

# PORTFIELD SCHOOL & SATELLITE CENTRES



## **POLICY DOCUMENT FOR POSITIVE HANDLING AND USE OF TIME OUT AREAS FOR SCHOOLS/EDUCATIONAL SETTINGS**

Portfield School adopts the LEA guidance on:-  
POLICY FOR POSITIVE HANDLING AND USE OF TIME OUT AREAS FOR  
SCHOOLS/EDUCATIONAL SETTINGS

Adopted by the Headteacher and Chair of Governors on 05/06/2019

This policy will be reviewed by: June 2021

### Portfield School Mission Statement

Working together      Learning together      Achieving together

At Portfield School we strive to

- Create a happy, safe, supportive and stimulating learning environment
- Value everyone
- Develop everyone's personal, social, emotional health and wellbeing
- Promote relevant academic and vocational skills
- Meet individual needs through an imaginative and flexible approach
- Enable all learners to achieve their full potential

### UNCRC United Nations Convention on the Rights of the Child

- Portfield School places the values and principles of the UNCRC at the heart all policies and practices
- Portfield School is a Rights Respecting School

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## SECTION 1 Policy document-Context

The aim of this schools policy is to assist all staff in Portfield School to deal effectively with challenging behaviour to ensure that staff and pupils are protected from harm and to ensure that pupils are protected from any form of physical restraint or intervention which is inappropriate.

It is based on the Team –Teach framework approach to positive handling – ***“a holistic approach involving policy, guidance, management of the environment and deployment of staff. It also involves personal behaviour, diversion, defusion and de-escalation. Restraint is only a small part of the framework”***.

This policy takes into account:

- The Education Act 1996
- WG Safe and Effective Intervention – use of reasonable force and searching for weapons. Welsh Assembly Government Guidance 097/2013
- SEN Code of Practice
- All Wales Child Protection Procedures 2008
- Section 61 of the School Standards Framework Act 1998 which requires that all schools have pupil behaviour and discipline policy.
- WG Keeping Learners Safe WG Guidance 158/2015
- PCC Guidance for safer working practice for adults who work with children and young people January 2016
- PSCB The management of allegations against adults who work with children January 2013

In addition, it should be considered alongside the overall suite of guidance and school policies on aspects including those for exclusions, tackling bullying and inclusion and safer working practice.

## SECTION 2

### **Positive behaviour**

Reinforcing positive behaviour is a matter of concern for all schools, ensuring pupils experience a safe and positive learning environment. These policies are more likely to be respected and adhered to where pupils are directly involved in formulating and monitoring behaviour policies and have a stake in them. Pupils can be involved in a variety of ways through:

- consultations, suggestion boxes and focus groups;
- schemes to promote and implement positive behaviour – e.g. peer mentors systems;
- involvement in revision and monitoring of a whole-school behaviour policy;
- development of codes of conduct at class levels; and
- implementation of reward and merit schemes.

### **Reducing situations arising where positive handling may be required**

Portfield School will take steps to help reduce the likelihood of situations arising where the need to hold a pupil may arise by:

- creating a calm, orderly and supportive school climate that minimises the risk and threat of violence of any kind;
- developing effective relationships between pupils and staff that are central to good order;
- adopting a whole-school approach to developing social and emotional skills
- taking a structured approach to staff development that helps staff to develop the skills of positive behaviour management, safer working practice and managing conflict. Further guidance is provided in the Welsh Government's Keeping Learners Safe Guidance 158/2015
- effectively managing individual incidents. It is important to communicate calmly with the pupil, using non-threatening verbal and body language and ensuring the pupil can see a way out of a situation. Strategies might include, for example, going with the staff member to a quiet room, away from bystanders or other pupils, so that the staff member can listen to concerns; or being joined by a particular member of staff well known to the pupil; and
- wherever practicable, warning a pupil that force may have to be used before using it.

It is very important to ensure that all possible preventative steps have been taken to negate the need for physical intervention. Strategies other than force should always be considered and the use of physical intervention should be viewed very much as the final option.

Staff should have regular training/updates on safer working practice and be aware of the school ethos and the staff code of conduct. Where supply staff are used there should be a minimum induction in terms of understanding the school positive handling policy.

## SECTION 3 Policy-Positive Handling Strategies

Children have rights, including the right to an appropriate education. For some children, this right may be compromised by inappropriate behaviour.

Some children will display challenging behaviour, which may or may not be associated with a disability. Some challenging behaviour can place the pupil and others at serious risk because of its intensity, frequency and duration.

In order to protect a child from harming him/herself or others, or seriously damaging property, other methods should be considered first: e.g.

- Providing the disruptive pupil with a choice of locations to exit to;
- Giving clear directions;
- Allowing “take-up” time thus allowing a “face-saving” opportunity
- Removing the audience, i.e. requesting that other pupils leave the room;
- Implementing Team Teach help protocols so that another member of staff takes over the strategic lead of the incident, if he/she feels it is appropriate to do so.

Restrictive Physical Intervention should be an act of care and control, not punishment and to prevent a child from harm or from hurting another child/person. It is always unlawful to use force as a punishment. This is because it would fall within the definition of corporal punishment, abolished by Section 548 of the Education Act 1986.

Every effort should be made to ensure that wherever possible **at least 2 members of staff** are present before applying physical intervention. If this is not possible, intervention should not be delayed whilst further assistance is being sought. Any physical intervention should involve the minimum degree of force, maximum care and the minimum amount of time necessary.

Physical intervention is only for use in extremely rare circumstances. Staff would not be expected to use restrictive physical intervention strategies other than in exceptional circumstances or as part of any agreed behaviour plan.

Some examples of situations where reasonable force might be used are:

- to prevent a pupil from attacking a member of staff, or another pupil, or to stop a fight between two or more pupils;
- to prevent a pupil injuring themselves, or placing themselves in danger or at risk of injury;
- to prevent a pupil causing serious, deliberate damage to property;
- to prevent a pupil causing injury or damage by accident, by rough play, or by misuse of dangerous materials or objects;
- to ensure that a pupil leaves a classroom where the pupil persistently refuses to follow an instruction to do so;
- to prevent a pupil behaving in a way that seriously disrupts a lesson; or
- to prevent a pupil behaving in a way that seriously disrupts a school sporting event or school visit.

### What the law says

Section 93 of the Education and Inspections Act 2006, replaced Section 550A of the Education Act 1996 and enables school staff to use such force as is reasonable in the circumstances to prevent a pupil from doing, or continuing to do, any of the following:

- committing any offence (or, for a pupil under the age of criminal responsibility, what would be an offence for an older pupil);
- causing personal injury to, or damage to the property of, any person (including the pupil himself); or

- 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 which this power applies are defined in section 95 of the Act.**

They are:

- I. any teacher who works at the school, and any other person whom the head has authorised to have control or charge of pupils. This includes support staff whose job normally includes supervising pupils such as teaching assistants, learning support assistants, learning mentors and lunchtime supervisors;
- II. people to whom the head has given temporary authorisation to have control or charge of pupils such as paid members of staff whose job does not normally involve supervising pupils (for example catering or premises-related staff).
- III. It does not include prefects.

