



RESTRICTIVE PRACTICE POLICY

FOR

THE COLOUR CORNER LTD

The purpose of this policy is to outline for all staff working with children and young people at The Colour Corner, to inform them what is acceptable in relation to the use of physical intervention to manage challenging behaviour, and to prevent any misunderstanding of their intentions.

It is also intended to inform children, their parent(s), carer(s), families and other relevant stakeholders of the legal position in relation to physical intervention, and systems and procedures that is followed at The Colour Corner.

There are occasions when physical contact, other than reasonable force, with a pupil is proper and necessary. Examples of where touching a pupil might be proper or necessary:

- comforting a distressed pupil
- when a pupil is being congratulated or praised
- to demonstrate techniques
- to give first aid.

At The Colour Corner we constantly strive to create a calm environment that minimises the risk of incidents arising that might require the use of force.

In relation to inappropriate behaviour, staff at the setting will use their skills to defuse conflict situations. We will distract, cajole, persuade and negotiate with young people as well as reminding them of studio rules.

There may be circumstances however, where verbal de-escalation alone is not enough to deal with the risks that present themselves, and physical steps need to be taken. This policy has been drawn up taking cognisance of DFE guidance: The Use of Reasonable Force (July 2013), Section 93 of The Education and Inspections Act 2006, DFES guidance LEA/264/2003: Guidance on the Use of Restrictive Physical Interventions for Pupils with Severe Behavioural Difficulties (Sept 2003) and the joint DFES/DOH guidance: Guidance for Restrictive Physical Interventions (July 2002).

This policy should be read in conjunction with the setting's Behaviour Policy, Health and Safety Policy and Child Protection Policy.

Every effort will be made to ensure that all staff at The Colour Corner clearly understand this policy and their responsibilities in the context of their Duty of Care by:

- taking appropriate measures where physical intervention is necessary
- are provided with appropriate training to deal with incidents safely and effectively.



Values

Everyone attending or working in this setting has a right to:

- recognition of their unique identity
- be treated with respect and dignity
- learn and work in a safe environment
- be protected from harm, violence, assault and acts of verbal abuse

Children attending this school and their parents have a right to:

- individual consideration of pupil needs by the staff who have responsibility for their care and protection;
- expect staff to undertake their duties and responsibilities in accordance with the setting's policies
- be informed about school rules, relevant policies and the expected conduct of all pupils and staff working in school
- be informed about the school's complaints procedure.

The setting will ensure that pupils are given support to understand the need for and respond to clearly defined limits, which govern behaviour in the studio.

Strategies for dealing with challenging behaviour /Prevention of challenging behaviour.

1. Primary Prevention: This is achieved by:

- appropriate staffing numbers;
- appropriately trained and competent staff;
- Avoiding situations and triggers known to provoke challenging behaviour;
- Creating opportunities for choice and achievement
- Developing staff expertise through training
- Exploring pupils' preferences relating to the way/s in which they are managed.

2. Secondary Prevention:

This involves the recognition of the early stages of behaviour that is likely to develop into violence or aggression and employing 'defusion' techniques to avert any further escalation.

Where there is clear documented evidence that particular sequences of behaviour escalate rapidly into violence, the use of a restrictive physical intervention (RPI) at an early stage in the sequence may, potentially, be justified if it is clear that:

- Primary prevention has not been effective, and
- The risks associated with NOT using an RPI are greater than the risks of using a RPI, and
- Other appropriate methods, which do not involve RPI, have been tried without success.

As endorsed in the setting's Behaviour Policy, staff will consistently use positive strategies to encourage acceptable behaviour and good order. Every effort will be made to resolve conflicts positively and without harm to pupils or staff, property, buildings or the environment including:



- Verbal acknowledgement of unacceptable behaviour with request for the pupil to refrain
- Further verbal reprimand stating: - that this is the second request for compliance; - an explanation of why observed behaviour is unacceptable; - an explanation of what will happen if the unacceptable behaviour continues.
- Warning of intention to intervene physically and that this will cease when the pupil complies, if possible summon assistance from other staff.
- Physical intervention. Reasonable force being used in line with legislation and guidance. All staff will be trained in skills to help them to defuse situations before behaviour becomes challenging and how to de-escalate incidents should they arise. Reasonable force will only be used when the risks involved in doing so are outweighed by the risks involved in not using force.

