Directorate of Education and Leisure•Cyfadran Addysg a Hamdden

Policy & Guidance for the Use of Reasonable Force to Control or Restrain Pupils

YSGOL Y LAWNT

Changing Lives, Building Futures•Newid Bywydau, Creu Dyfodol

This publication is available in Welsh, and in other languages and formats on request.
Mae'r cyhoeddiad hwn ar gael yn Gymraeg, ac mewn ieithoedd a fformatau eraill ar gais.

The following Policy should be viewed in conjunction with the attached document *Guidance on the Use of Reasonable Force to Control or Restrain Pupils*

The National Context

The Policy and Guidance for the Use of Reasonable Force to Control or Restrain Pupils for Caerphilly County Borough Council (CCBC) is provided within the context of the guidance contained in Section 93 of the Education and Inspections Act 2006. These powers commenced in October 2010 and replaced Section 550A of the Education Act 1996, with minor changes. The legal context and guidance has been taken from the Welsh Government's document *Safe and effective intervention – use of reasonable force and searching for weapons* and section 93 of The Education and Inspectors Act 2006. These powers commenced in October 2010 and replaced section 550A of the Education Act with minor changes. **Section 1 of the Guidance** provides relevant information as to what the law says.

Local Context

This Policy document provides Governing Bodies, Headteachers, teachers and non-teaching staff, with guidance and support on the use of physical intervention in Schools within Caerphilly County Borough Council.

The policy and advice set out in this document provide a framework of principle within which judgements by staff should be made, and specific incidents addressed. The intention is that all schools should provide a safe working environment for young people, staff and visitors.

Staff should be aware that their employment imposes on them a duty of care in order to maintain an acceptable level of safety. Written guidelines cannot anticipate every situation. It is, however, the intention of this document to offer both young people and staff a level of protection.

The Policy and Guidance supports the aims and objectives identified in the CCBC Single Education Plan, The Inclusion Strategy and Learning Education and Inclusion (LEI) Service Improvement Plan.

Aim

The Aims of the Policy and attached Guidance are to:

- Ensure that a duty of care is being exercised to all pupils and staff in relation to the use of physical intervention.
- Ensure that all Caerphilly Local Authority (LA) staff and schools are aware of their responsibilities in relation to physical intervention including the training requirements **(Sections 2 and 3).**
- Ensure that all schools are aware of the requirement to report incidents of physical intervention to the LA within 24 hours **(Sections 4 and 5).**
- Provide Schools with a framework for a model school policy regarding the use of physical intervention **(Section 6).**

Principles
All *school staff members have a legal power to use reasonable force to prevent pupils committing a criminal offence, injuring themselves or others, or damaging property; and to maintain good order and discipline amongst pupils.

The focus should be on preventing, as far as possible, the need for the use of force on pupils, by creating a calm, orderly and supportive school climate that lessens the risk and threat of violence of any kind. The use of force should only be a last resort, schools should minimise the possibility of force being needed. This may not always be possible and in such circumstances staff should be aware of sensitivities associated with any form of physical contact with pupils.

Schools should not restrict the ability of staff to use force by adopting a 'no-contact' policy. The power to use force helps ensure pupil and staff safety. A 'no-contact' policy may place a member of staff in breach of their duty of care towards a pupil, or prevent them taking an action needed to prevent a pupil causing injury to others or damage to property.

The purpose of legislating on the use of force was to provide a clear and transparent power which enables staff to use reasonable force on pupils in specified circumstances, whilst at the same time, also protecting children and young people from physical violence, injury or abuse, as set out in Article 19 of the United Nations Convention on the Rights of the Child. The attached document provides guidance on how the power should be exercised and seeks to:

- Help school staff to understand what the law means for them in practical terms.
- Protect pupils and staff by reducing the risks that force may be used inappropriately.
- Provide advice on good practice.

Section 7 highlights circumstances whereby there are occasions when physical contact with a pupil may be proper or necessary other than those covered by Section 93 of the Education and Inspections Act 2006. Activities linked to a Physical Education lesson would be an example of this.

Process and Implementation
The LA promotes safe and effective practice in relation to the use of physical intervention via the following mechanisms and processes:

- The provision of effective training programmes in behaviour management and de-escalation strategies.
- The provision of effective training programmes in the use of physical intervention (TEAM TEACH) (**Section 3).**
- Scrutiny of the training data base to ensure that schools and trainers are compliant with training requirements.
- Clear guidance to schools regarding the requirement to record physical intervention incidents and submit signed completed forms to the LA within 24 hours of a restraint incident **(Sections 4 and 5).**
- Clear guidance to schools in relation to post incident support (**Section 6).**
- Clear guidance to schools and PRUs regarding the requirement to report restraint incidents and complaints to Governing Bodies and the PRU Management Committee, respectively.
- Clear guidance to schools regarding the requirement to contact the Contact and Referral Team, Children's Services in the event of a complaint or allegation related to physical restraint **(Sections 8 and 9).**

- Clear guidance to schools regarding the constructive use and implementation of post incident support, positive handling plans, risk assessments and good practice (**Sections 10, 11, 12 and 13).**

Listening to Learners
Caerphilly LA concurs with the views stated in the WAG Document "Listening to Learners" (2007 and the special educational needs SEN Code of Practice for Wales that in all aspects, learners should feel confident that their views will be listened to and valued.

When recording incidents of physical intervention, schools are required to provide children/young people with an opportunity to express their views **(Sections 4 and 5).**

Parent/Carers Partnership
Caerphilly LA is committed to working in partnership with parents/carers and recognises that the role of parent/carers is crucial in ensuring that a duty of care is exercised to both pupils and staff in relation to the use of physical intervention. This policy has been finalised following consultation feedback from members of the Parent Network Group.

Monitoring, Evaluation and Review
The LA demonstrates that it is exercising it's duty of care to pupils and staff via the following mechanisms and processes:

- Schools are required to submit signed forms to the LA within 24 hours.
- The completed forms are monitored by the LA.
- Where necessary/appropriate a representative(s) from the LA undertake follow up work with schools to ensure that appropriate arrangements are in place in relation to physical intervention.
- Support is targeted at individual schools and more broadly in accordance with key data.
- The designated officer with the Behaviour Support Service links with the Safeguarding Manager and the Health and Safety Officer, as and when necessary.
- The Service Manager-Social Inclusion and the Safeguarding Manager link with Children's Services to monitor any complaints being considered via the Professional Strategy Process.
- In accordance with the LAs reporting mechanisms, key data regarding physical intervention is reported to the Senior Management Team and Elected Members via the Scrutiny process.

This Policy will be reviewed annually and updated in the light of any changes in legislation

Guidance for the Use of Reasonable Force to Control or Restrain Pupil

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The legal context and guidance has been taken from the Welsh Government's document *Safe and effective intervention – use of reasonable force and searching for weapons* and section 93 of The Education and Inspectors Act 2006.

Section1 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:

- any teacher who works at the school, and any other person whom the head has authorised to have control or charge of pupils. This:

i. includes support staff whose job normally includes supervising pupils such as teaching assistants, learning support assistants, learning mentors and lunchtime supervisors;

ii. can also include 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) and unpaid volunteers (for example parents accompanying pupils on school-organised visits); and

iii. 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).

1.1 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).

1.2 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.

1.3 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.