Those exercising the power to use force must also take proper account of any particular special educational need (SEN) and/or disability that a pupil might have. Under the Equality Act 2010 schools have key duties:

- not to treat a disabled pupil less favourably, because of his/her disability, than a non-disabled pupil;
- not to treat a disabled pupil unfavourably because of a reason related to their disability, without justification; and
- not to apply a provision, criterion or practice that puts or would put a disabled pupil at a particular disadvantage compared with a non-disabled pupil, without justification; and
- to take reasonable steps to avoid putting a disabled pupil at a substantial disadvantage in comparison with a non-disabled pupil (known as the reasonable adjustments duty).

The power may be used where the pupil (including a pupil from another school) is on school premises or elsewhere in the lawful control or charge of the staff member (for example on a school visit).

There is no legal definition of when it is reasonable to use force. That will always depend on the precise circumstances of individual cases. To be judged lawful, the force used would need to be in proportion to the consequences it is intended to prevent. The degree of force used should be the minimum needed to achieve the desired result. Use of force could not be justified to prevent trivial misbehaviour. However, deciding whether misbehaviour is trivial also depends on circumstances. For example, running in a corridor crowded with small children where there is a real danger of knocking them into walls or down steps may be dangerous enough not to be regarded as trivial.

The statutory power conferred by Section 93 of the Education and Inspections Act 2006 is in addition to the common law power of any citizen in an emergency to use reasonable force in self-defence, to prevent another person from being injured or committing a criminal offence. On preventing injury or damage to property, the statutory power is similar in scope to the common law power, except that it is only available to people authorised to have control or charge of pupils.

**Search for weapons**

Reasonable force may also be used in exercising the statutory power, introduced under Section 45 of the Violent Crime Reduction Act 2006, to search pupils, without their consent, for weapons. This search power would apply to head teachers and staff authorised by them, where they have reasonable grounds for suspecting that a pupil has a weapon. Reasonable force could be used by the searcher and/or the second person required to be present at a search. However the Welsh Assembly Government strongly advises schools not to search pupils where resistance is expected, but rather to call the police.

### **Use of prone restraints**

The Welsh Government is categorical in its advice and guidance on this issue and states that ***“under no circumstances, should any individual ever be restrained in a face down position”***

### **Corporal Punishment**

Any form of corporal punishment is unlawful. This was banned under the 1986 Education Act No.2. It is therefore unlawful for any member of staff to use any degree of physical contact which is deliberately intended to punish a child or young person or which is intended to cause pain, injury or humiliation

### **Health and Safety**

The use of restrictive physical intervention as a Positive Handling Strategy is a health and safety issue. The Local Authority expects the Restrictive Physical Intervention to be positive handling techniques. Teachers and employers are required to do all that is reasonably practicable to safeguard the health and safety of pupils whose actions are putting themselves and others at risk. The Management of Health & Safety at Work –Operative (Section 2(2)c) 1st January 1993 states that an employer “Has an absolute obligation irrespective of cost, time or inconvenience to provide such supervision, instruction and training to ensure the health & safety at work of employees.”

### **Risk assessments**

Leadership teams are advised to assess the frequency and severity of incidents requiring use of force that are likely to occur in their school. Historical patterns usually provide a good starting point. These assessments will help to inform decisions about staff training. Headteachers should report to the Governing Body each term on safeguarding matters including the frequency and nature of incidents.

Schools may also need to make individual risk assessments where it is known that it is more likely to be necessary to restrain a particular pupil, such as a pupil whose SEN and/or disability is associated with extreme behaviour. An individual risk assessment is also essential for pupils whose SEN and/or disabilities are associated with:

- communication impairments that make them less responsive to verbal communication;
- physical disabilities and/or sensory impairments;
- conditions that make them fragile, such as haemophilia, brittle bone syndrome or epilepsy; or
- dependence on equipment such wheelchairs, breathing or feeding tubes

Parents should always be involved in the formulation of any risk assessment plan implemented for a pupil.

### **Specific incidents**

Wherever practicable staff are expected to:

- Use a calm and measured approach; explain that the reason for intervention is to keep the pupil and others safe and not as a punishment ; make it clear that positive handling will stop as soon as the pupil calms and the risk assessment indicates it is no longer necessary;
- Tell the pupil to stop, remind them of consequences, tell them what will happen if she/he does not stop;
- Seek assistance from other colleagues at as early a stage as possible;
- Staff who become aware that another member of staff is intervening physically with a pupil have a responsibility to provide a presence, and to offer support and assistance should this be required;
- Try to defuse the situation orally and prevent escalation (SEE APPENDIX A);
- Try to remove the pupil from the peer audience;
- Attempt to communicate with the pupil throughout the incident;

- If it is not possible to control the extreme pupil without risk of injury to yourself or others, remove the other pupils who may be at risk and summon assistance.
- Give the impression you are in control and that you have not lost your temper or are not acting out of anger or frustration;

### **Application of force during specific incidents**

Methods that staff *may use* in appropriate circumstances where a risk assessment judgement supports this:

- Physically interposing themselves between pupils
- Blocking a pupil's path
- Using classroom furniture to restrict movement
- Leading by the arm
- Shepherding a pupil away by a light touch on the elbow or near the shoulder
- "Assertive guiding" – remembering this is the positive application of force to control a pupil and would be used in rare circumstances, e.g. if the pupil is in extreme danger and no other alternative is available, or where reasonable force is used to assist a pupil's movement.
- Holding – for security and to reduce anxiety where there is potential risk, even if the pupil is not yet out of control. The purpose is to defuse or prevent escalation.

Staff should take care that their actions should in no way be capable of being interpreted as aggressive during an intervention. They must comply with Team-Teach training techniques. All holds are devised to minimise the risk of injury. They should not cause pain.

Where pupils are presenting with more challenging behaviour which may require more restrictive holds it is important that these techniques have been delivered by appropriately qualified trainers that are approved by the Local Authority.

### **Intervention without help**

A member of staff should not intervene in an incident without help, unless it is an emergency. Schools should have communication systems that enable a member of staff to summon rapid assistance when necessary. Help may be needed in dealing with a situation involving an older or physically stronger pupil, a large pupil, more than one pupil or if the authorised member of staff believes he or she may be at risk of injury. In these circumstances he or she should take steps to remove other pupils who might be at risk and summon assistance from other authorised staff, or where necessary phone the police.

### **Reporting and Recording Incidents**

Should an injury occur as a result of an incident at school, immediate steps will be taken to secure appropriate medical attention and be reported in accordance with Pembrokeshire LA policy and recorded on Behaviour Watch. The Head or his/her deputy will tell parents about the incident by the end of the school day. However, if parents cannot be reached a letter will be sent to inform them of the incident and offer them the opportunity to discuss the matter.

The member of staff concerned will report the matter orally to the Head or a senior member of staff as soon as possible.

Staff may wish to seek advice from a senior colleague or their professional association when compiling a report. A written report should be completed within 24 hours of the incident's occurrence, and should be signed and dated. Staff are advised to keep a copy of the report for themselves. Staff may wish to seek advice from a senior colleague or their professional association when compiling a report.

Other witnesses to the incident, staff, pupils, will also complete reports. These will be signed and dated.



