

ACT Schools Safe Touch and Physical Intervention Policy

Commitment

At ACT we believe that children have the right to independence, choice and inclusion, and we seek to provide opportunities for personal growth and emotional health and wellbeing. However, rights also involve responsibilities, such as not harming other people's rights. Children unable to control their actions or unable to appreciate danger have a right to be protected; as do other children and staff. Staff have a duty of care to all children and colleagues within ACT.

Purpose

The aim of this policy document is to:

- Develop a consistent approach to managing physical intervention.
- Ensure that a duty of care is being exercised to all children and young people.
- Ensure all staff are aware of their responsibilities in relation to positive handling and restraint including identifying training requirements.
- Provide staff with a framework for achieving best practice regarding positive handling and restraint.
- Ensure that all staff are aware of physical intervention recording protocols.
- Ensure staff are aware of the support structures within school.
- To ensure that physical restraint within ACT Schools is **always the last resort.**

Scope

Information detailed within this policy applies to all staff based on school sites that may be directly or indirectly involved in supporting learners who attend ACT Schools.

This policy should be used in accordance with our safeguarding policy and handbook and the My Concern system used to record any significant incidents.

Responsibilities

The Delivery Director and Head of 11-16 Education will be responsible for the implementation and day-to-day management of the policy and procedures.

All school staff will be responsible for and committed to following the policies and the procedures within.

Storage

This Policy will be communicated during induction and will be referred to in Centre Meetings in a proactive nature as well as during review meetings following on from incidents. It is stored on IrisHR under documents; schools' provision. The policy will also be referred to during all Physical Intervention training sessions.

The Safe Touch and Physical Intervention Policy is available on the ACT Schools website and is referenced in the induction and consent pack for parents and learners at point of admission. ACT School's process in relation to safe touch and physical intervention are also referenced in our behaviour policy.



Overview

Children learn who they are and how the world is, forming relationships with people and things around them. The quality of a child's relationship with significant adults is vital to their healthy development and emotional health and wellbeing which subsequently impacts on their successes within education. Many of the pupils who attend ACT Schools have been subject to trauma or distress or may not have had a positive start in life. It is with this in mind that staff seek to respond to children's development needs by using appropriate safe touch.

Our policy takes into account the extensive neurobiological research and studies relating to attachment theory and child development that identify safe touch as a positive contribution to brain development, mental health and the development of social skills. ACT has adopted an informed evidenced based decision to allow safe touch during our delivery sessions, as a developmentally appropriate intervention that will aid healthy growth and learning. The policy also considers instances where physical intervention is required in order to protect the child, their peers, the staff and the environment.

Our policy rests on the belief that every member of staff needs to know the difference between appropriate and inappropriate touch.

Duty of Care

The term "duty of care" is an important legal term. Everyone at ACT Schools who works with children has a duty of care. We do not need to wait for damage or injury. Our approach is to anticipate and try to prevent a situation that may cause injury or damage. A breach of duty of care may involve either taking unreasonable action or failing to take reasonable action to prevent harm to a pupil. By being pro-active during the working day we hopefully prevent the need to use restraint.

What is Restraint

Restraint: occurs whenever a member of staff, using intentional force, physically restricts a child's movement against his or her will.

Positive Handling: uses gentle physical prompting or guidance where the child is happy to engage and the aim is to assist him or her in a purposeful way. Physical intervention can also be part of a pre-agreed strategy used as part of a pupil's behaviour support plan.

Restraint and Positive Handling come under the description of:

"PHYSICAL INTERVENTIONS"

Physical intervention is a procedure for dealing with an unsafe or crisis situation. It must not be used as a form of punishment and must not be used when there are more effective methods to resolve the incident, such as distraction and de-escalation techniques.

The physical intervention (PI) techniques should be familiar to the staff involved, and they should be appropriately trained and be able to use them safely. Such necessary interventions are fully in line with guidelines set out in the Welsh Government guidance document number 041/2010 “Safe and effective intervention – use of reasonable force and searching for weapons”, 2010. The use of all restrictive practices including restraint should be in line with the principles described in the *Human Rights Framework for Restraint* produced by the Equality and Human Rights Commission (EHRC, 2019) as well as the guidance outlined in Welsh Government’s consolation document *Reducing Restrictive Practices Framework (2021)*.