1.4 On preventing other types of criminal offence, Section 93 provides essential clarification. It is by no means clear that all the behaviours that prejudice school discipline are also criminal offences and most primary pupils are below the age of criminal responsibility. So Section 93 makes it clear that authorised staff may use force to prevent behaviour that prejudices the maintenance of school discipline regardless of whether that behaviour would also constitute a criminal offence.

1.5 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.

1.6 **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 1996.

Section 2- Responsibilities of Schools

Policy and procedures

2.1 It is good practice for a school to have an explicit policy on the use of reasonable force to control or restrain pupils. It is also good practice for governors, staff, recognised trade unions, pupils and those with parental responsibility to be consulted about the policy and for the policy to be approved formally by the Governing Body and made known to staff, pupils and parents either as part of the school's behaviour policy or separately.

2.2 As the statutory power to use force would be held by individual members of staff, no school should have a policy of 'no physical contact' because this would make staff members feel deprived of that power or hinder their exercise of it.

2.3 It would be sensible for a school's policy on the use of force to describe both the kinds of circumstances the school regarded as justifying the use of force to restrain a pupil (for example, to prevent them injuring somebody) and the kinds of circumstances the school regarded as justifying the use of force to require a pupil to comply with a reasonable instruction (for example, to leave the classroom). All staff - authorised and unauthorised - need to understand their powers and the options open to them. They need to know what is acceptable and what is not. Similarly, all pupils should be made aware of what powers are available to school staff and the circumstances under which this power could be used.

2.4 A school's policy on use of force should be consistent with but not necessarily part of its behaviour policy. The Welsh Assembly Government guidance on the promotion of positive behaviour and school behaviour policies can be found in the Inclusion and Pupil Support Circular 47/2006. It should also be consistent with the school's policies on child protection and health and safety.

2.5 A school's policy on the use of force should describe examples of:

- the different approaches which should be used prior to force being used;
- the circumstances which the school sees the use of force to restrain a pupil as reasonable (for example, to prevent them injuring somebody); and
- the circumstances the school regards as justifying the use of force to require a pupil to comply.

2.6 A suggested framework for a school policy is given in **Section 6**.

Reducing the likelihood of situations arising where use of force may be required

2.7 Although preventative measures will not always work, there are a number of steps which schools can take to help reduce the likelihood of situations arising where the power to use force may need to be exercised:

- 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 such as the Social and Emotional Aspects of Learning (SEAL) programme;

- taking a structured approach to staff development that helps staff to develop the skills of positive behaviour management; managing conflict and also to support each other during and after an incident. Further guidance is provided in the Welsh Assembly Government's Inclusion and Pupil Support Guidance, Circular 47/2006;

- 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.

- Develop positive handling/behavior management plans for individual pupils assessed as being at greatest risk of needing restrictive physical interventions in consultation with the pupil and his or her parents or carers. Further advice on risk assessments is provided in paragraphs 2.16 and 2.17 and a suggested proforma is given in **Section 11.** Positive Handling plans set out the techniques that should be used and those that should not normally be used. Any planned potential use of physical intervention should be compatible with a pupil's statement and properly documented in school records **(Section 12).**

- As far as practically possible, make staff who come into contact with such pupils aware of the relevant characteristics of those individuals, particularly:

  i. situations that may provoke difficult behaviour, preventive strategies and what de-escalation techniques are most likely to work;

  ii. what is most likely to trigger a violent reaction, including relevant information relating to any previous incident requiring use of physical intervention; and

  iii. if physical intervention is likely to be needed, any specific strategies and techniques that have been agreed by staff, parents and the pupil concerned.

Pupils with special educational needs and/or disabilities

2.8 The following advice is particularly relevant to pupils with SEN and/or disabilities:

- Involve the SEN coordinator or other named member of staff and parents in developing the school's policy and practice on the use of force. This will help ensure that appropriate account is taken of the needs of individual pupils with SEN and/or disabilities including "fragile" pupils. (Further advice on "fragile" pupils and risk assessments is at paragraphs 2.16 - 2.17).

- Information from parents may be as valuable as information held by the school. Some of this information may be sensitive. Schools should seek explicit) consent from the parent to inform appropriate staff. However, where consent is unreasonably withheld the information may still be made available to staff who need it where this would be in the best interests of the pupil concerned. The importance of providing such information will be a factor in decisions about giving temporary authorisation to parent volunteers and others to supervise pupils.

- Designate staff to be called if incidents related to particular pupils occur. This does not necessarily mean waiting for them to arrive before taking action if the need for action is urgent.

However they should always be involved in post-incident follow-up. Consideration should also be given as to whether there are certain circumstances where it is necessary for staff to work in pairs to safeguard pupils and/or staff.

- Teach pupils who are at risk how to communicate in times of crisis and strategies to use in a crisis (such as using personal communication passports and non-verbal signals to indicate the need to use a designated quiet area or cool-off base) and ensure staff are familiar with these strategies.

2.9 More detail on working with pupils with Severe Behaviour Difficulties is contained in Appendix 8

Ensuring staff know who has statutory power to use force

2.10 The Headteacher or delegated senior member of staff is advised to do the following:

- As part of an induction process, explicitly inform the people concerned of their responsibilities in relation to the school policy on use of force. He/she should make clear that all teachers and staff the head has authorised to have control or charge of pupils automatically have the statutory power to use force.

- Keep an up-to-date record of temporarily authorised people and ensure that permanently authorised staff (i.e. all staff whose job involves supervising pupils) know who they are. Given the requirement for schools to maintain a central, up-to-date record of the Criminal Records Bureau status of all staff and volunteers, they may wish to align these two sets of records.

Deciding if the use of force would be appropriate

2.11 The judgment on whether to use force and what force to use should always depend on the circumstances of each case and - crucially in the case of pupils with SEN and/or disabilities - information about the individual concerned.

2.12 Decisions on whether the precise circumstances of an incident justify the use of significant force must be reasonable. Typically such decisions have to be made quickly, with little time for reflection. Nevertheless, staff should make the clearest possible judgments about:

- the seriousness of the incident, assessed by the effect of the injury, damage or disorder which is likely to result if force is not used. The greater the potential for injury, damage or serious disorder, the more likely it is that using force may be justified;

- the chances of achieving the desired result by other means. The lower the probability of achieving the desired result by other means, the more likely it is that using force may be justified; and

- the relative risks associated with physical intervention compared with using other strategies. The smaller the risks associated with physical intervention compared with other strategies, the more likely it is that using force may be justified.

Examples of situations

2.13 Examples of situations that particularly call for judgments of this kind include:

- a pupil attacks a member of staff, or another pupil;

- pupils are fighting, causing risk of injury to themselves or others;

- a pupil is committing, or on the verge of committing, deliberate and serious damage to property;

- a pupil is causing, or at risk of causing, injury or damage by accident, by rough play, or by misuse of dangerous materials or objects;

- a pupil absconds from a class or tries to leave school other than at an authorised time. Refusal of a pupil to remain in a particular place is not enough on its own to justify use of force. It would be justifiable where allowing a pupil to leave would:

i. entail serious risks to the pupil's safety (taking into account age and understanding), to the safety of other pupils or staff, or of damage to property; or

ii. lead to behaviour that prejudices good order and discipline, such as disrupting other classes including;

- a pupil persistently refuses to follow an instruction to leave a classroom;

- a pupil is behaving in a way that seriously disrupts a lesson; or

- a pupil is behaving in a way that seriously disrupts a school sporting event or school visit.