The Legal Implications - Duty of Care

All staff working within the setting have a 'Duty of Care' to the children and young people and as such, may face a situation where physical intervention is the only option left available to them, in order to ensure safety. Staff who have a Duty of Care have lawful justification for taking reasonable physical steps to prevent injury to any person, or damage to property. Taking no action which results in a person being injured, could leave a member of staff open to an allegation that they were in neglect of their Duty of Care. The Children's Act

Staff will always follow the principles outlined in the above act whereby the safety and wellbeing of the children is paramount. Staff will act in accordance with the 'best interests principle', acting honestly and in good faith to protect what they perceive to be the best interests of the child/children. Section 93: Section 93 of the Education and Inspections Act 2006 'The Power of Members of Staff to Use Force' states: A member of the staff of a school may use such force as is reasonable in the circumstances to prevent a pupil from doing, or continuing to do any of the following;

- committing an offence
- injuring themselves or others, or causing damage to property
- compromising the good order or discipline of the setting.

This policy allows for the physical restraint of pupils in disciplinary or dangerous situations. This must not include any form of corporal punishment and should be limited to the minimum force absolutely necessary for the minimum amount of time. Examples of situations where the guidance could apply:

- when a child attacks a member of staff
- when a child attacks another pupil
- when a child is engaged in, or is on the verge of committing, deliberate damage or vandalism



- when a child is causing, or at risk of causing, injury or damage by accident, by rough play, or by misuse of dangerous materials or objects (for example scissors or pencils)
- when a child at risk absconds from class or tries to leave the school
- when a child persistently refuses to obey an order to leave a classroom
- when a child is seriously disrupting a session.

It is the policy of the setting that only in exceptional circumstances may physical restraint be used by an adult working within the setting, and that our policy in this regard be made known to staff, governors, parents and pupils and that clear contingencies are known to all.

The Application of Force

The application of any form of physical control inevitably carries an attached risk of unintended harm and this places staff at the setting at risk of potential litigation. It can only be justified according to the circumstances described in this policy. Staff, therefore, have a responsibility to follow this policy and to seek alternative strategies wherever possible in order to prevent the need for physical intervention. Staff need to be aware that they are responsible for:

- assessing risks (dynamic risk assessment) related to individual circumstances which may arise in the course of their day-to-day duties
- making judgements about when the use of force is necessary and the degree of force which may be regarded as necessary to manage a situation.

Staff need to be aware that they are required to justify their decisions in writing through the recording and reporting procedures outlined later in this document. When circumstances justify, staff AS A LAST RESORT, may:

- physically interpose between children
- block a child's path
- hold a child in a controlled manner
- use escorting techniques in a controlled manner
- in extreme circumstances, use more restrictive holds.

Staff's response to an incident should seek to employ a gradually increasing or decreasing level of force in response to the child/young person's behaviour. If possible, the use of restraint needs a second adult present to assist with and/or witness the incident.

Staff must be aware of DFE recommendations as set out in the guidance document, and not hold pupils in such a way that they may be injured or prevented from breathing. During any incident involving the use of force, staff are expected to continue to use all available verbal and non-verbal support and de-escalation strategies to defuse difficult situations.

Reasonable Force



There is no legal definition of 'reasonable force'. It will always depend upon the circumstances of each individual case.

THE USE OF ANY DEGREE OF FORCE IS UNLAWFUL IF THE PARTICULAR CIRCUMSTANCES DO NOT WARRANT THE USE OF PHYSICAL FORCE.

The degree of force employed must be in proportion to the circumstances of the incident and must be the minimum needed to achieve the desired result. Whether the degree of force used is reasonable will also be determined by the child's age; gender; stature; medical history; level of physical, emotional and intellectual development; special needs; and social context.

Physical intervention - the use of any physical handling technique that has the child or young person's compliance. (e.g. prompting, shepherding).

Restrictive physical intervention (RPI), Restraint - the positive application of force in order to overcome rigorous resistance, completely directing and controlling a person's free movement. (i.e. the child or young person is no longer compliant).

An emergency physical intervention may be necessary if a situation arises that was not foreseen or is uncharacteristic of the pupil. Members of staff retain their Duty of Care to pupils and any response, even in an emergency, must be proportionate to the circumstances. Staff should use the minimum force necessary to prevent injury and maintain safety, consistent with the training that they have received. Following any such incident, a Positive Behaviour Support Plan will be devised (or the existing plan updated) to support effective responses to any such situations which may arise in the future.