There are other situations where physical contact may be necessary e.g. demonstrating exercises in PE lessons; administering first aid; or offering comfort to a distressed pupil. This does not constitute intervention but staff should be conscious of pupil perceptions and recognise that for some pupils touching may be unwelcome and misinterpreted despite good intentions. Instances such as these would be deemed as “safe touch” and are outlined below:

Different types of safe touch

There are different types of touch and physical contact that may be used:

1. Casual/informal/incidental touch- Staff use touch with pupils as part of a normal relationship, for example comforting a child, giving reassurance and congratulating. This might include putting an arm out to bar an exit from a room, taking a child by the hand, patting on the back or putting an arm around the shoulders. The benefit of this action is often proactive and can prevent a situation from escalating.
2. General reparative touch- This is used by staff working with children who are having difficulties with their emotions. Healthy emotional development requires safe touch as a means of calming, soothing and containing distress for a frightened, angry or sad child. Touch used to regulate a child’s emotions triggers the release of the calming chemical oxytocin in the body. Reparative touch may include stroking a back, squeezing an arm to name but a few.
3. Contact Play-Contact play is used by staff adopting a role similar to a parent in a healthy child/parent relationship. This will only take place when the child has developed a trusting relationship with the adult and when they feel completely comfortable and at ease with this type of contact. Contact play is also relevant during Physical Education sessions whereby staff and learners may come in to physical contact when playing sports.

When can restraint be used at ACT Schools

Restraint should only be used in circumstances where there are good grounds and it is only to be used as a last resort.

Restraint is only to be used in extreme circumstances when all other behaviour management strategies have failed.

At ACT Schools restraint is only an option when:

A pupil is in immediate danger or injury to themselves, in danger of hurting others. In special circumstances where distraction and other intervention techniques have failed and it is felt that early positive handling could prevent the pupil’s behaviour escalating to the level that physical restraint is the only option.



Or

As part of a pre agreed behaviour strategy that will be described in detail in the pupil's individual BSP, which has been read and agreed with the individual pupil's parents/guardians. Whenever possible the BSP should be discussed and written with each individual pupil.

The decision to use restraint must be taken in the context of the level of risk presented by the Behaviour, the seriousness of the incident, and the relative risks of the use of any restraint compared with any available alternative.

The use of any physical intervention must also take account of the characteristics of the child or young person, including their age, gender, special educational needs, physical needs, individual medical needs and developmental level.

Who can use positive handling?

Staff using positive handling techniques have been fully trained in the Team Teach training methods and are trained to know when positive handling is an appropriate cause of action.

There are some situations where those without training might find it reasonable to use a degree of force.

- Everyone has the right to defend themselves against an attack provided they do not use a disproportionate degree of force to do so.
- In an emergency, for example if a child were in immediate risk of injury or on the point of inflicting injury on someone else, any member of staff would be entitled to intervene.

The Human Rights Framework for restraint (2019) states that:

Where restraint does not amount to inhuman and degrading treatment it may be lawful if used in accordance with the legal framework, ensuring that (15).

1. the aim of the restraint meets the purpose of the power in the legal framework, and
2. there is a rational connection between the method of restraint used and the aim (16).

The following principles must also be complied with:

1. the means of restraint and its duration must be necessary, and **no more than necessary, to accomplish the aim. This requires consideration of whether there is a less intrusive measure that could reasonably achieve the aim, and**
2. the end must justify the means. A fair balance has to be struck between the severity and consequences of the inference for the individual being restrained and the aim of the restraint(17). This requires consideration of any reasons why an individual may be particularly vulnerable to harm, such as their age, experience of trauma, health conditions or disabilities.
3. Minor acts of physical interference such as a guiding hand may not breach rights, but the use of more significant physical force may only be used to restrain:
 - a) as a last resort, where there is no viable alternative(18);
 - b) where there is a genuine belief (19) that it is strictly necessary to prevent serious harm including the risk of injury to the person or others, or in limited cases, preventing a crime, disorder or damage to property(20).

Behaviour Support plans

At ACT Schools, from point of induction, we gather information about the learner within their pupil passport. This gives an initial insight in to the learners needs, their potential triggers and identifies what is important to them. However, when behaviour interferes with a child's learning, quality of life, following his or her daily routine, or ability to function as part of the school community, we gather information; make observations, assess the function of the behaviour and record findings. Once all the information has been collected and if necessary, a behaviour support plan will be developed (BSP).

The BSP's give details of triggers and antecedents, an accurate description of the behaviour that may occur and strategies that will be employed to help pupils and staff to manage and prevent behaviour, avoid escalation and give clear strategies to manage the behaviour. The strategies should reflect pupil's developmental stage, communication requirements and health needs. Where appropriate BSPs may incorporate advice from parents/carer as external support agencies.

All positive behaviour management strategies will be carried out calmly by staff who are familiar to the pupil, taking into account all their sensory and communication needs, in accordance with school policies and procedures.

Physical intervention may be included on a pupil's BSP. It will be considered as a last resort once all other redirection or de-escalation strategies have been used and if it is felt that the pupil's safety or the safety of others are at risk. All BSPs are sent home to parents/guardians to read and sign.