2.14 In these examples use of force would be reasonable (and therefore lawful) if it was clear that the behaviour was sufficiently dangerous or disruptive to warrant physical intervention of the degree applied and could not realistically be dealt with by any other means. A record of the incident should be made as soon as practically possible, while the incident is still easy to recall.

2.15 Wherever possible, these judgements should take account of the particular characteristics of the pupil, including his or her age, understanding and any SEN or disability that he or she may have. This would include the outcomes of any risk assessment and, as appropriate, any specific strategies and techniques set out in the pupil's positive handling plan.

Risk assessments

2.16 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 (**Section 3**).

2.17 Schools may also need to make individual risk assessments where it is known that force is more likely to be necessary to restrain a particular pupil, such 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 makes them fragile, such as haemophilia, brittle bone syndrome or epilepsy; or

- dependence on equipment such wheelchairs, breathing or feeding tubes.

Situations where staff should not normally intervene without help

2.18 An authorised 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.

Using force

2.19 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.

2.20 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;
iii. in more extreme circumstances, using appropriate restrictive holds, which require specific expertise/ training (TEAM TEACH)

2.21 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 such as a glass bottle or hammer.

2.22 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.

2.23 Staff should always avoid touching or restraining a pupil in a way that could be interpreted as sexually inappropriate conduct.

Section 3 Staff Training

3.1 Like 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. It is good practice for schools to set out their approach to relevant training in their school policy on use of force. A school may decide that all staff who supervise pupils should have such training. However, individuals have statutory power to use force by virtue of their job. So a school policy cannot lawfully prevent teachers or other staff whose job involves having control or charge of pupils from using that power regardless of whether they have received training. However, schools should make it clear to staff that unreasonable or inappropriate use of force may lead to disciplinary action.

3.2 Schools will also need to make a judgement on the level and form of training that they provide to those who have been given temporary authorisation.

3.3 As indicated below, there will be particular training needs for staff working closely with pupils with SEN and/or disabilities. Risk assessments (see paragraphs 2.16 and 2.17 in **Section 2**) will help inform decisions about staff training. They will also inform the circumstances in which schools would temporarily authorise staff or volunteers to have control or charge of pupils.

3.4 Schools are advised to ensure that training covers techniques for avoiding or defusing situations in which physical intervention might become necessary as well as methods of physical intervention. This is particularly important for staff who work closely with pupils with SEN and/or disabilities associated with challenging behaviour. Schools should ensure that the training needs of these staff are identified and appropriately met.

3.5 Further to extensive consultation with schools, the preferred model of training promoted by the LA is TEAM TEACH. The training is coordinated by the Behaviour Support Service. Trained trainers are LA and school based.

3.6 Training should be updated every 3 years.

Section 4 - Recording and Reporting Incidents

4.1 Schools are strongly advised to keep systematic records of every significant incident in which force has been used, in accordance with school policy and procedures on the use of force and its child protection requirements. The purpose of recording is to ensure policy guidelines are followed, to inform parents, to inform future planning as part of school improvement processes, to prevent misunderstanding or misinterpretation of the incident and to provide a record for any future enquiry. It is essential that the child/young person is provided with an opportunity to express his/her view. The latter should be recorded on the form given in **Section 5.**

4.2 Schools may find the following questions helpful in deciding whether an incident is significant and requires a written record:

Did the incident cause injury or distress to a pupil or member of staff?

- Even though there was no apparent injury or distress, was the incident sufficiently serious in its own right to require a written record?

- Any use of restrictive holds would, for example, fall into this category.

- Is a written record needed to be able to justify the use of force? This is particularly relevant where the judgement was very finely balanced.

- Is a record needed to help identify and analyse patterns of pupil behaviour or staff training needs?

Were other agencies involved, such as the police?

4.3 If the answer to any of these questions is *yes*, it would be strongly advisable to make a written record. Such records can provide evidence of defensible decision making in case of a subsequent complaint or investigation. It is possible that not all of the specifics of an incident can be recorded where it is not known on whom force was used, as for example where a member of staff has hastily had to part several pupils encircling a fight. The staff member may (understandably) focus on and recall the identities of the fighting pupils and not the individual spectators who were drawn aside to allow access. Staff may find it helpful to seek the advice of a senior colleague or a representative of their professional association when compiling a report.

Schools are required to use the recording form provided in **Section 5**. This identifies the types of information that should be recorded.

4.4 The form should be either typed or completed using black ink and forwarded to the LA within 24 hours of the restraint taking place. The signed form should be scanned and sent via email to restraint@caerphilly.gov.uk or faxed to 01443 866725.

4.5 It is important that a signed copy of this form is:

- Saved on the child's school file
- If appropriate saved on the child's safeguarding file

4.6 The member of staff involved in an incident is usually best placed to compile the record. It would be good practice for the member of staff with lead responsibility for safeguarding to check the

record and for the school to provide the member of staff involved in the incident with a copy of the final version. Staff training could usefully include good practice on completing incident records.

4.7 Differing accounts given of the same incident should all be recorded. It is not always advisable as a matter of course to give parents a copy of the incident record, but parents should be told when and where the incident took place, which members of staff were directly involved (made anonymous where necessary), why they decided that force had to be used, what force was used, whether there were any injuries and what follow-up action (support and/or disciplinary) was being taken in relation to their child. It is advisable that the school's policy on making a record following such incidents is contained within its policy on the use of force and drawn to the attention of members of staff, parents and pupils, if these persons are not otherwise notified of the policy.

4.7 The record is likely to form part of the pupil's educational record as it is a record of information which is processed (obtained, recorded and held) by or on behalf of the Governing Body of the school (or teacher at the school, other than for personal use), relates to the pupil, and originated from or was supplied by a teacher employed by the Governing Body or the local authority.

4.8 Even if a copy of the incident record is not provided by the school as mentioned above the parent would be entitled to see the educational record free of charge, within 15 school days of receipt of the parent's written request. If a parent makes a written request for a copy of the record this must be provided, also within 15 school days of that request being received.

4.9 When schools comply with a request to see or to have a copy of a pupil's educational record there is some information that must not be disclosed. This is any information that the child him/herself could not lawfully be given under the Data Protection Act 1998, or to which s/he would have no right of access under that Act or by virtue of any order made under section 30(2) or section 38(1) of it. Further detail on what data contained in educational records may be disclosed is contained in the Welsh Government's guidance on Educational Records, School Reports and the Common Transfer System - the keeping, disposal, disclosure and transfer of pupil information, Circular 18/2006. When recording such incidents, staff should bear in mind that, if this information is later passed to the police, it may be included in a Criminal Records Bureau disclosure. Schools should retain records of such incidents until the member of staff involved has reached normal retirement age or for 10 years from the date of the allegation if that is longer.

4.10 After any recordable incident, parents should always be informed. Wherever possible, it is best to telephone parents as soon as possible after the incident before confirming details in writing. It is also good practice for parents to be given a copy of the school's policy on the use of force and information on post-incident support.

4.11 All injuries should be recorded in accordance with school procedures. The school should take action to report relevant injuries to staff or pupils to the Health and Safety Executive's Incident Contact Centre www.hse.gov.uk/riddor/index.htm.