An incident report will be kept of any occasion when positive handling is used at the earliest opportunity (except minor or trivial incidences). **Incidents when holds or escorts have been used should be recorded in a bound and numbered book.** The staff member should be provided with an appropriate amount of time to complete the documentation thoroughly and signed by the member(s) of staff involved and the Headteacher. It should also note that the parent has been informed. If a Positive handling plan is in place, it will be reviewed accordingly.

The Incident Reports and the bound and numbered book will be reviewed by the Headteacher on an annual basis at least to consider further control measures and possible training needs etc. The governing body will receive termly reports from the Headteacher on trends and patterns.

### **Debrief Following Serious Incident**

Pupils and members of staff will be checked for any sign of injury and medical help will be administered if required

The pupil and staff member/s involved will be given time to become calm while staff continue to supervise him/her. When the pupil regains complete composure, a senior member of staff will discuss the incident with the pupil and try to ascertain any reasons. The pupil will be given the opportunity to explain things from his/her point of view. All necessary steps will be taken to re-establish the relationship between the pupil and the member(s) of staff involved in the incident. In cases where it is not possible to speak to the pupil on the same day, the debrief will occur as soon as possible after the pupil returns to school.

All members of staff involved will be allowed a period to debrief and recover from the incident. This may involve access to external support. This will include a process of reflection and discussion about what lessons can be learnt from the handling of the incident. A senior member of staff will provide support to the member of staff involved.

Where possible an attempt will be made to help the pupil modify their behaviour. Referral to an appropriate support agency should be considered to help this process if required.

Where appropriate, the pupil should apologise, this should be meaningful or appropriate. If this cannot be undertaken then other consequences/sanctions reparations and monitoring should take place. In extreme cases exclusion could be considered.

### **Long term planning and training needs**

If a pupil is likely to require positive handling on more than one occasion we will plan how to respond in line with Team teach protocols and guidance. This will include involving the parents and any other relevant person to ensure they are clear about what specific action we might need to take and obtaining medical advice if the child has any specific health needs. A Risk Assessment and a Positive Handling Plan will be drawn up, in consultation with all concerned and included as part of the pupil's Individual Educational Plan (IEP) or Pastoral Support Plan (PSP). It will be regularly reviewed by the ALNCO or assigned member of Senior Management on a termly basis. Where it is known that a pupil will require positive handling appropriate staff training will be provided.

Along with other aspects of their approach to restrictive physical intervention, schools should regularly review Risk Assessment and management measures.

### **Parental Involvement**

Parents will be informed of the school policy and legal duty to maintain a safe environment and the possible use of positive handling in extreme circumstances (SEE APPENDIX B). If some pupils require specific techniques to routinely manage their challenging behaviour, this will be fully discussed with parents/carers, on an individual basis, in advance of their implementation and included and any specific plans a pupil may have in place. All intervention will be routinely recorded and monitored.

All parents will be informed by telephone and in writing after an incident where positive handling is used with a pupil. The school will ensure that a record of the communication is made, with a copy of the written communication kept in the pupil's file.

### **General Physical contact with pupils**

Staff must be sensitive to matters relating to culture and gender issues and any known individual characteristics or special circumstances relating to pupils.

Some physical contact may be necessary e.g. during P.E. lessons, sports coaching or CDT, or if a member of staff has to administer first aid or medication.

Young children and children with SEN may need staff to provide physical prompts or help physical contact must always be age appropriate and done openly.

The school will ensure all staff are familiar with the local authority '*Guidance for Safer Working Practice for Adults who work with Children and Young People*' and provide regular training and updates to staff to remind them to be mindful of their own working practice.

### **Complaints**

This policy is in accordance with the *School Governing Body Complaints Procedures: Circular No. 011/2012*, *Exclusion from schools and pupil referral units Circular No.171/2015* and *Inclusion and Pupil Support Circular No. 47/2006*.

Involving parents when an incident occurs, and having our clear policy about physical contact with pupils that staff adhere to will help avoid complaints from parents.

All complaints will be recorded and followed up by the Headteacher or their representative in the first instance. Where appropriate the Authority will be notified/kept informed.

A complaint or dispute about the use of force by a member of staff might lead to an investigation under disciplinary procedures or by the Police/Social Care under Child Protection procedures. Staff should be made aware of the Local Authority guidance '*PSCB The management of allegations against adults who work with children*' and on the schools whistleblowing protocol.

## SECTION 4

### The use of time-out/withdrawal Areas

Under the Children Act 1989 any practice or measure, such as time out or seclusion which prevents a child from leaving a room or building of his/her own free will may be deemed “a restriction of liberty”. Such a restriction of liberty is only permissible under very specific circumstances. Seclusion (where a child is forced to spend time alone against their will) involves restricting a person’s freedom of movement, it should also be considered as a form of restrictive physical intervention

This guidance is intended to establish greater clarity regarding the use of rooms or areas in school other than the main classroom. It will be helpful to develop a common terminology covering the areas that may be used depending on their purpose. This should enable schools and the local authority to establish shared expectations about the context and environment.

**Restrictive physical intervention and Time Out are not a substitute for good behavioural management practice where a variety of approaches, techniques and support systems are put in place to manage children and young people positively.**

There are a wide range of reasons why it is essential for pupils to spend some time outside their usual classroom. These may include:

- Additional and/or alternative curriculum activities or learning programmes that may be individual or small group work
- specific enhanced arrangements for individual or small groups with specialist staff such as for SEN, Language assistants or Music.
- provision for speech and language therapy, physiotherapy, school nurses and school-based counselling
- access to sensory rooms as part of a specific programme for individuals who have additional needs or as part of a sensory curriculum for groups of children as part of, for example, the Foundation Phase
- areas of the school used for pupils who have demonstrated challenging or disruptive behaviour and, as part of a whole school approach to positive behaviour, pupils may be placed outside their classroom.

#### **Time –Out**

There is no clear definition of “time-out” in an educational context.

Time-out is delivered as part of a behavioural programme or support plan and only used as a short term measure in order to defuse a situation and reduce or remove the need for reasonable force. It might include:

- Preventing a person being involved in the activities which reinforce their inappropriate behaviour until the behaviour stops and the person engages appropriately.
- Allowing/asking/instructing the person to leave the activity and return when they feel ready to be involved and stop the behaviour that is of concern.
- Accompanying the person to another setting and preventing them from taking part in the activity they were undertaking/participating in for a set period of time.

Facilities to deliver time-out in these contexts can be wide ranging. They fit into 2 broad types of facility in general:

#### **Quiet areas**

Essentially these are places where children spend time away from other pupils supervised by a member of staff (in most cases), and are either allowed time to talk or given appropriate activities to complete. Often schools use open areas or corridors for this purpose.

Generally this is used as a **positive strategy** to help more vulnerable pupils identify their own systems for calming themselves and managing their emotions effectively through encouraging use of the facility as and when necessary. Rooms used in this way are acceptable practice in supporting the education of the child.

In these settings, these areas are utilised as a sanction for a number of reasons such as to reduce the risk of escalation of incidents or as a response to unacceptable behaviour.

### **Time-out rooms**

Time-out rooms, designed to deliver a time-out experience must not be confused with the practice of seclusion. Under no circumstances should a time-out room be used to deprive a person of their liberty; this would constitute a breach of a child's human rights. Most Secondary schools have Internal Exclusion Units (IEUs) that operate as a classroom environment, where pupils go to be supervised and complete their work away from the main class. These are good examples of the use of "time-out" and are entirely appropriate.