During an incident

During an incident of physical intervention, staff must seek as far as possible to:

- Lower the child's level of anxiety during the intervention by continually offering verbal reassurance and avoiding generating fear of injury in the child.
- Follow the principles of Team Teach training to ensure the safety of the learner and the staff involved is a constant priority
- Cause the minimum level of restriction of movement of limbs consistent with the danger of injury (so, for example, will not restrict the movement of the child's legs when they are on the ground unless in an enclosed space where flailing legs are likely to be injured).
- Ensure at least one other member of staff is present.

Post incident reporting

Post incident, detailed written statement recording a physical restraint will be made as soon as possible after the incident (Appendix 1). This information will then be shared with the parent/guardian of the learner, the Head of 11-16 education and the feeder school/Local Authority. Where necessary, risk assessments relating to the learner may be amended following on from the use of physical intervention.

Post Incident Support Structure for Pupils and Staff

Following a significant incident, the school offers support to all involved. People take time to recover from a serious incident. Until the incident has subsided, the priority is to reduce risk and calm the situation down. Staff should avoid saying or doing anything, which could inflame the situation during the recovery phase. Immediate action should be taken to ensure medical help is sought if there are any injuries, which require more than basic first aid. All injuries should be reported and recorded using the school systems.

Time needs to be found to repair relationships. When careful steps are taken to repair relationships, a serious incident does not necessarily result in long-term damage. This is an opportunity for learning for all concerned. Time needs to be given to following up incidents so that pupils have an opportunity to express their feelings, suggest alternative courses of action for the future. This may result in the creation of BSP's or amendments to pre-existing ones where appropriate. Risk assessments will also be revisited during the recovery phase. When time and effort are put into a post incident support structure the outcome of a serious incident can be part of learning, growth and strengthening relationships. Counselling support is available for both learners and staff if required.

It is possible that serious incidents may breach the ACT behaviour policy and sanctions may be sought in accordance with our exclusion policy.

Complaints

If any parties relating to the incident wish to dispute the use of physical intervention, then they may do so following the procedures outlined in the Complaints Policy. Where required, a full investigation may be held to review the use of physical intervention.

DOCUMENT / POLICY CHANGE REQUEST:

Any requests for change to this policy must be submitted in writing to the Head of 11-16 Education.

DOCUMENT / POLICY REVIEW & APPROVAL:

This policy will be reviewed annually by a member of the ACT Schools Management Team.

Appendix 1

Incident Recording Sheet – Physical Intervention

Within 24 hours of the restraint taking place, please ensure that a signed copy of this form is:

- Saved on the child's school file
 - If appropriate saved on the child's safeguarding file
- In Caerphilly: Scanned and sent to restraint@caerphilly.gov.uk
- In Cardiff: Scanned and sent to DaWilliams@cardiff.gov.uk
- In Vale: Scanned and sent to RHEJones@valeofglamorgan.gov.uk

Basic Information

Name of School			
Name of Pupil		D.O.B	
Location of Incident		Date of Incident	
Time of Incident		Duration of Restraint	
Full names of staff involved			
Names of staff/pupils who witnessed the incident			

Reason for Intervention – please delete as appropriate

Risk of personal injury to pupil	Yes / No
Risk of injury to another person	Yes / No
Risk of significant damage to property	Yes / No
Compromising good order and discipline	Yes / No
At risk of committing criminal offence	Yes / No

Details of the Incident

What happened prior to the incident – please list any triggers	
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<p>Description of the incident</p> <ul style="list-style-type: none"> • Where did incident start • What was happening at the time • what action was taken to try to de-escalate the situation 	
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Level of Risk – please delete	Low / Medium / High
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Tick and/or describe precisely what the risk was					
Verbal Abuse		Slap		Punch	
Bite		Pinch		Spit	
Kick		Hair Grab		Neck Grab	
Clothing Grab		Body Holds		Arm Grab	
Throwing Objects		Weapon		Other	
Other:					
Who was at Risk?					

Method of Physical Intervention

<p>How was the pupil held?</p> <ul style="list-style-type: none"> • Name of hold • Number of adults 	
<p>Has the pupil been physically restrained before?</p> <ul style="list-style-type: none"> • Please indicate dates 	

Outcome of Incident

<p>Was anybody Injured?</p> <ul style="list-style-type: none"> • Who was injured • Nature of injuries • Treatment required 	
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Follow up action

<p>Were other agencies contacted?</p> <ul style="list-style-type: none"> • Medical Staff • Children's Services • Education Safeguarding (LAC) <ul style="list-style-type: none"> • Police 	
<p>Parent/Carer informed</p> <ul style="list-style-type: none"> • Method of contact <ul style="list-style-type: none"> • Time • Date 	
<p>Debrief discussion with pupil If yes, please summarise discussions. Please indicate the child's views. If no, please explain why not.</p>	Yes / No
<p>Debrief discussion with staff Please list any actions required.</p>	Yes / No .

<p>Name of professional carrying out restraint and completing this form</p>	
<p>Designation and signature</p>	
<p>Head Teachers signature</p>	
<p>Date</p>	