4.12 It is good practice for governors to monitor incidents where force has been used. Head teachers have an important role in reporting such incidents to the Governing Body. Pupil Referral Units (PRUs) in accordance with the LAs reporting arrangements will report all incidents of physical intervention to the PRU Management Committee.

4.13 All restraints are monitored by the LA and follow up support and intervention from the Behaviour Support Service and where necessary the Safeguarding Manager will be provided.

4.14 In accordance with the LAs reporting arrangements, key data will be reported to SMT and elected members via the Scrutiny process.

4.14 Members of staff who have been assaulted will wish to consider reporting that to the police.

Physical Intervention Incident Recording Sheet

Please either type or complete the following form using black ink
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**
- **Scanned and sent to restraint@caerphilly.gov.uk or faxed to 01443 866725.**

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	
Description of the incident • Where did incident start • What was happening at the time • what action was taken to try to de-escalate the situation	

Level of Risk – please delete	Low / Medium / High

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

How was the pupil held? • Name of hold • Number of adults	
Has the pupil been physically restrained before? • Please indicate dates	

Outcome of Incident

Was anybody Injured? • Who was injured • Nature of injuries • Treatment required	

Follow up action

Were other agencies contacted? • Medical Staff • Children's Services • Education Safeguarding (LAC) • Police	
Parent/Carer informed • Method of contact • Time • Date	
Debrief discussion with pupil **If yes, please summarise discussions. Please indicate the child's views.** **If no, please explain why not.**	**Yes / No**
Debrief discussion with staff **Please list any actions required.**	**Yes / No**

Name of professional carrying out restraint and completing this form	
Designation and signature	
Head Teachers signature	
Date	

Section 6 Suggested Framework for School Policy

6.1 These guidelines are designed to help special schools to draw up policies covering the use of restrictive physical interventions with pupils with severe behavioural difficulties. A policy on restrictive physical interventions should be an integral but discrete element of the school's wider behaviour management policy. It is recommended that a policy should be organise into sections covering the following:

- Introduction;
- School expectations;
- Positive behaviour management;
- Risk assessment and planning for potential use of restrictive physical interventions;
- Use of restrictive physical interventions in unforeseen and emergency situations;
- Post-incident support;
- Reporting and recording use of restrictive physical interventions;
- Monitoring use of restrictive physical interventions;
- Responding to complaints; and
- Staff training.

6.2 Each of these are considered in turn in the sections below.

6.3 Each section points to good practice and identifies issues to be addressed. It is anticipated that the guidance will be of practical assistance to schools when examining current school practice and procedures, and developing a policy suited to local circumstances. It should be possible to draw wording for school policies directly from these guidelines (by, for example, changing, "the school should", to "the school will").

6.4 In special schools there are children with severe behavioural difficulties who present behaviour that may necessitate the use of restrictive physical interventions to prevent injury, damage to property, or the breakdown of discipline. Section 93 of the Education and Inspections Act 2006 clarifies the position about use of restrictive physical interventions by teachers and others authorised by the head teacher to control or restrain pupils. Teachers and other authorised school staff are reminded that use of physical force must be reasonable and comply with:

- Local authority policies.
- The Children and Young People's Plan.
- School discipline and behaviour policies.

School expectations

6.5 The use of restrictive physical interventions should always be considered within the wider context of other measures. These include establishing and maintaining good relationships with children and using diversion, diffusion and negotiation to respond to difficult situations. Use of physical force that is unwarranted, excessive or punitive is not acceptable. Failure to comply with this principle, when considering or using physical force, should be dealt with under school disciplinary procedures.

Issues for schools/settings to address

- Which staff other than teachers will be authorised to use restrictive physical interventions in your school?

- By what process will staff be selected and authorised to use restrictive physical interventions in your school?
- In what situations would the school consider it appropriate for teachers and other authorised school staff to use restrictive physical interventions?
- What kinds of actions would be viewed as using reasonable physical intervention in your school?
- What kind of actions involving use of physical intervention would be viewed as unwarranted, excessive or punitive in your school?
- What course of action will be taken in the event of staff failing to comply with this policy?

Positive behaviour management

6.6 All staff should adopt a positive approach to improving behaviour in order to reward effort and application, and to build self-esteem. The school should work in partnership with those who know the child to help those concerned:

- find out why this child behaves as he or she does;
- understand the factors that influence this child's behaviour; and
- identify early warning signs that indicate foreseeable behaviours are developing.

6.7 This approach will help to ensure that early and preventative intervention is the norm. It should reduce the incidence of extreme behaviours and make sure that the use of physical force is rare.

6.8 School staff should refer to the school's behaviour policy when developing and implementing behaviour management plans. All behaviour management plans should be formally agreed and ratified before implementing them in school. Plans should be formally recorded in accordance with school procedures and set out the action taken to:

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

Risk assessment and planning for use of restrictive physical interventions

6.9 Schools should acknowledge that some children behave in ways that make it necessary to consider the use of restrictive physical intervention as part of a behaviour management plan. All identified behaviours necessitating use of physical intervention should be formally risk assessed **(Section 2).** The resulting risk management strategy must be compatible with a positive behaviour management approach.

Issues for schools/settings to address

- How will the school involve parents and others who know the child in the process of developing behaviour management plans?
- What process is to be used to agree and ratify behaviour management plans for use in school?
- How will behaviour management plans be recorded?

6.10 Intervention must be clearly shown to be in keeping with the pupil's statement and his or her individual education plan. It should also be properly documented within school records. All staff should be aware of the distinction between physical contact or touch, used appropriately in

everyday situations to support, encourage, guide or comfort a pupil, and the use of force to restrict movement or to disengage from pupils whose behaviour presents a clear risk of injury.

6.11 Techniques and methods for controlling and restraining pupils using restrictive physical interventions must be assessed to ensure they are safe, suitable and appropriate for use with the named pupil. They should be agreed in partnership with the pupil, his/her parents (or those with parental responsibility) and other statutory agencies working with the pupil. This is especially the case when children are looked after by the local authority, in respite care, or cared for by others with legal responsibility in order to ensure that there is a consistent approach to the use of physical intervention in and out of school. In the event of disputes over, or concerns about, techniques and methods being considered, an interim school strategy should be agreed and the matter referred to the LA. If necessary, adjudication might be offered by an independent officer nominated by the Local Safeguarding Children Boards.

Issues for schools/settings to address

- For what kinds of behaviours would the school view it necessary to consider planned use of physical intervention?
- What action does the school intend to take to assess and manage the risks?
- What steps does the school take to ensure that all staff coming into contact with pupils who may represent a risk have necessary information on the pupil concerned?
- How will the school ensure that planned use of physical intervention is compatible with a positive approach to improving behaviour and in keeping with the pupil's statement and pastoral support plan?
- What action will the school take to assess techniques and methods for implementing planned use of physical intervention?
- Who will the school work in partnership with to agree the techniques and methods to be used to implement planned use of physical intervention?
- What process is in place for you to refer disputes or concerns to the LA?

Use of restrictive physical interventions in unforeseen and emergency Situations

6.12 unforeseen or emergency situations when they have no option but to use reasonable force to manage a crisis. It is recommended that:

- before using force - staff attempt to use diversion or diffusion to manage the situation;
- when using force - staff must use techniques and methods with which they are familiar, confident and are permitted by the school; and
- in exceptional circumstances (where permitted techniques are ineffective or staff are unfamiliar with the action they should take) – staff manage the situation as best they can to comply with Section 93 of the Education and Inspection Act 2006.