**In very exceptional cases** a very small minority of pupils with extreme behaviours can present severe risks to other pupils, to themselves, and staff and so there will be occasions (**after all other strategies have failed**) when some form of separation is the only viable option available, to defuse and calm pupils and so ensure the safety of **all** concerned. Children should not be left on their own.

### **Any rooms that are used for time-out/withdrawal must adhere to the following guidelines:**

- Pupils must be supervised at all times in such rooms
- Rooms must have natural light (windows) and ventilation.
- Rooms must not be locked when used for time out. If the room needs to have a look for security purposes (other than use as time out), it must be fitted with an internal thumb release mechanism.
- Rooms must be a minimum size (no less than 8 square metres), unless they are designed for certain Special needs purposes (e.g. Autism), where they must meet the prescribed industry standards.
- There must not be padding on any walls or doors unless this is specifically required to ensure the safety of pupils with severe or complex needs.
- All use of such rooms must have a comprehensive logging system to record use.

### **Future Arrangements**

There will be times when it is totally appropriate for a school to add to or amend its arrangements for the use of rooms and spaces outside the main classrooms. This could be as a result of changes in demographics or in the curriculum and support needs of pupils.

When a change in the use of accommodation that affects the delivery to children is being planned, it is essential that Headteachers work closely with their governing body to explain the proposed change and to receive the agreement of the governing body or relevant committee. It would be good practice for the governors to visit the accommodation and approve the proposal.

It is also essential that the Local Authority are made aware of the proposal and are able to agree to both the purpose and context of the change including any implications for safeguarding. The school should write to the Director of Education who will action a joint Directorate review of the proposal with Social Services. The Director of Education must issue written approval before the change to the use of such accommodation can commence.

In voluntary aided schools, where the responsibility for buildings rests with the governing body, it is recommended that the approval of the Director is still required for safeguarding purposes and the

governing body can implement the change with the knowledge that it does not constitute a safeguarding risk.

Governing Bodies must monitor the use of any time-out rooms on an annual basis. This should be undertaken as part of the standing agenda item on safeguarding to the Governing Body. The Headteacher's report will indicate:

1. How rooms have been used.
2. Any change of use or structure of rooms.

This policy will be reviewed and ratified annually at a full governing body meeting at least once a year and recorded in the minutes.

## Appendix A

### **Approaches to de-escalation of incidents**

#### **A ) General strategies**

It is important to remember that the manner in which a situation is approached might make the use of physical intervention unnecessary.

It may help to:

- Move calmly and confidently
- Relate to the age, language levels and understanding of the child or young person
- Offer the individual a chance to communicate and listen carefully
- Make simple clear statements to the child or young person;
- Maintain a quiet, firm and assured tone of voice
- Reduce the threat of physical presence by sitting down or allowing the child or young person space, e.g. backing off
- Be aware of body language and posturing that could be seen as being provocative
- Offer a constructive alternative activity
- Explain the consequences of refusing to stop
- Talk to the child or young person all the time
- Offer comfort, reassurance and security
- Try to calm using reassurance, empathy, redirection, incentives and rewards
- Maintain eye contact
- Allow the child or young person to save face;
- Seek adult assistance
- Judge the risk of potentially increasing disruption as a consequence of physical intervention
- Remove others away from the child or young person.
- Use visual support / give instructions visually i.e. symbols/signs

Once the situation is moving towards being out of control, your anxiety may also start to rise. Learn to recognise and respond to this by trying to calm yourself.

- Breathe deeply.
- Take time to react.
- Control/monitor your verbal responses (use simple language).
- Control/monitor your non-verbal responses (tone of voice, posture, facial expression).

It may not be helpful to:

- Give complex advice or instructions;
- Speak quickly and loudly;
- Trap a child or young person or stand too close;
- Attempt to reason by asking questions;

- Consider physical intervention to enforce compliance of an older or physically large child or young person, or when others present may be at risk of injury.

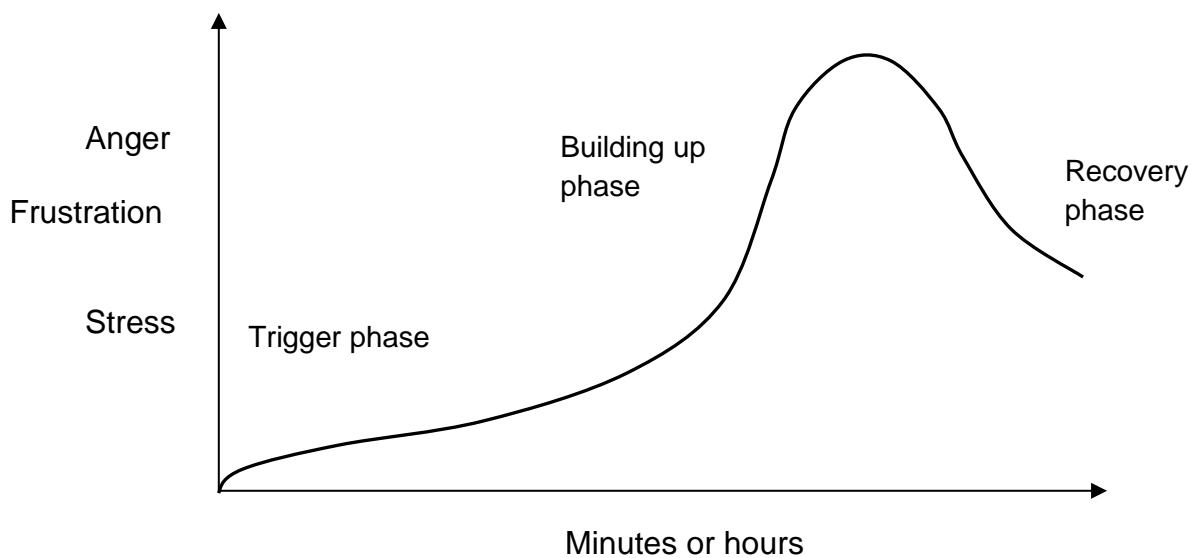
Also:

- Remind yourself of your plan for management.
- Always have plan B at the ready

*Other children or young people should never be involved in intervention.*

## **B) The typical pattern of an uncontrolled emotional incident outburst**

Most major incidents do follow a similar pattern of three phases which, if understood and responded to appropriately can be helpful in avoiding an escalation.



The critical point for averting the explosion is the trigger phase. Beyond this as the child's level of anxiety, anger and frustration increases attempts to avert the incident will be less and less successful

## APPENDIX B

### Student/Parent guide to School Policy on Positive Handling Strategies.

**NOTE:** This guide has been written so that all students and parents understand the school policy on the use of positive handling strategies. **The full policy is available from the school.**

The aim of this schools policy is to help staff in schools;

1. to deal effectively with challenging behaviour;
2. to ensure that staff and pupils are safe from harm and,
3. to ensure that pupils are protected from any form of positive handling which is inappropriate.

