





# BRADFORD AP ACADEMY

## Pupil Care and Management Policy

Policy agreed by Staff on:	Spring 2024
Ratified by Local Advisory Board	Spring 2024
Review Date:	Spring 2027
Agreed Frequency of Review:	3 Yearly
Allocated Group / Person to Review:	LAB can delegate to committee or individual member or HT
Signed by Chair:	
Signed by Headteacher:	
Policy previously ratified:	Autumn 2020

## **Background/Purpose**

The policy has been prepared for all staff who come into contact with pupils, and for visitors working in Bradford AP Academy (BAPA), to explain arrangements for pupil care and management, including the use of reasonable restraint.

## **Policy and Practice**

Good personal and professional relationships between staff and pupils are vital to ensure good order. It is recognised that the majority of pupils in our provision respond positively to the discipline and behaviour management techniques practised by staff. This ensures the well-being and safety of all pupils and staff in the centres. It is also acknowledged that in exceptional circumstances, staff may need to take action in situations where the use of reasonable force may be required. BAPA staff acknowledge that physical techniques are only part of a whole setting approach to behaviour management.

The Head Teacher will ensure that all staff:

- (i) minimise the need to use restraint by:
  - creating a calm, orderly and supportive climate that minimises the risk and threat of violence of any kind;
  - developing positive relationships between pupils and staff;
  - consistently applying the principles of Team Teach;
  - de-escalating incidents as and when they arise;
  - recognising that situations which trigger challenging behaviours are often foreseeable;
  - effectively managing individual incidents by communicating calmly and using non-threatening verbal and body language and ensuring that the pupil can see a way out of the situation;
  - only using restraint when the risks involved in doing so are outweighed by the risks involved in not;
  - by undertaking risk assessments and producing positive handling plans for individual pupils, as necessary;
  - SLT thoroughly reviewing incidents to reduce risk of recurrence.
- (ii) clearly understand this policy and their responsibilities in the context of their duty of care, in taking appropriate measures where restraint is necessary; and
- (iii) are provided with appropriate training to deal with situations requiring de-escalation and physical restraint.

## **What the law says:**

legislation enacted by the Education Act 2011 which reinforces, supersedes and replaces previous guidance, particularly in relation to:

- Education and Inspections Act 2006, Section 93;
- Education Act 2002;
- Equality Act 2010. Refer to Department of Education guidance November 2011 "Behaviour and discipline in Schools – a guide for head teachers and school staff" for an overview of the powers and duties for school staff.

The policy has been developed in response to DfE non-statutory guidance 'The Use of Reasonable Force' July 2013 (following the enactment of Section 93 of the 1996 Education and Inspections Act). It also takes cognisance of DfES, DOH Guidance for Restrictive Physical Interventions,

'Guidance on the use of restrictive physical intervention for children who display Extreme Behaviour in association with Learning Disability and/or Autistic Spectrum Disorder' (July 2002), 'Guidance on the Use of Restrictive Physical Interventions for Pupils with Severe Behavioural Difficulties' (2003) and 'The Code of Practice: Mental Health act 1983' (2015). Additionally, it follows the policies and guidance of Bradford Local Authority.

Legislation states that school staff to use such force as is reasonable to prevent a pupil from doing or continuing to do any of the following:

- committing a criminal offence;
- 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 lesson or otherwise

The application of any form of physical restraint places staff in a vulnerable situation. 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.

Physical restraint will only be used as a last resort when all other behaviour management strategies have failed or when pupils, staff or property are at risk.

### **Definitions of Positive Handling:**

No legal definition of reasonable restraint within an AP context exists. However, for the purpose of this policy and the implementation of it in BAPA:

Any physical intervention must be proportionate to both the behaviour of the individual to be restrained and the nature of the harm they might cause otherwise.

This policy does more than simply outline the use of physical intervention at BAPA. It aims to provide a transparent overview of how we use physical contact to both care for and, where appropriate, manage our pupils. The Pupil Care and Management Policy describes the acceptable physical interaction between staff and pupils on a daily basis. Based on the principles of moving from least intrusive to more restrictive holding we have divided interaction into three definable areas.