6.13 Staff should always report and record use of physical force that occurs in unforeseen or emergency situations using school procedures.

Post-incident support

6.14 Incidents that require use of restrictive physical interventions can be upsetting to all concerned and result in injuries to the child or staff. After incidents have subsided, it is important to ensure that staff and children are given emotional support and basic first aid treatment for any

injuries. Immediate action should, of course, be taken to ensure that medical help is accessed for any injuries that require other than basic first aid. All injuries should be reported and recorded in accordance with school procedures.

Issues for schools/settings to address

- What kind of unforeseen or emergency situations might staff find themselves in within your school?
- What techniques and methods for implementing use of physical force to control or restrain pupils will be acknowledged as suitable for use in typical emergencies?
- What actions are staff required to take to report and record use of physical force in unforeseen and emergency situations?
- Who will provide staff and children with support after incidents?
- Who will check for injuries, provide first aid and arrange for medical aid?
- Who will report injuries to HSE?

Reporting and recording use of restrictive physical interventions

6.15 After incidents in which physical intervention is used, staff should report and record the matter in accordance with school procedures. All incidents requiring the use of physical intervention should be thoroughly and systematically documented within school records such as registers, logs, and incident books. The school should take action to ensure that parents and the local authority are informed about these incidents in accordance with agreed local procedures and time scales.

Issues for schools/settings to address

- How are incidents to be reported and recorded?
- What action will the school take to inform parents and the local authority about incidents?

Monitoring use of restrictive physical interventions

6.16 Use of physical intervention in school should be monitored in order to help staff learn from experience, promote the well being of children in their care, and provide a basis for appropriate support. The lessons learnt may provide a strategy for avoiding the use of physical intervention if similar incidents recur. Monitoring can help schools to determine what specialist help is needed for children and to assess the appropriateness of the child's placement at the school. Information on trends and emerging problems should be shared within the school using local procedures. Monitoring information should be reported on a regular basis to school governors.

Issues for schools/settings to address

- How will you monitor and evaluate the use of physical intervention?
- How will incident monitoring inform risk assessment and management?

Responding to complaints

6.17 The use of restrictive physical intervention can lead to allegations of inappropriate or excessive use. In the event of a complaint being received by a school in relation to use of force by staff, the matter should be dealt with as set in **Section 8**.

Staff training

6.18 Training in physical intervention methods that are acceptable within the school is available and teachers and support staff should be encouraged to take up such opportunities. This training is intended to help staff to link meeting children's needs with positive behaviour management **(Section 3)**. Staff involved in implementing planned use of physical intervention, as part of a behaviour management strategy within the school, should be provided with training in the range of intervention techniques they are expected to use in their day-to-day work. On successful completion of training, staff should be expected to practise their skills and periodically attend updates. **NB: Local Policy is for refresher training to be undertaken every 3 years.**

Issues for schools/settings to address

- How will you choose training for your school and what is the training to include?
- How will staff be assessed and updated?

Assessing and Managing Risks for Children Who Present Challenging Behaviours

6.19 The risk assessment and management proforma included in this section has been designed to help teachers, learning support assistants and other adults working in special schools to improve practice in relation to the assessment and management of risk posed by pupils with severely challenging behaviour. The risk may be to the pupils themselves, other pupils, teachers, other adults or property.

What is meant by "risk" and "risk assessment"?

6.20 The term "risk" refers to any circumstances which could lead to adverse outcomes for the child or others. Risks may arise in relation to a number of factors, such as the health care and social support arrangements for the child; interactions between the child and his or her environment; the direct impact of behaviour(s) presented by the child; measures and interventions employed to reduce, limit or manage the risks presented to the child and others. Risk assessment and management is a process that helps staff and others to consider risk issues, to act reasonably, and to learn from what happens in everyday practice. In the main, risk assessment and management involves:

- Using what is known, in the light of experience, to make rational judgments about risk issues;
- Weighing up options and taking reasonable risks;
- Taking action to implement a range of approaches to support and safeguard children. By working in this way it is possible to make decisions and take actions to:
- Limiting the level of inherent risk to which children and others are exposed;
- Taking calculated risks to broaden the child's experience and maximize his or her individual potential;
- Avoiding unreasonable risks for this child and others; and
- Ensuring that strategies used to respond to challenging behaviour are reasonable, and proportionate to the risks presented by the behaviour.

6.21 Using a structured approach to risk assessment and management will help staff to make decisions about what can reasonably be done to limit risks. At the same time it will help prepare them for times when things go wrong. Challenging behaviours are often foreseeable, even though it may be difficult to predict exactly when they will occur or the degree of challenge they will pose. As a general rule, schools should:

- explore why children behave in ways that pose a risk;
- try to understand the factors that influence the behaviour;
- recognise the early warning signs that indicate that the child's behaviour is beginning to emerge, and
- develop the skills to manage difficult situations competently and sensitively. The measures agreed for managing identified risks should be set out in an agreed behaviour management plan for the individual child.
- risk assessment and management can also be used in emergency situations when unforeseen risks occur.

Assessing the risk

6.22 Risk assessment involves a consideration of potential and actual risk. Key steps are:

- **assessing the context for risk** - trying to predict the situations in which risks do/may occur. For example, situations where pupils might feel frustrated, pupils being near open roads, on transport or in crowded places;
- **assessing probability** - trying to estimate how likely it is that the risk situation will occur and whether any injury or harm is very likely to occur, likely to occur, or unlikely to occur; and
- **assessing seriousness** - trying to gauge the kind of injury and harm that could result. For example: choking, bruises, bleeding, sprains, broken bones, stress, burnout, panic attacks, nervous breakdowns and post traumatic stress disorder.

6.23 In this part, it is assumed that the school will apply the risk assessment and management proforma. For some pupils, it will be appropriate for the LA to conduct the initial assessment, followed by updating by the school. A suggested risk assessment framework is indicated in **Section 11.**

6.24 When assessed, all risks should be recorded in accordance with relevant requirements such as LA or school policies. In the event that risks are thought to be serious for the child or others, the school may need to use formal risk assessment frameworks and tools, such as the Health and Safety Executive's "Five steps to Risk Assessment".

Exploring risk reduction options

6.25 Risk reduction involves an examination of risk management options and consideration of the benefits and drawbacks of each option for the child, staff and others concerned. After weighing up the options available, some may be discarded as unsuitable. This will usually be because they have insufficient impact on the risk or have too many drawbacks. A record should be kept of risk reduction options examined and discounted as well as those adopted for each pupil. Risk reduction should include:

- Proactive measures to support the child effectively and prevent difficulties emerging;
- Early interventions to help the child in difficult situations and avert problems; and
- planned measures to manage the child and others safely, when unavoidable difficulties arise.

6.26 In circumstances where there are concerns that the risk reduction options being considered may themselves give rise to risk to the pupil or others, it would be prudent for schools to seek advice from other bodies. These may include:

- The Local Safeguarding Children Board (LSCB) for concerns in relation to children;
- The Health and Safety Executive for concerns in relation to school staff and others;
- Medical advisers;
- Legal advisers; or
- The LA education and/or social services.