At school we work to ensure each pupil is able to reach his or her potential. Every child has a right to learn and every teacher is free to teach in an environment that is safe, secure and free from distraction. To achieve this we have the policy on positive behaviour management (positive handling strategies).

Staff aim to provide the highest standards in protecting and safeguarding the welfare of children and young people in their care. We accept there is a need to intervene when there is an obvious risk of safety to pupils, staff and property.

For the most part this is achieved through building good relationships, and the application of positive behaviour management to support and intervene. However, in extreme cases this may involve the use of positive handling.

If used at all, positive handling should be seen as a further positive action of care and concern. It is used as a last resort option and in most cases, other strategies will always have been attempted first.

It will never be used as a punishment.

#### **Who Can Use Positive handling strategies?**

Positive handling will be used rarely, that is, as a last resort to maintain a safe environment. **Any teacher who works at the school, and any other person whom the head has authorised to have control or charge of pupils** can use positive handling methods. This does not include prefects



### **When are Positive handling strategies most likely to be used?**

Before using positive handling strategies staff should, wherever possible, tell the pupil to stop misbehaving and talk to them in a calm and measured way throughout the incident.

**Positive handling strategies must always be an option of last resort and must always be the minimum action necessary to manage the situation as safely as possible and taking account of any known health problems.**

The types of force used in positive handling could include:

- passive physical contact resulting from standing between pupils or blocking a pupil's path;
- active physical contact such as
  - i. leading a pupil by the hand or arm;
  - ii. leading a pupil away by placing a hand in the centre of the back;
- in the most difficult cases, using appropriate holds, which require specific expertise or training.

All incidents that result in positive handling (where a child has to be held) will be recorded in detail using an incident report, or if a Positive handling plan is in place, then a record of the incident will be recorded and the Positive handling plan reviewed.

The member of staff concerned will report the matter to the Head or a senior member of staff as soon as possible. The Head or his/her deputy will tell parents about the incident by the end of the school day. However, if parents cannot be reached a letter will be sent to inform them of the incident and offer them the opportunity to discuss the matter.

The pupil involved will be given time to become calm while staff continue to supervise him/her. The pupil will be given the opportunity to explain things from his/her point of view. All necessary steps will be taken to re-establish the relationship between the pupil and the member(s) of staff involved in the incident. In cases where it is not possible to speak to the pupil on the same day, this will happen as soon as possible after the pupil returns to school.

Help, support and reassurance will be given where appropriate to any individual/s involved. Where possible an attempt will be made to help the pupil change their behaviour for the better

Where appropriate, the pupil should give a full and proper apology. If this cannot be undertaken then other consequences/sanctions should take place. In serious cases exclusion could be considered.

For some children there may be the need to use specific techniques to routinely manage their challenging behaviour. This will be recorded in their Individual Education Plan (IEP)/Behavioural Plan, Positive Handling Plan or Pastoral Support Plan (PSP). Such arrangements will be fully discussed with parents/carers, on an individual basis, in advance of them being used. All intervention will be recorded and monitored.

All complaints in relation to the use of positive handling strategies will be recorded and followed up by the Headteacher or their representative. Where appropriate the Local Authority will be notified/kept informed.

A complaint or dispute about the use of force by a member of staff might lead to an investigation under disciplinary procedures or by the Police/Social Care under Child Protection procedures.

The policy will be regularly monitored, reviewed and updated by the Head and Governors annually. The Local Authority and Pembrokeshire Safeguarding Children's Board will also monitor the use and effectiveness of this policy through the receipt of annual reports from appropriate Education professionals.

## APPENDIX C

### **Circumstances When Reasonable Force Might Be Appropriate?**

Before using force staff should, wherever practicable, tell the pupil to stop misbehaving and communicate in a calm and measured manner throughout the incident. Staff should not act out of anger or frustration, or in order to punish a pupil, and should make it clear that physical contact or restraint will stop as soon as it ceases to be necessary.

Restrictive physical intervention is only to be used to prevent serious harm and is consistent with the promotion of an individual's welfare. The application of restrictive physical intervention must always be an option of last resort and must always be the minimum action necessary to manage the situation as safely as possible and taking account of any known health problems.

The types of force used could include:

- passive physical contact resulting from standing between pupils or blocking a pupil's path;
- active physical contact such as
  - i. leading a pupil by the hand or arm;
  - ii. ushering a pupil away by placing a hand in the centre of the back;
- in more extreme circumstances, using appropriate restrictive holds, which require specific expertise or training.
- Acceptable physical intervention might take the form of 3 levels:

LOW level - Incidents and events that constitute low level would include:

- Limitation of movement through the use of high level or double door handles.
- Leading by the arm
- Being held or assisted in maintaining a position e.g. sitting on a chair
- Use of reins, wrist straps, buggies for management and safety of the young person out of school (especially in the early years)
- Physically interposing him/herself between pupils or blocking a pupil's path
- Using classroom furniture to restrict movement

MEDIUM level - Incidents and events that constitute medium level would include:

- Removal of a young person from an activity
- Placing a young person in a chair or other confined area with the intention of limiting mobility
- Removal from an area of the classroom or playground
- Holding a self-injuring young person e.g. by the hands while they become calmer

HIGH level - Incidents and events that constitute high level would include:

- Using Team Teach methods in order to remove a pupil from a situation
- Restraining in chairs with one, two or three members of staff alongside maintaining an enforced control (one either side holding arms and one at feet)
- Holding a young person on the floor in a seated position using Team Teach procedures

Where there is a high and immediate risk of death or serious injury, any member of staff would be justified in taking any necessary action (consistent with the principle of seeking to use the minimum force required to achieve the desired result). Such situations could include preventing a pupil running off the pavement onto a busy road or preventing a pupil from hitting someone with a dangerous object.

Staff should make every effort to avoid acting in a way that might reasonably be expected to cause injury. However, in the most extreme circumstances it may not always be possible to avoid injuring a pupil. Staff should always avoid touching or restraining a pupil in a way that could be interpreted as sexually inappropriate conduct.

We recognise that some children may not be able to control their reaction to events as well as others and at times may place themselves or others at risk through their uncontrolled behaviour. As indicated previously, reasonable force might be appropriate when action is necessary in self-defence or because of imminent risk of injury. E.g.

- Pupil attacks a member of staff, another pupil, attempts self-injury, pupils are fighting
- Pupil running in a corridor in a way that is likely to cause injury to self or others
- Pupil absconds from a class or tries to leave school and who would be judged to be at risk if not kept in the classroom or at school.
- There is a serious and developing risk of damage to property, including the pupil's own property. e.g. pupil is causing or about to cause deliberate damage or vandalism
- Pupil is causing or at risk of causing injury or damage by accident, rough play, misuse of dangerous materials or objects
- 

Where pupil's behaviour is seriously prejudicial to good order and discipline. E.g.

- Pupil persistently refuses to obey an order to leave the classroom;
- Pupil is behaving in a way that is seriously disrupting a lesson.

NB Wherever possible early support from colleagues will be sought. Single handed intervention increases the risk of injury to both parties and does not provide the person intervening with the support of a colleague acting as a critical friend.

Strategies other than force will be considered

Examples:

- Providing the disruptive pupil with a choice of locations to exit to;
- Giving clear directions;
- Allowing "take-up" time thus allowing a "face-saving" opportunity
- Removing the audience, i.e. requesting that other pupils leave the room;
- Implementing Team Teach help protocols so that another member of staff takes over the strategic lead of the incident, if he/she feels it is appropriate to do so.