### **Physical Contact:**

Situations in which physical contact occurs between staff and pupils are as follows:

- (i) to either care for pupils who may be distressed or have severe and profound learning disabilities; or
- (ii) in subject areas, such as physical education, in order to promote inclusive learning opportunities and deliver the National Curriculum. In addition staff will also use positive touch to comfort pupils.

### **Physical Intervention:**

This may be used to divert a pupil from a destructive or disruptive action, for example guiding or leading a pupil by the arm or shoulder with little or no force. The techniques implemented here will include 'turn, gather, guide' and the 'friendly or small child hold'. The important factor within these situations is the compliance of the child as a result of the intervention.

## **Physical Control and Restraint/Restrictive Physical Intervention:**

This will involve the use of reasonable force when there is an immediate risk to pupils, staff or property. It is important to note that the use of 'reasonable force' should be seen as a last resort. All such incidents are recorded and will be stored for ready access.

The following techniques are accredited by Team Teach and authorised for staff to use by the Head Teacher. Whenever possible the following techniques will be used:

- The two person double elbow
- Two person single elbow (and to chairs)

As indicated, the level of compliance from the pupil determines whether or not the interaction is an intervention or a control/restraint. If staff are in doubt then the incident should be recorded on the Physical Intervention Report Form.

## **Underpinning values:**

Everyone attending or working at BAPA have 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 and assault.

Pupils attending the centres and their parent(s)/carer(s) 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 PRUs policies;
- be informed about centre rules, relevant policies and the expected conduct of all pupils and staff working in there;
- be informed about the PRUs complaints procedure.

BAPA staff will ensure that parents/carers and pupils understand the need for pupils to respond to clearly defined limits, which govern behaviour at BAPA. In turn parents/carers will have committed themselves through the 'Home School Partnership Agreement' to promote the good behaviour of their child and that efforts have been made by them to ensure that s/he understands and follows the centre's Positive Behaviour Policy.

## **Training:**

Training for all staff will be made available and is the responsibility of the Head Teacher. No member of staff will be expected to undertake the use of reasonable restraint without appropriate training. Prior to any practical training, theoretical aspects of effective behaviour management will have been delivered and arrangements will be made clear, as part of the induction of staff, and training will be provided as part of on-going continued professional development for staff.

BAPA, is committed to implementing the Team Teach approach to pupil care and management, which is recognised by the British Institute of Learning Disabilities (BILD) 'working together to safeguard people and services'. Further information in relation to Team Teach can be found at [www.team-teach.co.uk](http://www.team-teach.co.uk)

Physical techniques are not used in isolation, and BAPA is committed to ensuring that, as a result of incidents, learning opportunities are created for pupils that allow them to 'own' and take responsibility for their behaviour.

In addition, procedures will be put in place to ensure that appropriate support is provided for staff and that following an incident, pupil/staff relationships are rebuilt and repaired to ensure that a positive learning environment is maintained.

All the techniques used take account of a young person's:

- age
- gender
- level of physical, emotional and intellectual development
- special needs
- social context

They should also provide a gradual, graded system of response.

Where appropriate, Positive Handling Plans are written for individual pupils and, where possible, these will be designed through multi agency collaboration e.g. when devising Support Plans.

Risk Assessments are completed for all pupils and they will take into account risks around physical intervention. Such risk assessments should be developed to include the identified target behaviours and circumstances in which they occur. The assessment should identify the benefits and the risks associated with the strategies being proposed.

Training will need to include a comprehensive review of the agreed standard incident monitoring forms and any centre-specific pupil level recording that is being used for planning and evaluating behaviour management strategies.

### **Strategies for dealing with challenging behaviour:**

As endorsed in the Positive Behaviour Policy, staff utilise consistent positive strategies to encourage acceptable behaviour and good order engaging pupils in a calm and measured tone.

