



## Merchant Taylors' Schools, Crosby

# Care & Control Policy

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## **1 Aims**

1.1 This is the Care & Control Policy of Merchant Taylors' Schools, Crosby and covers all pupils at Stanfield and the senior schools.

1.2 This policy provides guidance information to staff, parents, carers and pupils on how physical intervention and the use of reasonable force is approached in the School, so that all those who work in the School, can do so confidently and safely.

1.3 Merchant Taylors' Schools create positive, happy, and safe environments for children to live and learn, where we:

- promote positive interaction with children building trusting and understanding relationships.
- respect children's rights, protect their dignity and do not restrict their liberty.
- seek to understand triggers for challenging behaviours and find solutions, actively planning to use strategies to avoid behaviour escalating.
- seek to diffuse the situation distracting the child and diffusing the situation in the least intrusive way.
- only intervene physically with a child to keep the child, other children, or a member of staff safe.
- record and report all incidents of physical restraint, including to parents.
- ensure that our staff are trained, skilled and confident in finding the best ways to keep children safe.

1.4 All staff should read and adhere to the policy and seek support where it is required from Headteachers and senior members of staff.

## **2 Scope and Purpose**

2.1 This policy applies to all schools across the Merchant Taylors' Schools'.

2.2 Under section 93 of the Education and Inspections Act 2006, all members of School staff have a legal power to use reasonable force on and off school premises where the member of staff has lawful control, or is in charge, of the pupil concerned.

2.3 Reasonable force should be used as a last resort and should be proportionate to the age, gender, special educational needs, medical conditions, and state of physical, emotional and intellectual development of the young person. The scale and nature of any positive handling at School must be proportionate to both the behaviour of the individual and the nature of the harm they might cause; it cannot be used to respond to misbehaviour unless there is a risk of harm or the breakdown of good order.

2.4 This policy should be read in conjunction with the School Behaviour Policy, which sets out the circumstances in which force can be used; staff who are called upon to use physical intervention receive appropriate training.

- 2.5 From time to time, it may be necessary to use reasonable force to either restrain or control pupils. All members of staff have the power to use reasonable force. If force is ever used it will be 'reasonable for the circumstances' and may be used to prevent a pupil causing harm to himself/herself or others, damaging property causing disorder. The DfE set out clear guidance on the use of reasonable force in a 2013 circular entitled 'Use of reasonable force' that will be followed by all school staff.
- 2.6 The use of physical intervention will only be used as a last resort when all other behaviour management strategies have been exhausted or it is part of a planned strategy when pupils, staff or property are at risk. It is unlawful for schools to use physical restraint as a form of punishment.
- 2.7 Every effort will be made to ensure that all staff clearly understand this policy and their responsibilities in the context of their duty of care in taking appropriate measures where reasonable force is necessary.

### **3 Authorised Staff**

- 3.1 Section 93 of the Education and Inspections Act allows all staff employed by a school, including temporary and unpaid voluntary staff, to use reasonable force to control or restrain pupils in certain very defined circumstances outlined below (section 4.4).
- 3.2 Individual members of staff cannot be required or directed to use physical restraint. However, as teaching and non-teaching staff work in 'loco parentis' they should always operate with an appropriate 'Duty of Care'.
- 3.3 The application of any form of physical control 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 to prevent the need for physical intervention.

### **4 Responsibilities and Arrangements**

- 4.1 How challenging behaviour is supported.

The following strategies are employed as a means by which to deal proactively with challenging behaviours and to ensure that restrictive physical interventions are used as a last resort and only when absolutely necessary:

- Knowing our pupils well;
- Building strong positive and School trusting relationships with pupils and with their families, including good communication with parental guardians.
- Establishing clear expectations for behaviour and conduct;
- Teaching and reinforcing clear routines and acknowledging compliance;
- De-escalation, diffusion and distraction strategies to calm and refocus pupils;
- Using calm, non-confrontation communication;
- Use of the School stepped consequence system if appropriate, as indicated in Rewards and Sanctions section in the Behaviour Policy.

- Positive handling techniques such as prompts, guides and escorts;
- Analysing behaviours and setting in place supportive plans to manage difficult and challenging behaviour, involving pupils and parents/carers;
- Implement reasonable adjustments for pupils whose special educational needs can result in behaviours that are challenging or endanger themselves and/or others;
- Teaching self-regulation and working with pupils to support them to manage emotions and to raise self-esteem;
- Referral to external agencies for expert guidance and support.