Where pupils are presenting more challenging behaviour which may require more restrictive holds, it is important that these techniques have been delivered by appropriately qualified Team Teach instructors in line with Team Teach protocols. "Team Teach techniques seek to avoid injury to the service user, but it is possible that bruising or scratching may occur accidentally, and these are not to be seen necessarily as a failure of professional technique, but a regrettable and infrequent side effect of ensuring that the service user remains safe" (George Matthews – Director).

Staff **must not** carry out action that might reasonably be expected to injure by:

- Holding a pupil around the neck, or by the collar, or in any other way that might restrict the ability to breathe;
- Slapping, punching or kicking a pupil;
- Twisting or forcing limbs against a joint;
- Tripping a pupil;
- Holding or pulling the pupil by the hair.

Other considerations for **non-urgent situations** where the risk to people or property is not imminent:

- Consider carefully whether positive handling is the right course of action;
- Try to deal with the situation through other strategies before using force;
- Try to defuse and calm the situation to establish good order – the use of positive handling could lead to an escalation of the problem;
- Take into account the age, understanding, personal characteristics of the pupil and any medical conditions e.g. brittle bones;
- The use of positive handling to enforce compliance is likely to be increasingly inappropriate for older pupils;
- Never use force as a substitute for good behaviour management.

In non-urgent situations force should only be used when all other methods have failed.

### **Staff Training**

Portfield School uses Teamteach and links this training with PSD policy. As with other forms of professional development, decisions about training in physical intervention are best made by individual schools in the light of their particular needs and circumstances. The Headteacher will ensure that any such training is current and in line with local policy guidance.

## APPENDIX D

### Seclusion and Time Out

There is much confusion between seclusion and withdrawal rooms. There are occasions when withdrawal may be used for a practice which is closer to seclusion.

The key distinguishing factors between the two forms of practice are:

Withdrawal Room	Seclusion
Voluntary or directed access	Involuntary access to the room
Accompanied / Supervised	Unaccompanied
Able to leave the room independently	Unable to leave the room independently
	People watch or monitor from outside the room

In the absence of national guidance for schools governing the use of seclusion a working party from Cardiff LEA have agreed the principles that are outlined in this section.

#### Seclusion

- Must be subject to the same considerations as for Restrictive Physical Intervention
- Should only be viewed as an option when there is no other viable alternative to ensure the safety of those involved. Again it must be emphasised that this is the end phase of an intervention process where de-escalation strategies are the starting point
- Its use will be infrequent and the circumstances will be exceptional

Seclusion should not be included in a school's behaviour management policy as a strategy that is routinely used with pupils.

It is expected that schools will complete a Risk Assessment for those pupils whose history behaviourally and emotionally indicates that presentations of exceptionally challenging behaviour maybe likely. Potential seclusion rooms need to be subject to a thorough health and safety assessment and all risks eliminated e.g. dangerous materials, points of ligature etc

#### Parents and Carers:

- Must be fully informed of the risk assessment outcomes and the school's views about the possible need for seclusion as a protective measure. Their informed and written consent must be given.
- Must be notified of each and every occasion where seclusion has been necessary with full details of the incident. The information provided should be the date and time of the incident, behaviour that necessitated the seclusion and brief details about how

long it lasted and who was involved. Where there is CCTV footage parents should be informed of this.

- Should be closely involved and consulted about the planning, monitoring and review of their child's progress and management in school.

## **Management of Seclusion**

Seclusion must only be implemented when at least two members of staff have agreed it is necessary to ensure the safety of:

- The pupil concerned in the incident
- Other pupils
- Staff

Any decision will need to take account of relevant contextual factors such as the pupil's ability level, previous history behaviourally and emotional circumstances.

At all times steps should be taken to avoid the possibility of cross gender management conflict i.e. two male members of staff with a female pupil.

Care must be taken in the movement of the child into a place of seclusion, should restrictive physical intervention be required then all necessary procedures in accordance with the principles of Team Teach must be followed.

It is the professional responsibility of staff to ensure that an individual is monitored and cared for throughout an incident. The best option is the use of CCTV with an audio facility as this will support a full retrospective analysis of incidents as well as allowing agencies and parents or carers to monitor practice. In the absence of CCTV equipment then as a minimum a sizeable viewing window is necessary to facilitate close observation of the child throughout.

Under no circumstances should children and young people be left in seclusion beyond the point where it is absolutely necessary and in the best interests of the individual. At least two members should remain involved at all times and work together on making decisions about the ending of the seclusion period. It is recognised that decisions are dependent on professional judgements but as a general rule this should not go beyond **15** minutes. If it is necessary to exceed this then a member of the Senior Management Team of the school or setting should become involved and give their authorisation to the seclusion. Staff need to be aware that for some pupils extended periods of seclusion can be counter productive in trying to de-escalate situations and calm children.

Pupils should leave seclusion when it is evident through their behaviour that they have calmed and no longer present a risk. Throughout the period of seclusion the adults involved need to remind the pupil of this.

An important element of the planning for identified pupils is work to ensure their understanding of the above and support in the development of more appropriate strategies of emotional regulation. This will be best done at times when the child is calm and emotionally secure.

## **Staff Training and Support**

Staff members who are involved, or likely to be, in the implementation of seclusion need to be fully aware of the implications of its use in terms of the emotional consequence for those involved, as well as the advice and information contained in this guidance.

Training needs to emphasise that this is only the final stage of an intervention process and that other strategies to defuse and manage a situation more positively should be put in place first (Appendix 1).

Additionally wherever possible all staff should have appropriate training which typically would be the additional module of the Team Teach training programme. Where this is not the case, e.g. an employee is supply based, at least one member of staff should be fully trained as a minimum requirement.

All team members must have access to relevant professional supervision and support.

## **Action Following Incidents**

It must be recognised that an incident that results in the need for seclusion will be distressing for all concerned. Once the situation has calmed then it is important that appropriate actions are taken.

- First and most importantly any injury must be treated with basic first aid or if necessary medical help must be sought. Injuries should be recorded and reported in accordance with the school's policy. Schools should take action to report injuries to staff and pupils in accordance with RIDDOR (Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013) <http://www.hse.gov.uk/riddor/>.
- Secondly attention needs to be given to any emotional needs that may arise. All staff and pupils involved should be offered emotional support and/or an incident debrief following an incident. Support maybe provided by a number of colleagues, the classroom support team, a mentor on the school staff, a member of the Senior Leadership Team or if required a representative from a LEA Support Service.
- The incident should be reported in accordance with Pembrokeshire LA policy and recorded on Behaviour Watch.
- Parents/Carers should be informed as soon as possible after the incident.

Given the seriousness around the use of seclusion, and the need to minimise its use to the fullest degree possible, a longer term response is for schools to review the individual plans for the pupil to ensure that their needs are being met fully and steps are in place to support them in developing alternative strategies and ways of behaving.



Should the need to utilise seclusion be repeated then a multi agency team must be established to monitor practice and support the school in the management of the pupil. [Repeated is defined as a maximum of three occasions in any setting over any six week period]. It is expected that within this team there will be representation from health and social services if the pupil is known to these agencies.

