



Care and Control Policy



School: Jigsaw Pupil Referral Unit

Date Approved by Governing Body: 28.11.22

Chair: Mr D. Hains

Headteacher: Ms E. Rothlisberger

Review Date: Nov 23

Policy Statement

The policy has been developed in response to DfE non statutory guidance, "The Use of Reasonable Force". July 2013. It also makes due reference to DfES, DOH Guidance for Restrictive Physical Interventions, 'Guidance on the use of restrictive intervention for children who display Extreme Behaviour in association with Learning Disability and/or Autistic Spectrum Disorder' (July 2002). As well as 'Behaviour and Discipline in schools' DfE Jan 2016. Additionally the policy follows the policies and guidance of Sefton Local Authority Children's Services in relation to Safeguarding.

This policy should be read in conjunction with other school policies relating to interaction between adults and children, e.g. Child Protection, Health and Safety, Behaviour. This policy has been prepared for the support of all teaching and support staff who come into contact with children and for volunteers working within the school to explain the schools arrangements for care and control. Policy contents are available to parents and carers.

Staff in this provision are trained to look after the pupils in their care. Staff have a duty to intervene in order to prevent pupils from hurting themselves or others. There may also be situations in which a child seriously disrupts good order in the provision or causes damage to property. If a member of staff ever needs to intervene physically they will follow Jigsaw's Positive Handling Policy.

Underpinning values.

Everyone attending or working at Jigsaw 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 Jigsaw and their parents/carers have a right to:

- individual consideration of child's needs by the staff who have a responsibility of their care and protection;
- expect staff to undertake their duties and responsibilities in accordance with the school's policies;
- be informed about the school procedures and relevant policies ;
- be informed about the school's complaints procedure.

Introduction

The term 'Positive Handling' includes a wide range of supportive strategies for managing challenging behaviour. Included in this framework are a small number of responses which may involve the use of force to control or restrain a pupil. The term 'physical restraint' is used when force is used to overcome active resistance. These are referred to as 'Restrictive Physical Interventions' in National Guidance (DfES/DoH 2002). A clear and consistent

positive handling policy supports pupils who have social, emotional and behavioural difficulties within an ethos of mutual respect, care and safety.

Pupils with severe behavioural difficulties sometimes present a risk to themselves and others. Section 550A of the Education Act 1996 describes the circumstances in which teachers and others authorised by the Headteacher may use reasonable force to control or restrain pupils. Examples of when such action may be reasonable are to prevent injury to people, damage to property or the breakdown of discipline. This is also referred to in DfE document 'Behaviour and discipline in schools' Jan 2016 Section 38:

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

Section 93 of the Education and Inspections Act 2006 as well as in DfE document 'Behaviour and discipline in schools' Jan 2016 Section 38 enables school staff to use such force as is reasonable in the circumstances to prevent a child from doing, or continuing to do, any of the following:

- Committing any offence (or, for a child under the age of criminal responsibility what would be an offence for an older child)
- Causing personal injury to, or damage to the property of, any person (including the child himself);
- Prejudicing the maintenance of good order and discipline at the school or among any children receiving education at the school, whether during a teaching session or otherwise. (Section 93 of the Education and Inspections Act 2006 makes it clear that force may be used to prevent behaviour that prejudices the maintenance of school discipline regardless of whether that behaviour would also constitute a criminal offence.)
- "If necessary staff have the authority to take immediate action to prevent harm occurring even if the harm is expected to happen some time in the predictable future."

Para 10 Page 4 Department of Health – 1997 – "The Control of Children in the Public Care: Interpretation of the Children Act 1989" – London: H M S O

This policy details how we implement the guidance in this provision. It should be considered alongside the most recent LA policy statements and recent local and national guidance. It is designed to help staff to ensure that any actions they take are reasonable, proportionate and absolutely necessary.

Jigsaw Expectations

The management committee takes seriously its duty of care towards pupils, employees and visitors to the school. Staff protection is an important part of child protection; both depend on confident and competent staff who feel supported by the management committee. This policy has a clear focus.

