the lead in talking to the child during the interventions. This can avoid creating further confusion

IV. Managing very challenging situations

When managing situations where there is a high risk **it is most effective for just one person to be in dialogue with the child**, whilst other members of staff support that adult in any way that is appropriate. This support might be to get someone else who has more experience of managing this type of situation, or has a stronger relationship with the child, to take over to talk with the child. Alternatively it might be to be quietly alongside the situation. It is often unhelpful to have a series of adults giving the child attention at these times, as this can prolong the incident or intensify it.

Finally, always record incidents of physical intervention/restraint using the appropriate bounded book and ensure that any appropriate amendments are made to the child's De-escalating Behaviour Plan

B THE USE OF PHYSICAL ENGAGEMENT AND RESTRAINT

It cannot be stated too often that when working with challenging behaviour, interventions of any nature should be: in the best interests of the child, **reasonable, proportionate and necessary**

Using reasonable force – the legal position (Use of Reasonable Force advice for headteachers, staff and governing bodies)

What is reasonable force?

1. The term 'reasonable force' covers the broad range of actions used by most teachers at some point in their career that involve a degree of physical contact with pupils.
2. Force is usually used either to control or restrain. This can range from guiding a pupil 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 pupils and to restrain them. Control means either passive physical contact, such as standing between pupils or blocking a pupil's path, or active physical contact such as leading a pupil by the arm out of a classroom.
5. Restraint means to hold back physically or to bring a pupil under control. It is typically used in more extreme circumstances, for example when two pupils are fighting and refuse to separate without physical intervention.
6. School 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 pupil.

Section 93 of the Education and Inspections Act 2006 enables all school staff to use reasonable force to prevent pupils from:

- a) Committing a criminal offence (or, for a pupil under the age of criminal responsibility, what would be an offence for an older pupil);
- b) Causing personal injury or damage to property; or

During school only

- c) 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.

The staff to whom this power applies are:

- a) Any member of staff at the school;
- b) Any other person whom the head has authorized to have control or charge of the pupils. This can also include people to whom the head has given temporary authorization to have control or charge of pupils such as unpaid volunteers (for example parents accompanying pupils on school organized visits); agency staff with appropriate training and
- c) Does not include any pupils

The power may be used where the pupil (including a pupil from another school) is on the school premises or elsewhere in the lawful control or charge of the staff member (for example on a school visit). (*DCSF – The Use of Force to Control or Restrain Pupils - 2010*)

Reasonable force may also be used in exercising the statutory power, introduced under section 45 of the Violent Crime Reduction Act 2006 (and re-enacted by section 242 of the ASCL Act 2009), to search pupils without their consent for weapons. This search power may be exercised by head Teachers and staff authorised by them, where they have reasonable grounds for suspecting that a pupil has a weapon. Force may be used by the searcher. Where resistance is expected school staff members may judge it more appropriate to contact the police. From September 2010 the power to search pupils without their consent has been extended to include alcohol, illegal drugs and stolen property ('prohibited items')

Authorisation of staff to use Team Teach

Staff at the SRP are all trained in Team Teach at a level appropriate to their job description.

Authorisation is given to staff to use the techniques included in their training as indicated in their training records.

MONITORING INCIDENTS, PHYSICAL INTERVENTIONS AND RESTRAINTS

All incidents physical interventions and restraints are recorded in the SRP's bounded book and transferred weekly onto a SRP tracking sheet.

Records should:

- Be completed after everyone has recovered but within 24 hours
- Use the systems, structure and pro forma identified in the Bounded Book
- Be factual and objective
- Be signed and dated
- Inform positive handling plans

The Bounded Book and data in this book is monitored every week by the Head of the SRP and monitored by the Principal. Patterns are noted and shared with the SRP team and host schools for thought and action.

The LADO is consulted where the use of restraint becomes a concern.

All records are archived along with current policy and guidance.

Incident Debriefs:

Debriefing after a serious incident is a valuable way of reviewing practice. All parties should be given the opportunity to be involved. Learning from these opportunities should inform practice and this learning incorporated in children's de-escalating plans.

Position statement – use of pain

Team Teach does not advocate the use of pain or locks.

However, Team Teach recognises that with regard to personal safety responses, getting away from bites, hair grabs, etc... There may be some slight and momentary discomfort and surprise, experienced by the service user, but the intention of the person applying the taught response is not to deliberately hurt the person who is holding or biting them, but to affect a release from a situation with the potential for significant injury in which they are experiencing pain themselves.

Role of Staff

Remember;

- Only use a physical intervention/restraint if it is in the best interests of the child, reasonable, proportionate and absolutely necessary
- Only use a physical interventions/restraint if you have been trained in the use of Team Teach or if reasonable force is required in an unforeseeable event

- Only use a physical intervention/restraint if a child is in danger of hurting her/himself, yourself or another person, causing non-trivial damage to property, or seriously disrupting other children.
- Only use a physical intervention/restraint if other forms of intervention have been tried and preventative steps are unsuccessful. These may include talking, comforting, calming, withdrawing yourself from the situation.
- Remember physical interventions/restraints are defensive protective techniques. They should never be used offensively.
- Use a physical intervention/restraint only until the child is calming down (no longer than absolutely necessary).
- Record the incident afterwards in the Bounded Book. Allow time to evaluate the incident.
- All staff are trained to identify positional asphyxia and should ensure that practice monitors risk both during the restraint and afterwards.