## **Child Protection**

Wherever there is an indication of possible contentious issues around Child Protection matters then procedures should be followed in accordance with Portfield School's Child Protection policy. <https://www.j2e.com/portfield-special-school/JanO/Website+Documents/PDF/No.8.Child+Protection+%28Nov+2016%29.pdf>

## **Preventative Measures**

It is recognised that preventative strategies may not always work however it is vital that, at all times and in all situations, staff make every effort to implement preventative measures.

Steps that may help include:

- A school ethos that is calm, orderly and supportive, where pupils feel respected and valued as individuals
- The development of effective and positive relationships between pupils and staff
- Curriculum work that addresses social and emotional teaching – the SEAL (Social and Emotional Aspects of Learning) programme is one example that has been positively evaluated.
- A proactive and structured approach to staff development which includes:
  - a) Positive behaviour management
  - b) Anger management and conflict resolution
  - c) Emotional literacy and wellbeing
- Auditing school and class levels of emotional health and wellbeing
- Monitoring and analysis of data of problem situations
- Ensuring individual and special needs are met appropriately
- Establishing clear and robust systems of communication between staff so that any increase in difficulties with a particular individuals is identified early and appropriate responses made
- Understanding the causes of difficulties experienced by an individual and dealing with these rather than just the resulting behaviours

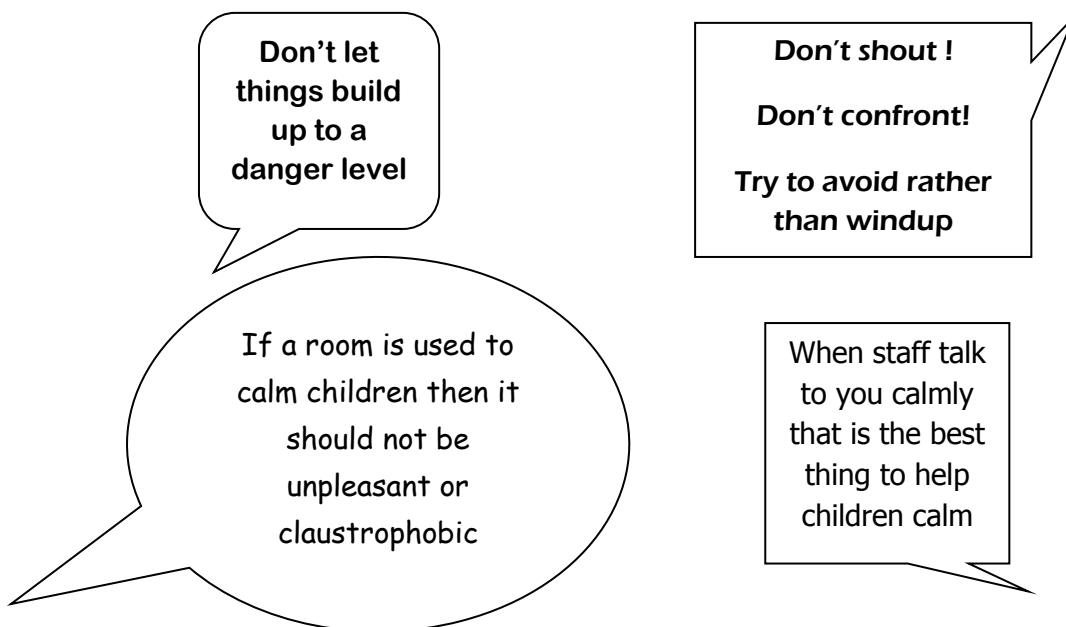
Appendix A outlines strategies that will help in de-escalation

## Childrens Views on Use of Restraint

It is important when we are considering matters such as this that we take account of the views of children and young people, however the information around this is rather limited.

One special school completed a survey using a questionnaire given to their pupils. The outcomes were mixed for example 50% of the pupils who had been **placed** in seclusion thought it had been helpful, compared with the 78% who had **chosen** to use it as a withdrawal room. Again 50% thought its use had helped to calm pupils and the same percentage thought an adult being present helped them to feel calmer.

In 2004 outcomes from a larger scale national survey on restraint was reported by Dr Roger Morgan the director of Children's Rights [http://teamteach-tutors.co.uk/guidance/documents/Childrens view on restraint.pdf](http://teamteach-tutors.co.uk/guidance/documents/Childrens_view_on_restraint.pdf).



Although Dr Morgan's study looked at restraint and focused very much on those children at the extreme end of the spectrum (residential children homes and schools) the messages were clear. The children accepted that sometimes, and for some children, practices such as restraint were necessary but thought that staff needed to be trained, that they should do more to avoid the build up of a situation and it should only be a last resort.

## Conclusion and Summary

Whilst the majority of children and young people are generally settled, happy and able to control their behaviour independently it is recognised that there are a small minority of pupils who find emotional regulation much more difficult. This guidance sets out to support those adults who work closely with this group in order to be clear about what is good practice and assist them in their work.

It has been prepared by a working party of school practitioners and local authority support staff, additionally consultations have taken place with a wider group of colleagues in Health and Children Services and legal advice has been sought.

The conclusions are:

- All those who work with children who are challenging should be aware of the distinction between the practices of seclusion, time out and withdrawal rooms.
- If there is any likelihood that a school or setting will need to employ either restrictive physical intervention or seclusion then they must be prepared. Risk assessments on vulnerable pupils should be completed, protocols written and staff trained. Parents and carers must be kept informed.
- The emphasis is very much on avoiding the use of either of these interventions where ever possible. 'Exceptional circumstances' 'last resort' prevention and avoidance are very much the key vocabulary.
- Practice has to be based on the adults involved making a judgement call on what is in the best interests of those concerned which can result in staff being vulnerable to accusations of malpractice. The guidance outlined here has been drawn up with this in mind. It is essential that **all** aspects are adhered to in **every** incident where the use of seclusion or restrictive physical intervention has been necessary.



## **Education Workforce Council**

# **Guide to good practice with 'appropriate touch', handling and restraint**

## 1.0 Introduction

Education practitioners are more fearful today of having allegations of physical (or sexual) harm or impropriety made against them, not least because a false allegation can have a lasting, damaging effect on an individual's reputation and integrity as a professional.

The appropriate touching, handling and restraint of learners is important when necessary and proportionate, but it is also a risk.

Avoiding these risks, particularly in specialised educational environments such as special schools, youth work and those involving very young children, where the need to physically touch a learner is almost inevitable and frequent, really does rely on sound judgement, training, knowledge and experience. All must play a fundamental role in day to day 'touch decisions' to avoid situations where a learner calls your conduct towards them into question.

This guide is intended to help you enhance your self-awareness in this area of working life.

### Impact of allegations of 'inappropriate touch'

At the heart of the education practitioner's role is to inspire learning; many techniques are therefore used. For example:

- physical demonstration
- role-play
- facilitation
- physical education
- 1:1 mentoring
- reinforcement, praise, recognition
- interactive play
- off-site trips

to name but a few. Intertwined with this fundamental role is the duty of care a practitioner must discharge towards every learner where behavioural, safeguarding, medical and pastoral issues arise. Combined, a practitioner has a potentially complex set of scenarios where physical contact is desirable or unavoidable, and careful decisions must be made.