- The first and paramount consideration is the welfare of the children in our care.
- The second is the welfare and protection of the adults who look after them.

Positive Behaviour Leadership

All physical interventions at Jigsaw are conducted within a framework of positive behaviour leadership. Jigsaw's behaviour policy is intended to reward effort and application, and encourage pupils to take responsibility for improving their own behaviour. Part of our proactive approach to risk reduction involves looking for early warning signs, learning and communicating any factors which may influence inappropriate behaviour and taking steps to divert behaviours leading towards foreseeable risk. Pupils are encouraged to participate in the development of their own Positive Handling Plans by focusing on positive alternatives and choices. Parents are also encouraged to contribute. However, if problems arise, staff have an additional responsibility to support all pupils when they are under pressure and safely manage crises if, and when, they occur.

Alternatives to Physical Controls

A member of staff who decides not to make a physical intervention can still take effective action to reduce risk. (Dynamic Risk Assessment.) They can:

- Show care and concern by acknowledging unacceptable behaviour and requesting alternatives using negotiation and reason.
- Give clear directions for pupils to stop.
- Remind them about rules and likely outcomes.
- Remove an audience or take vulnerable pupils to a safer place.
- Make the environment safer by moving furniture and removing objects which could be used as weapons.
- Use positive touch to guide or escort pupils to somewhere less pressured.
- Ensure that colleagues know what is happening and get help.

Modifications to Environment

Ideally, staff will not be waiting until a crisis is underway before conducting a risk assessment of the environment. We know that some pupils at Jigsaw may exhibit extreme and possibly dangerous behaviour. In general it is a good rule to keep the environment clutter free. This may mean giving consideration to secure storage for a range of everyday objects when they are not being used. For example:

- How is the availability of pointed implements (including pens, pencils, scissors and compasses) controlled?
- What small items are available to an angry pupil who may be tempted to use them as missiles?
- What objects are available to be used as blunt instruments?
- Do they all need to be left out all the time?
- Are there sharp edges or corners which present a risk?
- Is the design and arrangement of furniture safe and appropriate for pupils who exhibit extreme behaviour?
- Is there a comfortable place to sit with an agitated pupil?
- Are protocols in place to encourage angry pupils can take themselves to a safer place?

Help Protocols

The expectation at Jigsaw is that all staff should support one another. This means that staff always offer help and always accept it. Help does not always mean taking over. It may mean just staying around in case you are needed, getting somebody else or looking after the group. Supporting a colleague does not only mean agreeing with their suggestions and offering sympathy when things go wrong. Real support sometimes means acting as a critical friend to help colleagues become aware of possible alternative strategies. Good communication is necessary so that colleagues avoid confusion when help is offered and accepted. They need to agree scripts so that all parties understand what sort of assistance is required and what is available.

Well Chosen Words

A well-chosen word can sometimes avert an escalating crisis. When pupils are becoming angry there is no point in getting into an argument. Often staff will use distraction or reminders of past successes to help to deescalate a situation.

The Help Script (for use with the pupil)

- Engage by name, i.e. "Steve"
- Put yourself in the picture, i.e. "It's Miss/Mr/Mrs"
- Describe, e.g. "I can see you are upset" or "It feels like..." or "It Sounds like..."
- Do-able, e.g. "Let's...." or "Why don't we..."
- Positive outcome, e.g. "It'll be ok" or "Remember last time when.... (and refer to past success) or "We can sort it out."

The Help protocol (for use with colleagues)

- 'Would you like some help?'
- 'Yes Please'
- 'How can I help?'
- 'You can help by.....'
- 'Would you like some MORE help?'
- 'What help do you suggest?'

Positive Corrective Language

- Inclusive Language 'us' 'we' 'our'.
- Choice points.
- Description.
- Do's not Don'ts.
- Thanks rather than please. 'Thanks' provides an expectation.