Role of Pupils

It is intended that, through participation in the SRP curriculum and nurturing environment, as well as through the reflective process, children should come to understand their own challenging behaviours and develop their capacity for verbalising feeling. This increased understanding and ability to verbalise should lead to reduction in acting out behaviour.

Role of Parents / Carers

We know children make most progress when we are working well with the parents and carers. This means good clear communication and the parents and carers understanding the ways in which are working with behaviour. It also requires common expectations to have been agreed and understood.

Other Specific Policy Detail

POSITION STATEMENT ON THE USE OF PAIN

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C REWARDS

Staff should take every opportunity to reward children for effort and achievement. This can be done informally through verbal feedback, encouragement etc. as well as more formally through daily assessment of their targets. Weekly sharing is used to highlight those children who have done well through certificates for 'Chameleon of the Week'.

D SANCTIONS

The SRP is governed by regulations under the Children Act 1989 which has the force of law. Amongst the sanctions prohibited are those specified in the Department of Health, Education Act 1996. These are set out in detail below. In addition, the range of sanctions used in any establishment for children must be approved by the National Care Standards Commission. Any sanction imposed beyond those approved will be unacceptable and possibly illegal. All sanctions permissible at the SRP are set out in this section.

E PROHIBITED SANCTIONS

The following sanctions are those prohibited by law and may never be used on any child in the School:

- I Corporal Punishment - Regulation 8 (2) (a)
- II Deprivation of Food and Drink - Regulation 8 (2) (b)
- III Restriction or refusal of visits / Communication from family and/or external authorities - Regulation 8 (2) (c) and 8 (3) (d)
- IV Requirement to wear distinctive or inappropriate clothes - Regulation 8 (2) (d)
- V Withholding or Use of Medication- Regulation 8 (2) (e)
- VI Restriction of liberty of children in care

The Children Secure Accommodation Regulations 1991 defines secure accommodation as "accommodation provided for the purpose of restricting the liberty of children".

Under this regulation the Secretary of State's approval is required before accommodation may be used for the restriction of a child's liberty.

The SRP has no such approval and therefore the following are not permitted:

The locking of a child or children in a single room at any time, even when accompanied by a responsible adult or adults;

The locking of internal doors to confine a child or children in certain sections, even when accompanied by adult or adults; (locking of external doors in order to provide safety for the children and prevent unauthorized persons from accessing the building is permitted)

- VII Imposition of fines above 2/3 of pocket money – Regulation 8 (2) (g)
- VIII Intimate physical searches – Regulation 8 (2) (h)
- IX Seclusion is 'forcing a person to spend time alone'. At the SRP no child is forced to spend time alone as a consequence of challenging behaviour or as a punishment. Any separation from the child group would be in the company of or close proximity to an adult.

In addition to these sanctions proscribed by law, the SRP itself prohibits the use of the following:

- threats of unacceptable punishments;
- any verbal abuse intended to humiliate or degrade a child, his/her family or other important person – whether in relation to race, sex, religion or any other respect;
- removal of curriculum entitlement for any reason other than health and safety;
- removal of rewards that have already been earned;
- the whole group being sanctioned as the result of individual children's behaviour.

Permitted Sanctions

Sanctions are routinely used by the SRP in conjunction with host schools to promote appropriate behaviour, and to help individual children accept responsibility for their actions. Staff teams should regularly review the use of sanctions for individual children to ensure that they are helping them to learn and become more responsible. If a sanction is not appropriate or effective it should not be used.

Guidance on the use of sanctions

Sanctions should:

- fit the inappropriate behaviour.
- be seen to be fair in the eyes of children and discussed with them so that they know clearly what sanctions are and are not permitted.
- not be seen as revenge or getting even.
- be for a specific period where applicable.
- be used with thought/consideration.
- be tailored to the individual.
- be discussed with the staff team.
- be applied as soon after the event as possible.
- be reviewed periodically; if seen to be unworkable other methods applied.

Sanctions used include:

1. Vehicle ban following dangerous behaviour in a vehicle.
2. Staying in during playtimes or lunch, to catch up on missed school work
3. School work being sent home for completion
4. Not being allowed to use specific pieces of equipment following their misuse e.g. computer ban.
5. Internal exclusion during the school day – This means being supervised 1 to 1 in a place away from the other children following a very serious incident e.g. setting the fire alarm off, absconding, continuous aggressive behaviour for a prolonged period of the day or serious physical assault.
6. Fixed term or permanent exclusion (see Exclusion Policy).