Every effort will be made to resolve conflicts positively and without harm to pupils or staff, property, buildings or the environment. Where unacceptable behaviour provokes intervention, some or all of the following approaches should be taken according to the circumstances of the incident:

- Verbal acknowledgement of unacceptable behaviour with request for the pupil to refrain; (this includes negotiation, care and concern)
- Further verbal reprimand stating:
  - that this is a repeated request for compliance;
  - an explanation of why observed behaviour is unacceptable;
  - an explanation of what will happen if the unacceptable behaviour continues.
- A statement of intent that physical intervention may well be used, alongside a reminder that holding will cease when the pupil shows compliance. If possible, summon assistance from the Senior Leadership Team.
- Physical intervention. Reasonable force being used to prevent a child harming him or herself, others or property.

Training in physical intervention given to staff will include sections on the current legal framework, background, theory and rationale behind the Team Teach Approach, as well as an understanding

of personal space, body language and a personal safety curriculum, before any physical techniques are taught.

Team Teach techniques seek to avoid injury to the pupils, but it is possible that bruising or scratching may occur accidentally, and these are not to be seen necessarily as failure of professional technique, but as a regrettable and infrequent side effect of ensuring that the pupil remains safe.

Wherever possible, assistance will be sought from another member of staff.

Positive handling at BAPA is seen as a proactive response to meet individual pupil need and any such measures will be most effective in the context of the overall ethos of the centres, the way that staff exercise their responsibilities and the behaviour management strategies used.

### **Recording:**

Where physical control or restraint has been used, a record of the incident will be kept. This record should be made on Physical Intervention Report Form.

Appropriate documentation will be completed as soon as possible after the incident, normally prior to staff going off duty and be signed by all staff involved in the incident.

After the review of the incident, a record will be added to CPOMS and a copy of the Physical Intervention Report will also be uploaded. In addition, a copy of the Physical Intervention Report Form will be placed on the pupil's file.

### **Action after an incident:**

Where staff have been involved in an incident involving reasonable restraint they should have the opportunity for a brief period of rest and, in the case of more serious incidents, access to counselling and support.

The Headteacher will ensure that each incident is reviewed and investigated further. If further action is required, in relation to a member of staff or a pupil, this will be pursued through appropriate procedures detailed in;

- The pupil's Positive Handling Plan.
- The Positive Behaviour Policy
- Exclusion Procedures
- Child Protection Procedures

The member of staff, pupil, parent(s)/carer(s) will be kept informed of any action taken.

In the case of any action concerning a member of staff, s/he will be advised to seek advice from her/his professional association/union.

### **Monitoring incidents:**

Whenever a member of staff has to use reasonable restraint, this will always be recorded and documented following agreed procedures. Monitoring of incidents will help to ensure that staff are following the correct procedures and will alert the Headteacher to the needs of any pupil(s) whose behaviour may require modification to their individual risk assessment or positive handling plan.

## **Searching, Screening and Confiscation**

### **Prohibited Items**

Staff have the power screen, search and confiscate items to ensure BAPA is a safe and supportive environment to learn and work. This must be implemented in line with Searching, Screening and Confiscation Advice for schools (DfE July 2022).

SLT and those authorised by them, have the power to search without consent if there is reason to believe there may be prohibited items:

- Knives, weapons.
- Alcohol, illegal drugs, tobacco
- Stolen items.
- Fireworks.
- Pornographic images.
- Anything that has been used or is likely to be used to commit an offence, cause injury or damage.

The list above is not exhaustive and will also include any items judged by the Academy to be carried with the intention to inflict injury to self, another individual or property. This includes E-Cigarettes and related paraphernalia.