At Jigsaw we only use physical restraint when there is no alternative. This does not mean that we always expect people to methodically work their way through a series of failing strategies, before attempting an intervention in which they have some confidence. Nor does it mean always waiting until the danger is imminent, by which time the prospect of safely managing it may be significantly reduced. National guidance is clear on this point.

It does mean that we expect staff to conduct a dynamic risk assessment and choose the safest alternative. It also means that we expect staff to experiment and think creatively about any alternatives to physical intervention which may be effective.

Proactive Physical Interventions

It is sometimes reasonable to use supportive physical interventions (e.g. using Caring Cs to prompt or guide) to prevent extreme behaviour from becoming dangerous, provided that it is an agreed part of the Positive Handling Plan. Examples of this are where a pupil has shown ritualistic patterns of behaviour, which in the past have led to the child becoming more distressed and violent. In such circumstances it may be reasonable to withdraw the child to a safer place when the pattern of behaviour begins, rather than wait until the child is distressed and out of control. The paramount consideration is that the action is taken in the interest of the child and that it reduces, rather than increases, risk.

Reasonable and Proportionate

Any response to extreme behaviour should be reasonable, proportionate and necessary. People should not react in anger. If they feel they are becoming angry they should consider withdrawing to allow someone else to deal with the situation. Where staff act in good faith, and their actions are reasonable and proportionate, they will be supported.

When physical controls are considered staff should think about the answers to the following questions:

- How is this in the best interest of the pupil?
- Why is a less intrusive intervention not preferable?
- Why do we have to act now?
- Why am I the best person to be doing this?
- Why is this absolutely necessary?

If staff can answer these questions it is more likely that a physical intervention will be judged to be reasonable and proportionate.

It is not reasonable to use force simply to enforce compliance in circumstances where there is no risk. Nor is it reasonable to use any more force than is necessary to achieve a reduction in risk. Under no circumstances should pain be deliberately inflicted or should pupils be deliberately subjected to undignified or humiliating treatment. Other than as a one-off emergency measure to protect health and safety, force should never be used to keep a pupil secluded. Seclusion is only lawful by specific court order and cannot become part of a planned strategy at this school.

The Use of Time Out and Withdrawal

At Jigsaw, with reference to the use of the Quiet Rooms, we pay due cognisance to:- DfE "The Use of Reasonable Force" July 2013; DOH/DFES Joint Guidance 2002; The Children

Act 1989; "Time Out and Seclusion" Sharon Paley BILD 2009. As well as the DfE document 'Behaviour and discipline in schools' Jan 2016 Section 42 and 43

Definition of Terms:

seclusion; where an adult or child is forced to spend time alone against their will;

time out; involves restricting the child's access to all positive reinforcements as part of the behavioural programme;

withdrawal; involves removing the child from a situation which causes anxiety or distress to a location where they can be continuously observed and supported until they are ready to resume their usual activities" DOH/DFES Joint Guidance 2002

DfE document 'Behaviour and discipline in schools' Jan 2016:

42. Schools can adopt a policy which allows disruptive pupils to be placed in an area away from other pupils for a limited period, in what are often referred to as seclusion or isolation rooms. If a school uses seclusion or isolation rooms as a disciplinary penalty this should be made clear in their behaviour policy. As with all other disciplinary penalties, schools must act reasonably in all the circumstances when using such rooms (see paragraphs 14 and 15). Any use of isolation that prevents a child from leaving a room of their own free will should only be considered in exceptional circumstances. The school must also ensure the health and safety of pupils and any requirements in relation to safeguarding and pupil welfare.

43. It is for individual schools to decide how long a pupil should be kept in seclusion or isolation, and for the staff member in charge to determine what pupils may and may not do during the time they are there. Schools should ensure that pupils are kept in seclusion or isolation no longer than is necessary and that their time spent there is used as constructively as possible. Schools should also allow pupils time to eat or use the toilet.

There may be times when a decision is made to offer a child the opportunity to use one of the Quiet Rooms.