#### 4.2 Before using Physical Interventions

Merchant Taylors' Schools' takes effective action to reduce risk by:

- Showing care and concern by acknowledging unacceptable behaviour and requesting alternatives using negotiating and reasoning (appropriate to the level of understanding of the individual).
- Giving clear directions for pupils to stop.
- Reminding the pupil about rules and likely outcomes.
- Removing an audience or taking vulnerable pupils to a safe place.
- Making the environment safer by moving furniture and removing objects which could be used as weapons.
- Using positive guidance to escort pupils to somewhere less pressured.
- Ensuring that colleagues know what is happening and call for help.
- Staff should always speak calmly as a way of reassurance e.g. 'I am doing this to keep you safe.'

#### 4.3 Definitions of Positive Handling

This policy does more than simply outline the use of positive handling in school. It aims to provide a transparent overview of how we use physical contact to both care for and, where appropriate, control our pupils.

**Reasonable Force:** no legal definition of reasonable force within a school's context exists, however for the purpose of this policy and its implementation within the School:

'Reasonable Force uses the minimum degree of force necessary for the shortest period of time to prevent a pupil harming himself, herself, others or property'.

**Passive physical contact:** situations in which physical interaction occurs to either care for or guide pupils who may be distressed, or have an additional need or disability, or in subject areas such as physical education in order to promote inclusive learning opportunities and deliver the academic curriculum. It may include a comforting hand on the shoulder, a guiding hand on the elbow, or strategies such as 'hand over hand' supported writing.

**Active physical intervention:** this may be used to divert a pupil from 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 may include physical prompts to move pupils in the right direction or linking arms with a pupil to walk them away from

a situation (escorting). The important factor within these situations is the compliance of the child or young person. The Team Teach techniques implemented here will include 'turn, gather, guide' and 'the friendly hold'.

**Restrictive physical intervention** (control and restraint): this will involve the use of reasonable force when there is an immediate risk to pupils, staff or property. The main factor that distinguishes this from the other two areas is the non-compliance of the child or young person. It is important to note that the use of reasonable force should be seen as a last resort and intervention should always be the least amount required and for the shortest amount of time. The following Team Teach techniques may be used, 'single elbow or double elbow', 'figure of 4 hold', 'Team Teach breakaways' and 'half shield.'

#### 4.4 When it is permissible to use physical intervention

There are a range of situations where physical intervention might be appropriate, or necessary, to control or restrain a pupil:

- 4.4.1 Where action is necessary in self defence
- 4.4.2 Where there is a developing risk of injury or significant damage to property.
- 4.4.3 Where a pupil is behaving in a way that is compromising good order and discipline.

Examples of situations in categories 4.4.1. and 4.4.2 above include:

- A pupil attacking a member of staff, or another pupil, or pupils fighting
  - A pupil engaging in, or on the verge of committing, deliberate serious damage or vandalism to property
  - A pupil using, or at risk of causing, injury or damage by accident, by rough play or by misuse of dangerous materials or objects
  - A pupil running in a corridor or on a stairway in a way in which he or she might cause an accident likely to injure him or herself or others
  - A pupil absconding from class or trying to leave school (Note: this will only apply if a pupil could be at greater expected risk if not kept in the classroom, or at school)
- Examples of situations that fall into the category 3 are:

- A pupil persistently refusing to obey an order to leave a classroom
- A pupil behaving in a way that is seriously disrupting a lesson and cannot be managed through the usual behaviour policy and routines

In the third category, control or restraint should only be used if the pupil could cause harm to staff or other pupils (e.g. through violation of health and safety).

#### 4.5 Action after an Incident

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

After every incident/crisis, the process that should take place for positive listening, learning and debriefing are to support staff and children. Relationships should be rebuilt and repaired to ensure that a positive learning environment is maintained.

- **Reflection:** What did we do?

- **Repair:** Is there anything we can do to repair the relationship?
- **Re-build:** What we can do next time – learning opportunities.

Where staff have been involved in an incident involving reasonable force, they should have the opportunity for a brief period of rest and relaxation 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 as required. If further action is required in relation to a member of staff or a pupil, this will be pursued through the appropriate procedure:

- Review of the pupil's Behaviour Support Plan (including positive handling plan)
- Risk Assessment
- Local School Behaviour Protocol
- Care and Control Policy
- Child Protection/ Safeguarding Procedure
- Health and Safety
- Exclusions Procedure

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

#### 4.6 Recording, Reporting and Monitoring

Lower level but active interventions, such as guiding a child by the hand, may or may not include an element of force. If the intervention does not include an element of force, then it is not restraint. If it is not restraint, it does not need to be recorded as such.

