



# **Physical Intervention Policy 2020**

Oasis Academy Long Cross adheres to Oasis Community Learning's Physical Intervention Policy; a copy of which can be found on the Oasis Zone or accessed via the link:

<https://oasisit.sharepoint.com/sites/PP/PolicyPortalLibrary/Physical%20Intervention.pdf>

All staff are expected to have read Oasis Community Learning's Physical Intervention Policy.

### **Aims:**

The following information draws attention to certain parts of Oasis Community Learning's Physical Intervention Policy and outlines how relevant aspects of the policy have been adjusted, localised and implemented at Oasis Academy Long Cross.

This policy is intended to be read and implemented alongside Oasis Academy Long Cross' Positive Behaviour Policy within which specific circumstances are outlined.

### **Staff Training**

Oasis Academy Long Cross has a strong and established policy for positive behaviour which has been developed in line with trauma informed practice in which all academy staff are regularly, and at least annually, trained and supported in implementing. Ensuring an engaging and clear environment where positive relationships are paramount is central to our behaviour policy and Long Cross' identity. Staff are supported in developing their understanding and skill in managing sometimes challenging behaviour in line with our behaviour policy, which includes sophisticated diffusion and distraction techniques. Where appropriate, staff may be supported on a 1:1 basis and/or as part of our coaching model. Situations where physical intervention is necessary are therefore rare and it is important that it is considered and implemented as a last resort.

Wherever possible, any physical intervention should be carried out by a member of staff who has received formal Positive Handling training. Any staff who routinely work with students with known severe behavioural difficulties are regularly trained in Positive Handling (currently as delivered by Dave Hamblin from Bristol City Council). This includes all members of the Stepping Stones staff team, some members of the Resource Base staff team and all members of the Academy Senior Leadership Team. In line with the whole academy behaviour policy, a senior member of staff should be called upon as soon as possible if there is a perceived risk of need for physical intervention, and as soon as practically possible in order to take over, if physical intervention is needed in a sudden and/or emergency situation. Even trained members of staff physically intervening should call for support from a second member of staff as soon as possible; where feasible, before engaging with the intervention.

Staff outside of routinely trained members of staff will be offered training in Positive Handling at the discretion of the Principal. The Positive Handling course as delivered by Dave Hamblin from Bristol City Council includes training in:

- Policies

- Diffusion and Diversionary
- Physical Techniques
- Breakaway
- Documentation

In line with OCL, at Long Cross, all staff who are authorised to have charge and control over students by the Principal are authorised to physically intervene if the situation would consider it reasonable, regardless of formal training in positive handling techniques. All staff are expected to physically intervene in a sudden emergency situation unless a risk assessment has been written and deemed it high risk for a specific individual member of staff to do so. As part of the risk assessment, measures should be put in place to reduce the risk of such a situation arising and to ensure all individuals are kept safe, e.g. the member of staff in question should not be alone with students at times when there may be an increased at risk of potential physical intervention and should not be left without means of quickly communicating with other members of staff, even when with low risk individuals.

### **Basic Legalities Surrounding Use of Force:**

The Education and inspections Act 2006 – Section 550A allows teachers, and other persons who are authorised by the Principal to have control or charge of students, to use such force as is **reasonable** in all the circumstances to prevent a student from doing, or continuing to do, any of the following:

- Where action is **necessary** in self defence or because there is an **imminent** risk of injury;
- Where there is a developing risk of injury, or **significant** damage to property.
- Where a student is behaving in a way that is compromising to good order and discipline **if all other strategies have been exhausted**.

There is no legal definition of 'reasonable force'. It will always depend on all the circumstances of the case. There are two relevant considerations:

- The use of force can be regarded as reasonable only if the circumstances of the particular incident warrant it. The use of any degree of force is unlawful if the particular circumstances do not warrant the use of physical force. Therefore physical force could not be justified to prevent a student from committing a trivial misdemeanour, or in a situation that clearly could be resolved without force.
- The degree of force employed must be in proportion to the circumstances of the incident and the seriousness of the behaviour or the consequences it is intended to prevent. Any force used should always be the minimum needed to achieve the desired result.