We do not use Seclusion at Jigsaw. However there may be times when a pupil is in the Quiet Room alone:

- In the case of an emergency situation as part of a dynamic risk assessment – this would only happen once and following that there would be a planned response in their PHP should the same situation arise.
- If a parent has agreed that a pupil should be allowed to have time alone in order to provide them with a low-stimulus time out. This may be particularly appropriate for pupils with ASC.
- If it is written in a pupil's PHP, which is written in collaboration with a parent, stating that an adult may withdraw from the room in order to reduce the risk of injury to adults/reduce the need for Physical Intervention whilst in the Quiet Room.

In all of the above cases the pupil will be monitored by an adult throughout by looking through the glass window in an unobtrusive fashion, and encouraged to return to the class group when it is safe to do so, in accordance with their PHP. (The Post Incident Support Structure for Pupils - Reflect, Repair and Rebuild)

- If a pupil has self-referred to the Quiet Room. In this instance a pupil will be monitored periodically and given opportunity to talk with an adult if they desire.

Time Out may be implemented as part of a BSP/PHP and informed by individual risk assessments. “The purpose of using “time out” is to achieve a change in a pupil’s behaviour over time when used alongside other behaviour interventions as part of an individual support plan.” Sharon Paley BILD '09.

At Jigsaw the use of Time Out is always followed by the process for Reflect Repair and Rebuild.

The use of the Quiet Rooms for Time Out and /or Withdrawal is recorded within the process for the recording and reporting of serious incidents (if necessary) and also on a separate log. The Quiet Rooms can also be used for learning activities and/or a quiet place to learn.

For some pupils the use of Time Out is not appropriate, particularly those with Attachment Difficulties, due to previous negative experiences of separation or disconnection from caregivers. Time-outs can have adverse reactions because they isolate the child from the parent, creating anxiety and reminders of past abandonment or alone-ness. This can result in the child’s stress levels escalating and their ability to self-regulate diminishing. In fact what the child needs is ‘time-in’: to stay close to the adult, to feel safe and supported; to have the adult help them to regulate their emotions; and to offer guidance on how to change the unacceptable behaviour. Some suggested strategies include having a child sit close by, while they calm down and think over their actions; engaging in a joint task, such as “Help me tidy these paintbrushes...”.

Team Teach

It is the policy of Jigsaw that all staff working closely with pupils are trained in the pre-emptive and responsive positive handling strategies and techniques of the Team Teach approach, to complement the behaviour management approaches and behaviour change strategies reflected in the Behaviour Policy. Further details of the Team Teach approach can be found in the Jigsaw Team Teach documents and on the Team Teach website (www.team-teach.co.uk).

Health and Safety

If dangerous behaviour presents a significant risk of injury to people, there is a legal Health and Safety issue to be addressed. (The Health and Safety at Work Act 1974) Dangerous behaviour should be regarded just as seriously as dangerous equipment. Dangerous occurrences should be reported to the person responsible for Health and Safety in the school. We all have shared responsibility to identify risk (through robust procedures for reporting and recording), communicate potential risks and take active steps to reduce risk wherever possible. We recognise that it is not possible to entirely remove risk. Team Teach techniques seek to avoid injury to children, 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 child remains safe.

As a minimum requirement, in order to comply with health and safety legislation, each employee has a responsibility to ensure that they are conversant with school policy and guidance, and to cooperate to make the school safer. *It is also an expectation that they participate in training if they are directed to do so. This does not necessarily mean that all staff must be involved in all the physical activities. The non-physical aspects of positive handling training are crucially important too.*

When considering a pupil’s behaviour staff should think about the following questions:

- Can we anticipate a Health and Safety risk related to this pupil's behaviour?
- Have we got all the information we need to conduct a risk assessment?
- Have we provided a written plan as a result?
- What further steps can we take to prevent dangerous behaviour from developing?

Risk Assessment

Formal and Dynamic risk assessments should be a routine part of life for staff working with pupils who may exhibit extreme behaviour. Responsible staff should think ahead to anticipate what might go wrong. If a proposed activity or course of action involves unacceptable risk the correct decision is to do something else.