Situations leading to physical contact in the learning environment can also arise very suddenly, calling for quick decisions to be made in a matter of seconds.

Allegations of inappropriate touch, manhandling or a restraint 'gone wrong' can arise in many different educational scenarios. This may be because the learner genuinely feels uncomfortable or harmed in a physical or emotional way, or it is perceived as such by others. There does not need to be intent on the practitioner's part. Regardless, such a complaint can be damaging, not least because, where a child is involved, it may trigger safeguarding procedures in line with national guidance, leading to the potential for suspension and internal investigation.

Even if there is no intent proven, the practitioner may still be found to have breached established practice, policies and procedures given the educational environment in which the breach occurred, and the individual needs of the learner.

Even if no findings of misconduct are made, a practitioner may still find their reputation is harmed by the allegation being made at all.

This being the case, and as a registrant, you must take a personal responsibility for your physical conduct. Any physical contact you make with a learner must be informed by your training, knowledge, experience and the local/national policies and procedures in place at the time, and those specific to the learner if applicable.

## 2.0 The expectations placed on you as a professional

All Education Workforce Council (EWC) registered practitioners are subject to the Code of Professional Conduct and Practice which sets out the key principles of good conduct and practice for registrants. This guidance should be read in conjunction with the Code which can be downloaded from the EWC's website.

The Code states:

'Registrants follow policies, procedures and guidelines on matters such as communication with learners, **physical contact**, **behaviour management**, inclusion, access and equality of opportunity;

### 2.1 Local and national protocols

(Welsh Government / school, local authority, institution organisation or business)

Whether your employer has a 'no touch' or 'appropriate touch' policy, you must take a personal responsibility for finding out which approach is adopted. If there is no clear protocol, ask your employer to set out the expectations it places upon you.

Protocols may also be embedded in other policies, such as the behaviour/discipline, positive handling, physical intervention, reasonable force, health and safety, administration of medication, personal care, first aid, healthcare needs. In a specialised educational environment, there additionally should be manual handling protocols in place where, for example, disabled learners need to be lifted or moved.

Your responsibility to build your awareness also applies to your employer's safeguarding/child protection policy, and the All Wales Child Protection Procedures (AWCPP).

The Education Workforce Council has no place to provide advice on such protocols, but strongly encourages you to be conversant with those referred to above, and any amendments to them.

## 2.2 General principles – protecting yourself

As a practitioner with daily or frequent contact with learners, you should:

### Familiarise and understand the protocols in place applicable to your role, employment and educational setting

- Read the policies carefully;
- Understand your role and responsibilities within the policies;
- Ask questions if you are not clear about what you are expected to do in certain situations;
- Understand what to do / who to speak to when problems or unusual events arise.

If you are not given any protocols or policies, ask for them, including any amendments. Don't let ignorance make you vulnerable.

### Apply protocols appropriately

If:

- you forget when and how to apply the protocols;
- you err in judgement;
- you feel a situation has arisen which you have not handled well, and/or may be misunderstood;
- something prevents you from applying the protocol as you should;
- for any other reason, things go wrong; or
- you witness something which you consider to be outside protocol,

make it known to your line manager as soon as possible, and put your account of events in writing.

If you cannot report it locally for any reason, speak with your trade union first unless you have an immediate safeguarding concern which could place a learner at risk, and that which therefore requires immediate intervention under the AWCPP.

If you are not a member of a trade union, you should still try and ask for advice from someone you trust before disclosing anything.

### Be proactive

- Know your learners. Know their behavioural, medical, educational, emotional needs where necessary;
- Know if learners have specific plans / agreements in place. For example, a Positive Handling Plan (PHP), an approach agreed with the parents/carers or the learner, and/or a one page profile detailing the individual needs of the learner. (This will be statutory for all Additional Learning Needs (ALN) learners under the ALN Act).
- Consider cultural and religious issues;
- Ask for training if you do not feel equipped to follow the policies in place. For example, Team Teach training;

- If you cannot attend scheduled training for a course about touch, handling or restraint, ask your employer to rearrange it as soon as possible. This also applies to refresher training;
- Know who is similarly trained in your workplace, and know how to alert them to a situation if you need help urgently;
- Find out what 'reasonable force' means within the context of your employment, and when it is legally acceptable to use it. For example, to prevent a learner from harming themselves;
- Be aware of the risks of being 1:1 with a learner;
- Conduct physical activities such as sports in locations where you can be seen by others;
- Acknowledge there may be situations where a learner initiates physical contact with you, and given your training, knowledge and experience, plan how you would deal with that given the protocols in place. You are responsible for maintaining professional boundaries;
- Understand how safeguarding procedures work in your employment, and nationally;
- Know your reporting responsibilities if things go wrong, who to speak to and what records you need to create;
- Fully document an incident as soon as possible after it happens; and
- If you are not already a member, consider joining a union relevant to the work you do.

### Think before you act

Breathe for a few seconds if you can to accurately assess the situation and evaluate risks, based on the prompts below:

- Remind yourself of the protocols in place, and the expectations placed upon you in this respect by your employer;
- Remember your training;
- Revisit what reasonable, proper and necessary physical contact means in the context of a situation, and the learner;
- Revisit when, and when not, to apply techniques involving physical restraint;
- Revisit when it is acceptable to use 'reasonable force' within the context of your employment; and
- Therefore apply sound judgment to a situation, taking all relevant issues into account;
- If you do not feel equipped to deal with any situation which may lead to physical contact or intervention, ask for help immediately.

### Remember:

- your position as a professional;
- your conduct is your responsibility;
- the importance of maintaining professional trust and confidence between you and learners by keeping a professional distance;
- your responsibility to learners.



### 3.0 Examples of cases investigated by the EWC

The examples below are some of the cases referred to the EWC for investigation relating to touch, handling and restraint. These are illustrations of where practitioners have breached the Code of Professional Conduct and Practice.

A registrant:

- grabbed, hit, slapped, pulled, pushed, pinched and struck learners causing red marks and bruises;
- was convicted of assault for dragging a learner across the floor by his arm;
- used inappropriate levels of force by holding a learner by the neck or shoulder area of his clothing and pushing him up a flight of stairs;
- hit a learner to the head and hands with a notebook in the classroom, against the disciplinary policy, after the learner refused to follow instructions;
- sellotaped a learner's hands to a ball, to a desk, to a chair;
- inappropriately touched a learner's face, feet, lifted her off the floor, allowed her to climb on his back, sit between his legs, stand on his hands, stand on his chest;

### 4.0 How we can help you further

- The EWC offer presentations which focus on fitness to practise. If you or your employer would like to arrange one in your school or college, institution, organisation or business, please contact ([information@ewc.wales](mailto:information@ewc.wales));
- The EWC's Code of Professional Conduct and Practice for Registrants with the Education Workforce Council, and Information about the EWC's fitness to practise work can be found on its website [www.ewc.wales/fitness-to-practise](http://www.ewc.wales/fitness-to-practise)
- Any queries should be referred to the Fitness to Practise Team at [fitnesstopractise@ewc.wales](mailto:fitnesstopractise@ewc.wales)