Physical intervention should only be used as a last resort and never routinely or as a matter of course; other non-physical strategies for diffusing the situation **must** be tried first unless the nature of the situation poses risk which reasonably warrants immediate intervention e.g. a child running into a road. Additional advice around diffuse and distract techniques in critical situations to avoid the need for physical intervention can be found in Appendix A. Any physical intervention should only last for the minimum amount of time necessary.

For guidance on permissible forms of physical intervention please refer to section 8 of OCL's Physical Intervention Policy. It is worth remembering that the following are all considered forms of physical intervention, in addition to more restrictive holds:

- blocking a student's path
- leading a student by the hand or arm
- physically interposing between students
- shepherding a student away by placing a hand in the centre of the back

The law forbids any degree of physical contact which is deliberately intended to punish a student, or which is primarily intended to cause pain or injury or humiliation. In exerting physical intervention staff must avoid interference with breathing, blood supply, breasts or genitals and must avoid holding the neck, fingers or throat. For further guidance on inappropriate or prohibited forms of physical intervention please refer to sections 8 and 9 of OCL's Physical Intervention Policy. Please note that restriction of liberty by confinement or locking an individual in a room is not permitted except in **exceptional circumstances**, following which an immediate review by ALST **must** take place agreeing steps that should be taken if such an exceptional situation were to arise again in the future. Please refer to Appendix B for guidance on the intention and appropriate use of Long Cross' Calming Room.

### **Recording and Reviewing:**

All incidences of physical intervention and subsequent actions must be documented and reported. A member of the academy senior leadership team must be notified and a copy of the reporting form, which can be found in Appendix C, must be completed and returned to Chris Potter, or, in his absence, another member of the academy senior leadership team **within 12 hours of the incident**. All evidence will be reviewed, which in some cases may involve additional conversations with staff and students involved and/or who witnessed the incident. Based on the evidence, a professional judgement call will be made by ASLT as to whether the physical intervention and level of force was **reasonable** and justifiable in relation to the **specific circumstances** of the incident. All incidences will be recorded on a central log to ensure any patterns or recurrences can be quickly identified.

- Where there is doubt over whether the use of force was reasonable, further debriefing conversations and training will take place between staff involved and ASLT, and in some circumstances may be referred directly to the Academy Principal Karen Sheppard and/or academy DSL for further investigation and action. This may include cases where parents/carers or witnesses to the incident raise concerns.
- Where the level of force is agreed as reasonable, a review of the pupil's provision and risk assessment will take place to ensure that all possible action is being taken to reduce the risk of the need for recurrence of physical intervention in the future.
- The pupil's parent/carer must be informed following any incident of physical intervention. They should also be informed of any resulting adjustments to their child's provision.

A risk assessment will be written for any child who is considered at risk of potentially needing physical intervention, which outlines steps which should be taken, and provision that should be in place, to reduce this risk. The risk assessment should be reviewed at least three times a year (in line with Pathway Plans for students with SEND) as well as following any incident where physical intervention was used. A risk assessment must be written as part of the incident review for any student where one is not already in place (i.e. after the first incident where the individual had not previously been considered to be at risk). Any new or amended risk assessment must be shared with and signed by the pupil's parent/carer.

**\*Additional risks and restrictions relating to COVID 19 must be considered when reviewing any incident of physical intervention and considering changes to provision.**

Any child who is assessed as potentially being at risk for the need of physical intervention in school must be separately risk assessed when planning their attendance on any off site educational visit. A copy of the risk assessment must be submitted with the rest of the visit paperwork.