Getting Help

At Jigsaw the following support structures are in place:

- Positive Handling Plans kept on file in the classroom to ensure all relevant information about each pupil is available to all members of staff working with them.
- Staff are regularly updated on current issues and share information.
- Use of help protocols and language to remind all staff of availability of colleagues to offer help including change-overs of staff during a crisis situation with a pupil.
- Debrief sessions after a crisis with the pupil(s) involved, reflecting on how crisis was managed by all involved and identifying any points for review or learning.
- Daily debrief sessions for all staff to share experiences, concerns and access support from each other, led by a teacher.
- Regular refresher meetings in the Team Teach strategies and techniques for all staff, and continuous review by management to inform these.

Positive Handling Plans

Risk management is regarded as an integral part of behaviour management planning. All pupils who have been identified as presenting a risk should have a Positive Handling Plan. The plan details any strategies which have been found to be effective for that individual, along with any particular responses which are not recommended. If particular physical techniques have been found to be effective they should be named, along with alerts to any which have proved ineffective or which caused problems in the past. Positive Handling Plans should be considered alongside the Education Health Care Plan and any other planning documents which relate to the pupil. They should take account of age, gender, level of physical, emotional and intellectual development, special needs and social context.

Responding to Unforeseen Emergencies

Even the best planning systems cannot cover every eventuality and the school recognises that there are unforeseen or emergency situations in which staff have to think on their feet. It is not enough to thoughtlessly apply rules without thinking through the likely consequences. The key principals are that any physical intervention should be:

- in the best interest of the child;
- reasonable and proportionate;
- intended to reduce risk;

- the least intrusive and restrictive of those options available which are likely to be effective.

Whenever a physical intervention has to be made, and is deemed appropriate as per the PHP, there should be a verbal indication to the pupil. Where possible, staff should always attempt to use diversion or diffusion in preference to physical interventions. They should endeavour to use the techniques and methods recognised for use in this school. In general, if staff act in good faith and their actions are reasonable and proportionate, they will be supported.

The following Team Teach techniques and strategies are recognised for use at Jigsaw.

<p style="text-align: center;"><u>Restrictive Physical Intervention</u></p> <ul style="list-style-type: none"> • One person single elbow (standing) • Two person single elbow (standing) • One person double elbow • Two person double elbow • 2 person Single elbow in beanbag • Help by foot wedge • Help by changing face • Help by sitting alongside and holding • Help by taking over holding 	<p style="text-align: center;"><u>Non-Restrictive Physical Intervention</u></p> <ul style="list-style-type: none"> • Caring C's • Guide, gather, turn • Friendly hold • Jigsaw Hug (Safe Hug)
<p style="text-align: center;"><u>Verbal</u></p> <ul style="list-style-type: none"> • Help script • Tone and quality of voice – talk low and slow and quietly • Communicate – ‘Talk and I’ll listen’ • Divert • Distract • Offer clear choices • State desired behaviours clearly • Offer alternatives and options • Give a get out with dignity • Get help 	<p style="text-align: center;"><u>Non-Verbal</u></p> <ul style="list-style-type: none"> • Body language – ensure face, voice and posture are supportive, not aggressive • Hand gestures – low and calm • CALM stance – <u>C</u>ommunicate, <u>A</u>wareness and <u>A</u>ssessment, <u>L</u>isten and <u>L</u>ook, <u>M</u>ake Safe • Divert • Distract • Make the environment safer • Debrief/rebuild/repair

The Post Incident Support Structure for Pupils and Staff (Reflect, Repair and Rebuild).

Following a serious incident, it is the policy of Jigsaw to offer support for all involved. People take time to recover from a serious incident. Until the incident has subsided the only priority is to reduce risk and calm the situation down. Staff should avoid saying or doing anything which could inflame the situation during the recovery phase. Immediate action should be taken to ensure medical help is sought if there are any injuries which require more than basic first aid. All injuries should be reported and recorded using the school's systems. It is important to note that injury in itself is not evidence of malpractice. Time needs to be found to repair relationships. When careful steps are taken to repair relationships a serious incident does not necessarily result in long term damage. This is an opportunity for learning for all concerned. Time needs to be given to following up incidents so that pupils have an opportunity to express their feelings, suggest alternative courses of action for the future and appreciate other people's perspective. When time and effort are put into a post incident support structure the outcome of a serious incident can be learning, growth and strengthened relationships.