Whenever a member of staff has occasion to use reasonable force, this will always be recorded and documented following agreed procedures. See Appendix 1 for an example.

All incidents involving restraint will be recorded on CPOMS. Within these recording strategies, all details must be recorded within 24 hours of the incident and, if entered the bound and numbered book, signed by at least the staff member involved and the Headteacher.

All staff involved in an incident should contribute to the record which should be completed before the colleague leaves site that day or, in the event that is not physically possible, at the latest within 24 hours of the event occurring.

All information regarding use of restraint in CPOMS documentation must be held by the school for 75 years after the date of birth of the child, in the locked safeguarding files.

Any injury to staff or pupils must also be recorded in the school's first aid records and, if necessary, by using the School incident reporting procedure.

All incidents of physical restraint will be reported to parents, unless there is a signed agreement otherwise in the behaviour support plan. All reports to parents will be logged.

Where there are repeated incidents, triggers are analysed and proactive, preventative and supportive plans are drawn up, where appropriate involving the pupil and the

parents/carers. This is recorded as a pupil Behaviour Support Plan (BSP) and will help to guide staff on how best to offer support to a pupil (Appendix 2).

Monitoring of incidents will help to ensure that staff are following the correct procedures and will alert Headteachers to the needs of any pupils whose behaviour may require the use of reasonable force. Headteacher's monitor trends and patterns in the data about individual children, individual staff and groups of staff.

Reports of violent incidents across the School are reported on an annual basis to the School Board. A summary of incidents of physical intervention will also be provided in the annual safeguarding report to the Board.

#### 4.7 Planned Strategies: A Staged Approach and Seclusion

The below are all short term planned strategies to support a young person to resume their engagement with either educational programme:

##### 4.7.1 Staged Approaches

- **Offered time out** – positive offer (should they wish to) to allow the young person to use a different environment for a short period to encourage emotional regulation
- **Directed time out** – adults may verbally direct (rather than offer) the young person to use a different environment for a short period to encourage emotional regulation as part of the behavioural management strategy
- **Withdrawal** – which involves removing the young person 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
- **Segregation** – similar to withdrawal the young person is removed from a situation that causes overwhelming, prolonged anxiety or distress to an individual learning space/classroom for an extended period of time where they can be continuously observed and supported until they are able to manage being in a classroom. This strategy will be reviewed at regular intervals to ensure that it remains to be in the best interests of the young person.

##### 4.7.2 Seclusion

This is defined as 'The supervised confinement and isolation of a person, away from others in an area from which the young person is prevented from leaving e.g. either by being able to unopen a door or gate or by a person blocking the way'.

**Seclusion must not be seen as part of the routine staged approach.** The use of seclusion that prevents a child from leaving a room of their own free will only be considered in **exceptional circumstances as a one-off response** when all other efforts and options have been exhausted. If there is an agreement there may be a foreseeable need to use this again this would need to be agreed in full consultation with other appropriate professionals e.g. clinical psychologist/psychiatrist. It must be part of a clear short-term Behaviour Support Plan supported by a comprehensive risk assessment which is regularly reviewed and agreed by parents. **Seclusion must not be used with any intent to punish or teach the person any new behaviours.**

Seclusion must be recorded in the bound Serious Incident book/CPOMS and clearly identified as seclusion.

In all instances the School will ensure the health and safety of pupils and any requirements in relation to safeguarding and pupil welfare.



The School ensures that reasonable adjustments should be made to ensure that expectations of pupils who have special educational needs and/or disabilities are developmentally appropriate and fair.

## **5 Training**

5.1 The School will provide appropriate basic training materials, that should be delivered locally to all staff in schools, on the functions of behaviour and dynamic risk assessments. Schools should assess how many staff need further training as appropriate for their cohort and review this regularly. Where possible, accredited training in positive handling will be delivered relevant staff. The approach is affiliated to The General Services Association and its courses have been accredited by the British Institute of Learning Disabilities and The Institute of Conflict Management (2015).

## **6 Review**

- 6.1 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 and will alert the Head to the needs of any children whose behaviour may require the use of reasonable force.
- 6.2 Monitoring of incidents will take place on a regular basis and the results used to inform planning to meet individual child and school needs.
- 6.3 A Register of False Accusations made against staff will be maintained as an additional safeguard for staff working in this difficult area. To support the Head and School as well as ensure objectivity, the School's Learning Support Department will be involved with the monitoring process.