## **Appendix A**

### **Additional advice to staff who are dealing with students in critical situations:**

Distraction/diffusion and distraction in potentially dangerous situations

- Use of voice – keep your voice calm and quiet, speak slowly – the student is likely to respond to the pitch, tone and volume of your voice, positively if you are calm and negatively if you show aggression or anxiety.
- Attempt to keep communication channels open by talking to the student with sensitive use of eye to eye contact, offering choices and time for the situation to de-escalate.
- Humour can sometimes be used effectively to avoid the need for physical intervention – be careful to avoid sarcasm.
- In order to appear natural and avoid any risk of provocation, keep a confident natural body stance and maintain a critical distance, for as long as possible. Try to avoid being directly face to face or adopting other body language that may be interpreted as aggressive.
- Be appropriately assertive – directions/requests to students should be communicated confidently and with a clear expectation that the student will comply.
- Avoid power struggles – this is likely to increase anxiety and cause future problems for students and staff. It can remind students of their helplessness, create resentment and place staff members in the role of opponent.
- Try to reduce tensions by talking to students individually in one to one situations.
- Be aware of yourself; try to make time to consider your mood and how it may affect your objectivity and tolerance.
- Counter any aggressive advances by students by withdrawal out of critical distance as this may often defuse the situation.
- A member of staff who knows the student well is less likely to have to resort to physical intervention.

## Appendix B

### Calming Room

#### Rationale:

The Calming Room is a designated safe space which children can access to aid regulation of their behaviour. Children are taught and encouraged to ask to use the calming room when they feel they may need to do so. Staff may physically intervene to enforce the use of the room in line with the physical intervention policy, if a child's escalation is posing a risk to the safety of themselves, staff, or other pupils or to learning and/or good order.

It is a risk assessed, personalised and structured (reported, recorded and reviewed) strategy.

Where it is reasonably foreseeable that a child may need to access the Calming Room an individual Pathway Plan and risk assessment will be written outlining all additional provision in place including strategies to avoid escalation and aid calming prior to use of the Calming Room as well as details of how the space is used most effectively for the individual. This will be shared and agreed with parents/carers.

#### Protocol:

The Calming Room is a strategy to aid calming and behaviour regulation as well as to maintain safety and **must not** be used punitively.

Where a pupil uses the Calming Room, a member of staff must also be in the room (or just outside the **open** door) actively supporting the child's calming through the use of personalised diffuse and distract strategies. The child **must** be allowed to have a drink or use the toilet if they request to do so whilst using the room.

If the child is posing **significant risk** of causing harm to the accompanying adult then the child may be in the Calming Room alone with the door shut, throughout which time they **must** be continually monitored by at least one member of staff through the reinforced glass door. Any time that a pupil is alone inside the Calming Room and the door is shut **must** be kept to the absolute minimum and a member of the Academy's senior leadership team **must** be informed immediately, to ensure that appropriate support is provided for both the child and staff involved and that the period of confinement is kept to the absolute minimum.

Any period of confinement **must** be recorded by ASLT on the Academy's central log. The individual's needs and provision **must** be reviewed by ALST to ensure all necessary possible additional support is in place to meet the child's needs and reduce the risk of the need for further periods of confinement.

Parents/carers **must** be informed on the **same day** if their child has accessed the Calming Room, other than where the possibility and protocol has already been detailed on an individual's Pathway Plan (and therefore already discussed and agreed with parents/carers). An individual risk assessment will then be put in place to ensure all possible steps have been taken to ensure the child's needs are appropriately met.

## **Appendix C**

## Written Report Involving Physical Intervention of a Student

<b><u>Date:</u></b>	<b><u>Time:</u></b>	<b><u>Student:</u></b>
<b>Member(s) of Staff:</b>	<b>Additional Adult Witnesses:</b>	<b>Student Witnesses:</b>
<b><u>Incident leading to physical intervention:</u></b>		
<b><u>Strategies used prior to physical intervention (what was said; diffusion activities):</u></b>		
<b><u>Duration of physical intervention:</u></b>	<b><u>Level of hold:</u></b>	
<b><u>Outcome (how and why did the intervention come to an end, what were the next steps for the child):</u></b>		
<b><u>Details of any injury/damage to property:</u></b>		
<b><u>Member of staff (signed):</u></b>	<b><u>Member of ASLT</u> (notes of any additional action and signed to confirm all recording and review has taken place as outlined in the policy):</b>	