Deciding risk management measures

6.27 The measures selected to prevent risks occurring, manage risks that arise and respond to injuries and harm that occur should be based upon a full appraisal of all the risk management options. In agreeing the risk management strategy, it is important to be explicit about inherent risks that continue to exist, even when the strategy is fully implemented; risks that can be reduced by implementing the strategy; and the risks that can be prevented by implementing the strategy, and any risks inherent in the strategy.

6.28 The agreed risk management measures should form the basis of the child's behaviour management plan and the school's risk management strategy. All decisions made about risk management options should be recorded in accordance with school procedures. When selecting risk management procedures for the child's behaviour management plan and the school risk management strategy, schools should involve parents, or those with parental responsibility. Both sides benefit from such an approach; parents can examine measures for supporting their child within a broader context, while schools find out things that might otherwise be overlooked.

6.29 Professionals from other agencies should also be consulted in the process of deciding the best options to eliminate, reduce or limit the risk, without placing unreasonable restrictions on the child, children, school staff or others, or putting others at unreasonable risk. Accommodation and resources will influence the strategy employed. In the event that there are disputes or concerns about the measures employed, it would be prudent for schools to seek advice from the people or bodies listed in the preceding section.

Sharing and communicating an agreed approach

6.30 Once agreed, the behaviour management plan and risk management strategy should be shared with all those responsible for implementing or monitoring the impact of the plan. This is important as it will help to ensure that those concerned know how children are to be supported and why, which behaviours are to be managed and how they are to be managed; and which risk reduction measures are to be employed and when. The risk management strategy can be shared through discussion groups, meetings and circulating information. Those who should be informed include:

- The child;
- His/her parents or those with parental responsibility;
- Members of the teaching team and other school staff; and
- Other professionals involved with the child, child protection teams and other agencies. Schools should keep a record of those informed about the strategy.

Review of Staff training

6.31 Once the plan and risk management strategy have been shared with those who work with and support the child, consideration should be given to the ability of staff to implement the strategy. In particular, steps should be taken to determine what training may be required prior to

implementation. This is key, because successful implementation will be dependent on staff competence and expertise. School records should show training needs identified as a result of the strategy and how training was provided to enable staff to implement it. Where it is apparent that there are staff with significant training needs, implementation of the risk management strategy should be modified until relevant staff training has been provided. In some instances, staff training will be required as a matter of urgency so that implementation can take place without delay.

Evaluating impact and effectiveness

6.32 Along with other aspects of their approach to restrictive physical intervention, schools should regularly review risk assessment and management measures. All evaluations of plans and strategies should be reported using school procedures and recorded in school records. These will make an important contribution to informing future planning and improving day-to-day practice.

Section 7 Physical contact with pupils in other circumstances

7.1 There are occasions when physical contact with a pupil may be proper or necessary other than those covered by Section 93 of the Education and Inspections Act 2006. Some physical contact may be necessary to demonstrate exercises or techniques during physical education lessons, sports coaching or craft, design and technology or if a member of staff has to give first aid. Young children and those with SEN may need staff to provide physical prompts or help. Touching may also be appropriate where a pupil is being congratulated or praised, or where the pupil is in distress and needs comforting. Teachers will use their own professional judgement when they feel a pupil needs this kind of support.

7.2 There may be some pupils for whom touching is particularly unwelcome. For example, some pupils may be particularly sensitive to physical contact because of their cultural background or because they have been abused. It is important that staff who may come into contact with these pupils or groups of pupils should have the relevant information and that the school has a system for informing them. In addition, the school will need to develop clear common practice towards particular groups of pupils and events. There should be a common approach where staff and pupils are of different sexes. Physical contact with pupils becomes increasingly open to question as pupils reach and go through adolescence, and staff should also bear in mind that even innocent and well-intentioned physical contact can sometimes be misconstrued.

Section 8 Dealing with complaints and allegations in relation to the use of physical intervention

8.1 Parents and pupils have a right to complain about actions taken by school staff (Section 29 of the Education Act 2002) and this is set out in the Schools Complaints Procedure.

8.2 Schools needs to follow the guidance set out in the All Wales Child Protection Procedures if a specific allegation of abuse is made against a member of staff.

8.3 The school must contact the Contact and Referral Team, Children's Services in accordance with the local guidance document *Child Protection Recording and Reporting and Disclosure Guidance for Schools and other Educational Settings October 2011* **(Appendix 7)**.

8.4 Schools are reminded that where the concerns relate to staff they must also inform the Human Resource department as a matter of urgency whereby further advice and guidance including the necessity for risk assessment will be provided.

8.5 Other complaints, not specifically relating to staff should be dealt with under the school's complaints procedure which is normally set out in the school's published prospectus or website.

Child Protection Reporting Recording & Disclosure

Guidance for Staff in Schools and Other Educational Settings

October 2011

This publication is available in Welsh, and in other languages and formats on request.
Mae'r cyhoeddiad hwn ar gael yn Gymraeg, ac mewn ieithoedd a fformatau eraill ar gais.

Changing Lives, Building Futures•Newid Bywydau, Creu Dyfodol

Child Protection Reporting Recording & Disclosure
Guidance for Schools and other Educational Settings

Introduction

The following guidance provides clarification regarding the procedures relating to the reporting and recording of disclosures of abuse made by children. This includes allegations that may be made against non-professionals and professionals.

Education and Children's Services continue to work in partnership to further develop practices that protect children from harm. With regard to Safeguarding, Jackie Garland, Service Manger-Social Inclusion Service and Helen West, Safeguarding Manager, are the key officers for Education responsible for developing effective links between Education and Children's Services.

On behalf of Education, Helen West is responsible for:

- The delivery of support services and training relating to Looked After Children
- The child protection training programme
- Contributing to the professional strategy process
- Supporting Head Teachers and other managers with regard to risk assessments
- Monitoring safeguarding arrangements in schools such as record/file keeping (individual pupil files).

Education staff are not required to undertake child protection investigations. All child protection enquiries/requests for advice should be made directly to Children's Services as indicated below:

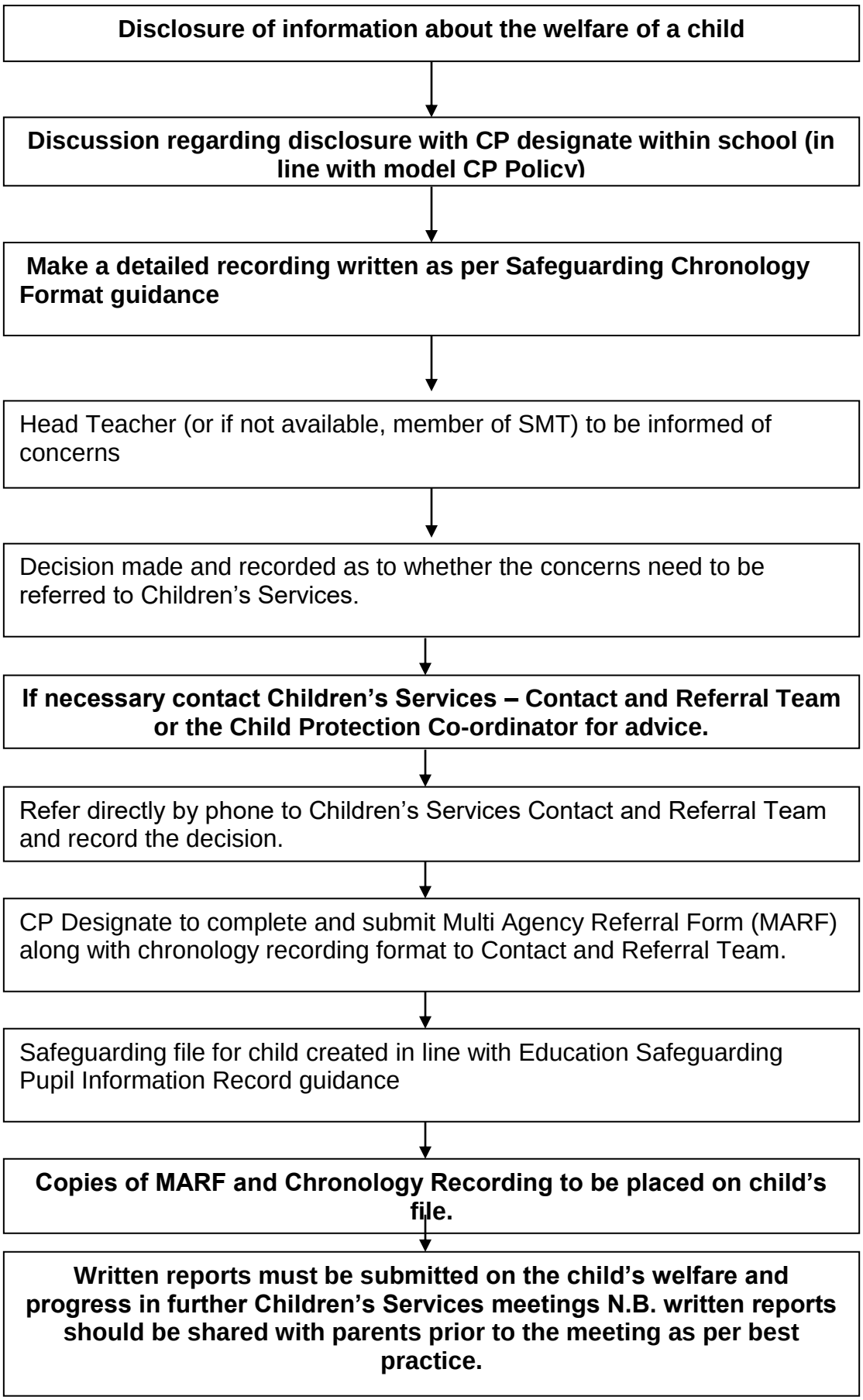
1. Any queries/concerns relating to a child should be directed to Deb White, Team Manager Contact & Referral Team

2. Any queries/concerns relating to an allegation against a professional should be directed to Emma Griffiths, Interim Child Protection Co-ordinator.

3. All referrals (child or professional) should be made directly to Deb white. If a child has an injury or has made a disclosure the referral should be made verbally immediately. The Multi-agency Referral Form should be sent to the Contact and Referral Team within 24 hours. The source of referral should be indicated on the form. In exceptional circumstances referrers may wish to discuss the option of remaining anonymous.

Relevant contact details are provided within this guidance.

Reporting and Recording a Disclosure



Reporting and Recording an Allegation against a Staff Member

Child makes an allegation against a staff member

Discussion regarding disclosure with CP designate within school (in line with model CP Policy)

Make a detailed recording, written as per Safeguarding Chronology Format guidance

Head Teacher (or if not available, member of SMT) to be informed of concerns if CP Designate is not also the Head Teacher

If necessary contact Children's Services Contact and Referral Team or Child Protection Co-ordinator for advice.

Referral is not Progressed

Head Teacher to seek advice from Education Personnel. Head Teacher to complete Risk Assessment to determine whether suspension is necessary and/or appropriate

Head Teacher's discussion with Personnel will determine whether a disciplinary investigation is required. Head Teacher and Chair of Governing Body, in consultation with Personnel and Education Safeguarding, determine whether a referral to SERVOCA is required

Referral is Progressed

Refer directly by phone to Children's Services Contact and Referral Team and record the decision.

Head Teacher to seek advice from Education Personnel. Head Teacher to complete Risk Assessment to determine whether suspension is necessary/ appropriate (in some instances this will be informed by views provided by the Police and Children's Services)

CP Designate to complete and submit Multi Agency Referral Form (MARF) along with chronology recording format to Contact and Referral Team.

CP Designate and Headteacher to be aware that s/he will be contributing to strategy discussions and/or meetings.

Safeguarding file for child created in line with Education Safeguarding Pupil Information Record guidance. Copies of MARF and Chronology Recording to be placed on child's file.

When Professional Strategy process has concluded, Head Teacher and Chair of Governing Body, in consultation with Personnel and Education Safeguarding, determine whether a referral to SERVOCA is required
Upon completion of a section 47 investigation the Head Teacher and Chair of the Governing Body make a referral to SERVOCA

Frequently Asked Questions

The responses to the questions below are taken verbatim from the All Wales Child Protection Procedures (AWCPP) 2008, page 79. All Child Protection Designates should ensure that all staff have access to the AWCPP. The term *child* refers to all children and young people.

Question 1: What should I do if a child tells me that they or another child is being abused?

- Show the child that you have heard what they are saying, and that you take their allegations seriously;
- Encourage the child to talk, but do not prompt or ask leading questions; Don't interrupt when the child is recalling significant events. Don't make the child repeat their account;
- Explain what actions you must take, in a way that is appropriate to the age and understanding of the child;
- Do not promise to keep what you have been told secret or confidential, as you have a responsibility to disclose information to those who need to know. Reporting concerns is not a betrayal of trust;
- Write down as soon as you can and no later than 24 hours what you have been told, using the exact words if possible;
- Report your concerns to your line manager or (if appropriate) the member of staff in your organisation with designated responsibility for child protection;
- Ensure that your concerns are immediately reported to the duty social worker at the local office. Do not delay;
- Do not confront the alleged abuser;
- Do not worry that you may be mistaken. You will always be taken seriously by Children's Services. It is better to have discussed it with somebody with the experience and responsibility to make an assessment;
- Make a note of the date, time, place and people who were present at the discussion.

Question 2: What should I do if the behaviour of any adult or colleague (including members of the public) towards a child causes me concern?

- Do not dismiss your concerns;
- Do not confront the person about whom you have concerns;
- If it is a person with professional responsibility for children or young people, you must act in accordance with your agency's professional abuse and whistle blowing policies;

It is very important that you do not ignore or dismiss suspicions about another professional or colleague.

If in doubt please IAA.

Simple Chronology Format Individual Child

Strictly Confidential- Chronology Format – to be secured with CP Records

Name of Child: D.O.B.

School:

Date and time	Significant Event – Record factual observations (to include child's comments **verbatim**, clearly list the situation, task being undertaken at the time, how many others present and any environmental factors that contributed, other adults present, how was the incident/event concluded, comments made to the child).	Parent / Carer Comments	Staff Member recording incident/event

Significant Event – Record factual observations

(to include child's comments **verbatim**, clearly list the situation, task being undertaken at the time, how many others present and any environmental factors that contributed, other adults present, how was the incident/event concluded, comments made to the child).

- Childs Comments – What did they actually say, quote their words, do not put asterisk instead of swear/difficult words. If you cannot remember exact words do not use speech marks and state you are being approximate.

- Situation and task being undertaken – Where was the incident, what was the child supposed to be doing, was this a usual task/situation for the child to be in, was this something the child would not have experienced before. Were clear instructions given to the child about the expected task/situation?