Complaints

It is not uncommon for pupils to make allegations of inappropriate or excessive use of force following an incident. Sefton has a formal Complaints Procedure. Pupils should be reminded of the procedure and encouraged to use the appropriate channels. The complaints policy applies equally to staff. Any staff concerns regarding the welfare of children should be taken to the designated person for safeguarding. Any safety concerns should be reported to the designated person for Health and Safety.

Training

Training will be made available for all staff and is the responsibility of the Headteacher. Prior to any practical training theoretical aspects of effective behaviour leadership 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.

Jigsaw is committed to implementing the TEAM-TEACH approach (as a BILD accredited provider), 'working together to safeguard people and services'. Physical techniques are not used in isolation and Jigsaw is committed to ensuring that as a result of incidents learning opportunities are created for children that allow them to 'own' and take responsibility for their behaviour.

The level of training recommended is related to the level of risk as identified within the setting. Our preferred approach is for whole staff team training. The level of training required is kept under review and may change in response to the needs of our pupils. Once trained, staff should practice regularly and bring any problems or concerns to the management.

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

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 and graded system of response.

Where appropriate, Positive Handling Plans are written for individual children and where possible, these will be designed through multi agency collaboration.

Risk Assessments are completed against each child with specific reference to incidents and the level of challenge presented. The assessment should identify the benefits and the risks associated with the strategies being proposed.

Authorised staff:

At Jigsaw all staff are authorised to use reasonable force within the context of DfE non statutory guidance 'The Use of Reasonable Force" July 2013.

The school provides training for all authorised staff and the Headteacher retains a list of all those staff trained and authorised. The list is reviewed on an annual basis (or more frequently if the context requires it).

Authorisation is not given to volunteers or parents/carers.

Supply staff are expected to act within the policy of the setting and with a Duty of Care for the pupils. Supply staff will be expected to take direction from permanent staff who will act in accordance with a pupil's PHP. The Headteacher is responsible for making clear to whom such authorisation has been given, in what circumstances and settings they may use force and for what duration of time this authorisation will last. The Headteacher will ensure that those authorised are aware of, and understand, what the authorisation entails.

Those whom the Headteacher has not authorised will be told what steps to take in the case of an incident where control or restraint is needed. Support Services will have their own policies for Care and Control. When working within the school it is the Headteacher's responsibility to ensure that colleagues from Support Services are aware of school policy and practice. The Headteacher in the school will be accountable for their actions while in the school.

Recording

Whenever overpowering force is used the incident must be recorded using Physical incident Forms. This is a detailed account of the incident and is submitted to the Headteacher and Deputy Head before being scanned and stored electronically. All staff involved in an incident should contribute to the record which should be completed within 24 hours. Parents/carers will always be informed by letter that their child has been held, and also often by telephone, and are invited to attend school to discuss the incident.

Staff should:

- Read through the recording carefully.
- Take time to think about what actually happened and try to explain it clearly.
- Complete all names in full initially, although this can then drop to initials for the remainder of the entry.

Bear in mind these records will be retained and cannot be altered. They will be kept for many years and could form part of an investigation at some time in the future.

Serious incidents are recorded and should not be completed until the individuals concerned have recovered from the immediate effects of the incident. They should not be rushed. They are recorded under the 'negative incident' tab.

Monitoring and Evaluation

The Headteacher will ensure that each incident is reviewed and instigate further action as required. The incident log is open to external monitoring and evaluation and by the Management Committee.

Follow Up

Following an incident, a staff de-brief will take place and consideration may be given to conducting a further risk assessment, reviewing the Positive Handling Plan, behaviour management and the Care and Control policy.