Personal Safety

There may be times when a member of staff may need to defend themselves from a physical assault or 'break away' from a child who has taken hold of them. It is acknowledged that with some disengagement techniques children may encounter some minimal discomfort when appropriate release techniques are used. However, this is very brief, transient and poses less of a risk than the behaviour they are employed in response to, eg biting.

All staff will be given input on key skills and principles regarding personal safety and self-defence, as part of their ongoing training.

Restrictive Physical Interventions and Risk Assessment

Both challenging behaviour and RPIs will involve a risk – to both staff and children. A risk assessment aims to balance these risks. The aim of this policy is to reduce the risks associated with pupils' challenging behaviour as far as is reasonably practicable – the risks that are associated with the behaviour itself and the risk of managing that behaviour. The risks of employing an intervention should be lower than the risks of not doing so.

Responsibility of Staff

The Education and Inspections Act authorises all staff at the setting to use reasonable force to control or restrain pupils. The responsible person (K. Blakey) will ensure that all staff are aware of, and understand, what the authorisation entails.



Any force used must be appropriate in the sense that a "reasonable adult" should think it suitably addresses the tariff level of challenging behaviour. It should always be the last resort and in no circumstances be used in anger and/or to inflict pain.

Adults must avoid putting themselves into physical danger. If self-defence is necessary then the minimum force must be used. Under the Health and Safety at Work Act 1974, employees have a responsibility to report any circumstances which give rise to an increased risk to their Health and Safety.

Staff who have, or acquire, permanently or temporarily, any medical condition that may impact on their ability to carry out pupils' PBSPs have a duty to report these to the Responsible Person (K. Blakey) immediately, as there may be an impact on their own safety and that of colleagues and/or children attending the setting.

Training

Training on managing behaviour at some level will be available for all staff at The Colour Corner. This will be enhanced by Team-Teach training in the use of positive handling and it is the responsibility of the Responsible person (K. Blakey) to ensure this training is kept up to date.

No member of staff will be expected to use TeamTeach techniques without appropriate training.

Arrangements for training will be made clear as part of the induction of staff and training will be provided as part of on-going staff development.

Recording and Reporting of Incidents

If a restrictive physical intervention is used on a pupil the Responsible Person (K. Blakey) must be notified at once (If involving another member of staff). The name of the pupil will then be recorded in the incident record file, along with the time, circumstances, witnesses, details of any injury sustained and the pupil's responses.

The parent(s)/carer(s) of the child will be notified as soon as possible via a telephone call or face to face and be given the opportunity to discuss the incident.

Appropriate documentation will be completed as soon as possible after the incident (within 24 hours), normally prior to staff going off duty and be signed by all staff involved and the Responsible person (K. Blakey).

All incidents involving a pupil being taken to the ground and held in Team Teach (TT) Front Ground Recovery, TT Back Ground Recovery or TT Shield Ground Recovery, involving a pupil being held prone or supine on the ground must be reported to the Principal Adviser for Care and Control, Health Safety and Wellbeing Team, Leeds City Council.

Monitoring incidents - Whenever a member of staff has occasion to use reasonable force, this will always be recorded and documented following agreed procedures. Monitoring of incidents will help to ensure that staff are following the correct procedures.

Complaints

In the event of a complaint or allegation that a member of staff has used unreasonable force - or where a child has been injured during a physical intervention – the Responsible Person (K. Blakey) should in all circumstances undertake a consultation with the Local Authority Designated Officer (LADO) in line with the setting's safeguarding procedures.



If a parent/carer wishes to speak to an adviser from the Local Authority about the use of force by a member of staff:

School's Health, Safety and Wellbeing Team: 0113 3788298.

If parents have any general queries, Leeds Special Educational Needs and Disability Information Advice Support Service (SENDIASS) offer confidential impartial advice and information around children's Special Educational Needs:

(SENDIASS) 0113 378 5020.

Whistle Blowing

Whilst the training in Team-Teach provided to all staff, encourages the use of help protocols and reflective practice, it is acknowledged that under some circumstances, physical intervention can be misapplied. Staff are reminded that part of their Duty of Care to pupils includes the requirement to report any such matters which cause them concern in relation to pupil management and welfare. Any such concerns should be raised with the Responsible Person (K. Blakey) in order to allow concerns to be addressed and practice improved.

This policy was adopted by: The Colour Corner Ltd.	Date: 1/9/26
To be reviewed: 1/9/27	Signed: K. Blakey

(Based on guidance from Safer Working Practices 2022 – Leeds Model Policy)