- Others present – how many other children were present?

- Environmental factors – was there anything about the child's physical surroundings that affected their behaviour?

- Other adults present?

- Event/incident conclusion – how did the matter end, what was the child's behaviour like at the end of and after the incident

- Adults comments to the child – what words were actually spoken to the child at the end of the incident/event?

Not all items above will be relevant for all recordings, just be mindful of the headings and record information that is available, do not feel compelled to 'tick every box'. Recording must be:

Timely – within the same working day – if child protection, record immediately.

- Factual – imagine you are a video camera watching the incident and write a narrative that is descriptive but not overly complicated.
- Opinion – if you are recording your opinion, ensure that it is clear that it is your opinion as opposed to fact.

Contact Details

Children's Services

Child Protection Coordinator	01443 864550

Information, Advice & Assistance Team

Tel	01495 233224
Fax	01495 233235
Email	contactandreferral@caerphilly.gov.uk
Based	Foxes Lane, Oakdale
Manager	Deb Lewis
In the absence of the Manager ask to speak to the Senior Practitioner	
Freephone	0808 1001727

www.sewsc.org.uk/ This website address provides helpful information regarding training, protocols, Policies and procedures relating to Safeguarding matters

Out of hours emergency duty team for South East Wales (SEWEDT) - 08003284432

Education Personnel
Any of the HR team can be contacted for advice.

Schools	Schools should contact their designated HR Officer
Other Educational Settings	Neil Jones, Principal HR Officer 01443 864603

Social Inclusion Service

Jackie Garland, Service Manager Social Inclusion	01443 866651
Helen West, Safeguarding Manager	01443 866643

Your School/ Setting /Department Designated CP Contact person and telephone number is:

* References to schools include all educational settings

Section 10 Post-incident support

10.1 Serious incidents that require use of force can be upsetting to all concerned and may result in injuries to the pupil or to staff. Immediate action should be taken to provide first aid for any injuries and to access medical help for any injuries that go beyond first aid. It is also important to ensure that staff and pupils are given emotional support.

10.2 The letter to parents informing them about the use of force can also be used to engage them in discussing the incident and for setting out subsequent actions and support. It is good practice for parents to be involved in agreeing appropriate support arrangements. For parents of pupils whose behaviour is associated with SEN and/or disabilities, it is advisable to agree an individual behaviour plan. Such plans would include strategies to prevent and deal with any recurrence of behaviour that could lead to the use of force.

10.3 Schools are also advised to:

- decide whether multi-agency partners need to be involved and, if so, which partners. This could include local authority children's services, Child and Adolescent Mental Health Services or the Youth Offending Team (if the pupil is already under their supervision or has been identified by the YOT as being at risk of becoming engaged in criminal or anti-social behaviour);

- where a pupil is responsible, hold the pupil to account so that he or she recognises the harm caused or which might have been caused. In addition to punishing the pupil, this may involve giving them the opportunity to repair the relationships with staff and pupils affected by the incident and/or to develop their social and emotional skills. In some cases, an incident might lead to a decision to exclude a pupil. In these circumstances head teachers must have regard to the Welsh Government's guidance on Exclusion from Schools and Pupil Referral Units, Circular 1/2004;

- help the pupil and staff develop strategies to avoid such crisis points in future and inform relevant staff about these strategies and their roles;

- ensure that parents and pupils are aware of the school's complaints procedures; and

- ensure that staff and pupils affected by an incident have continuing support for as long as necessary in respect of:

i. physical consequences;
ii. support to deal with any emotional stress or loss of confidence; and
iii. opportunity to analyse, reflect and learn from the incident.

Section 11

RISK ASSESSMENT

Pupil's Name: School:
Date of Birth: Completed by:
Date:

1 = Low risk, 5 = High risk (risk multiplied by control) 15+ = High level of risk

Risk	Control	High level of risk – additional control

Date for review

School Positive Handling Plan

Name of child: **Plan number:**

Positives: What is the pupil good at and what do they like doing?	Triggers: What situations have led to problems in the past?	Successful approaches: What proactive interventions have been effective in preventing the pupil's anxiety rising?
1. 2. 3. 4. 5.	1. 2. 3. 4. 5.	1. 2. 3. 4. 5.

2. Describe any modifications to the environment or pupil routines that can be implemented to prevent anxieties rising?

1. 2. 3. 4.

3. De-escalation/describe any strategies that have worked in the past or should be avoided

Strategy	Description of impact	Try	Avoid
Verbal advice and support			
Firm clear directions			
Negotiation			
Limited choices			
Distraction			
Diversion			
Reassurance			
Planned ignoring			
Reassuring touch			
Talk calmly.			
Time out			
Withdrawal offered			
Withdrawal directed			
Change of adult involved			
Reminders of consequences			
Humour			
Success reminders			
Others			

4. From your risk assessment, what is the likelihood of a child harming himself/herself, another child or adult in the event of an incident? Is it:

	Himself/Herself	Another child	Adult
Improbable			
Possible			
Probable			

5. Please indicate whether this behaviour is likely to be directed towards a pupil or member of staff:

Type of incident	**Towards other pupils**	**Towards member of staff**
Verbal abuse		
Sever disruption of lesson		
Slapping		
Pinching		
Biting		
Punching		
Spitting		
Hair grabbing		
Neck grabbing		
Clothing grabbing		
Arm grabbing		
Body holds		
Weapons/missiles being thrown		

6. Preferred strategy for dealing with above incidents

Type of incident	**Approach**									
	1	2	3	4	5	6	7	8	9	10
Verbal abuse										
Sever disruption of lesson										
Carrying/using smoking materials										
Carrying/using mobile phone										
Slapping										
Pinching										
Biting										
Punching										
Spitting										
Hair grabbing										
Neck grabbing										
Clothing grabbing										
Arm grabbing										
Body holds										
Weapons/missiles being thrown										
Self harm										

1 = De-escalation strategies on previous sheet; 2 = Summoning assistance; **3 = Summoning external assistance (police);** 4 = One hand up One hand Down – One person; **5 = Wrap;** 6 = One arm up one arm down – two person; **7 = Seated – Fixed Seating;** 8 = ; Seated Floor **9 = Separate fights;** 10 = Shield

7. Follow up – debrief and repair following the incident

Where	**Staff member with whom the child has a good relationship**

8. Notification

	Parent/ Guardian	Social Worker	LEA Officer	GP/ CAMHS	E.P.	Child Protection Officer	Other
Name							
Signature							
Date							

Name of person completing this form: _____ Date:

Section 13

Physical Intervention of Pupils at School

Reminder to staff of **DOs and DON'Ts**

DO

Know the procedures within the school's guidelines for the use of physical intervention. A copy of these is available from_____.

Discuss the procedures with a senior member of staff if you are unsure of any point.

Send for adult help early if things begin to get out of hand and physical intervention seems likely.

Assess the situation calmly before acting.

Use minimum restraint for minimum time.

Report the incident to the Headteacher or senior member of staff as soon as possible and complete a report.

DO NOT

Place yourself at risk by attempting to intervene physically with a pupil who is obviously carrying a weapon.

Attempt to restrain a pupil when you have lost your temper.

Use excessive force.

Place yourself at risk of false allegation, i.e. avoid being alone with a pupil if possible.