### **Searching Pupils**

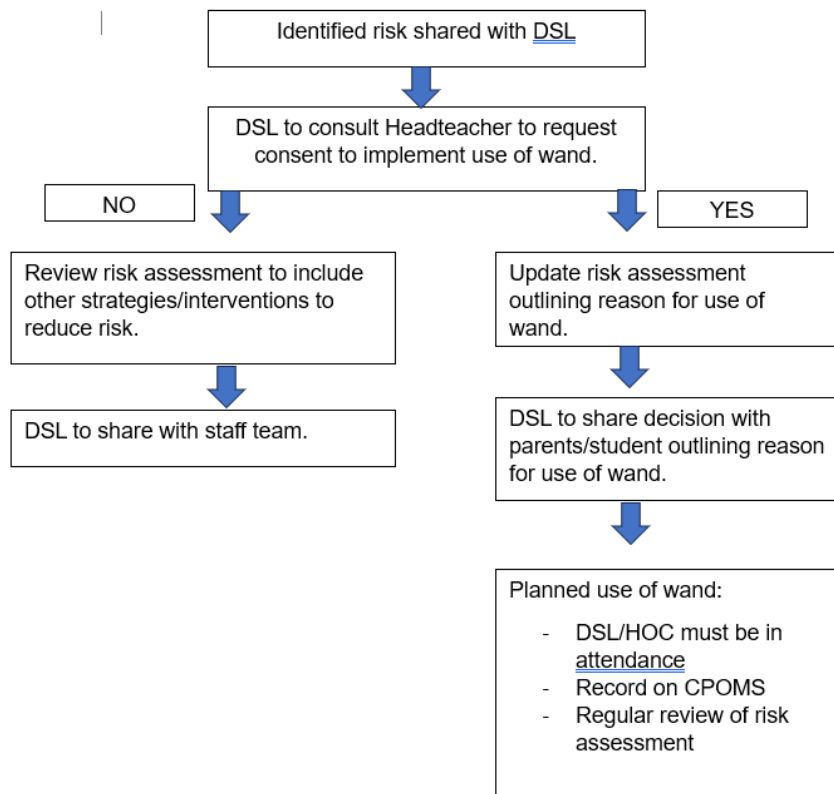
Staff authorised by the Headteacher have the power to search pupils or their possessions, without consent, where they suspect the pupil has prohibited items. When searching a pupil, the member of staff doing so must be the same sex as the pupil being searched and there must be a member of SLT present as a witness to the search, this person does not have to be the same sex as the pupil. The only exception to the above is if the searcher believes there is a risk of serious harm being caused if a search isn't carried out urgently, and it's not reasonably practical to summon another member of staff with the time available.

School staff can seize any prohibited item found as a result of a search. They can also seize any item they consider harmful or detrimental to school discipline. If there are concerns that a young person has prohibited items concealed on them, which we do not feel is appropriate for Academy staff to search for, the BAPA Safer schools officer will be contacted to request additional guidance. If the BAPA Safer schools officer is unavailable, SLT to consult another member of the BAPA SLT before contacting the police. The police can only carry out a search if they think this is necessary to remove an item related to a criminal offence, and, reasonably consider the pupil might have concealed such an item. We will always put the best interest of the child first, this means that we will make sure we have exhausted all other approaches and we have carefully weighed up the risks to the pupil's mental and physical wellbeing with the need to conduct a search. If police presence is necessary, we will ensure that all appropriate actions are taken according to the most recent DfE guidance.

### **Screening**

Screening can help provide reassurance to pupils, staff and parents that the school is taking measures to create a calm, safe and supportive environment. Schools' statutory power to make rules on pupil behaviour and their duties as employers in relation to the safety of staff, pupils and visitors enables them to impose a requirement that pupils undergo screening.

In exceptional circumstances, designated staff can use a hand-held metal detector (wand) to scan pupils for prohibited items before they enter the school premises. Senior leaders must follow the protocol below:



## Recording an Incident

All incidents must be recorded immediately using CPOMS. The initial CPOMS entry must be submitted by the supervising member of SLT.

Any associated actions eg, safer school officer support must be included in the CPOMS thread.

SLT must make changes to the student risk assessment and share the updates with stakeholders.

A member of SLT will review incidents of searching, screening and confiscation every half term.