## **7 Complaints**

- 7.1 All complaints will be dealt with in line with the school's Complaints policy and will be investigated thoroughly and speedily.
- 7.2 If necessary, staff disciplinary procedures may be used to respond to any concerns of misconduct.
- 7.3 Where a member of staff has acted legally and in line with this policy, this will provide a defence to any criminal or civil action. The onus is on the person making the complaint to prove that his / her allegation is true and not for the member of staff to show that he / she has acted reasonably. Suspension of the member of staff will not be automatic and will be considered in line with our Staff Code of Conduct, Discipline Policy, Grievance Procedure and Child Protection and Safeguarding Policy.

## **8. Oversight**

- 8.1 This policy will be reviewed annually and, as guidance from the local authority or DfE is updated. At every review, the policy will be approved by the Governing Body.

## Appendix 1 - Incident Record Form for Physical Intervention

Pupil name:	Class/form:	Year:
Date of incident:	Time:	Location:
Name(s) of staff involved:		

Please provide a detailed account of what happened:

Reason summary (please select all that apply):

Reason	Tick	Reason	Tick
To keep the child / young person safe		Responsive / reactive	
To keep other children safe		De-escalation	
To keep staff / other adults safe		Confiscation	
To remove a dangerous item			
To prevent damage to property			
Other (describe below)			

De-escalation strategies used:

Strategy	Tick	Strategy	Tick
Give verbal advice and support		Take up time	
Give space		Transfer adult	
Give reassurance		Success reminded	
Help scripts		Acknowledgement	
Negotiation		Apologising	
Choices		Agreeing	
Humour		Removing audience	
Consequences		Other	
Planned ignoring			

Positive handling strategies used:

Intervention	Tick	Notes/comments/learning points for future
Intermediate		
Friendly escort		
Single elbow		
Figure of four		
Double elbow		
Single elbow to seats		

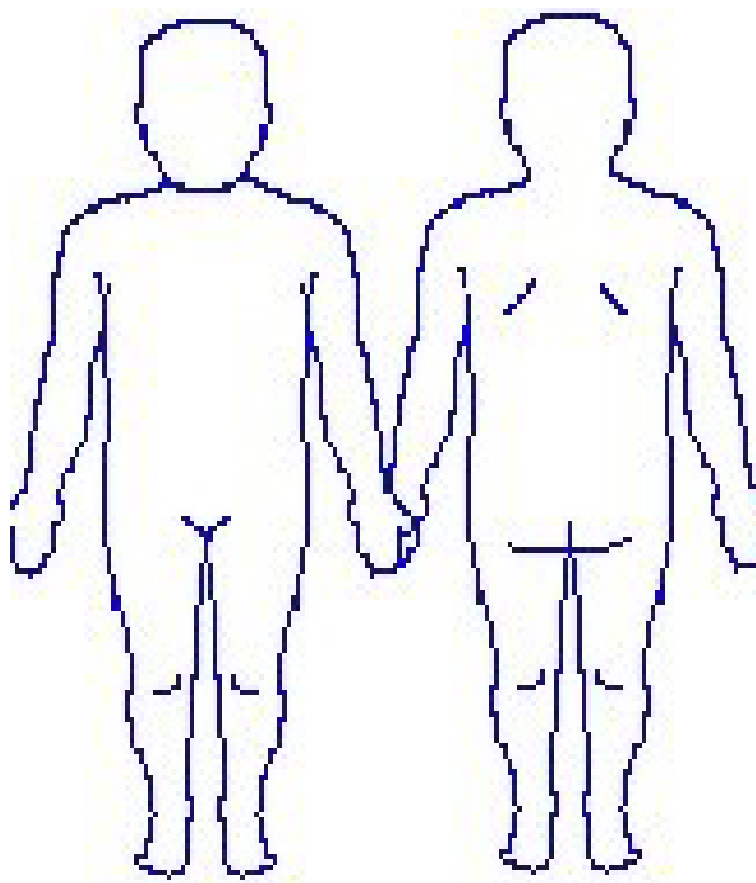
Were there any injuries sustained, damage to property, or verbal abuse (please note if it is related to protected characteristics)? (Pupil must be first aid checked twice, preferably not by the person who has been involved)

Incident checklist:	Tick
All witness statements collected and attached	
Parents informed / parent meeting	
Positive Handling Plan considered / completed / updated	
Risk Assessment considered / completed / updated	
Restorative work planned	
All documentation logged via CPOMS or bound and numbered book	
<p>Were any Positive Handling Plans or Risk Assessments already in place adhered to?</p> <p>If not, why not? What action is being taken (complete below)</p>	Yes/No

Form completed by:	Date:
Checked/witnesses by:	Date:

## Appendix 2 - Positive Handling: Child Body Map

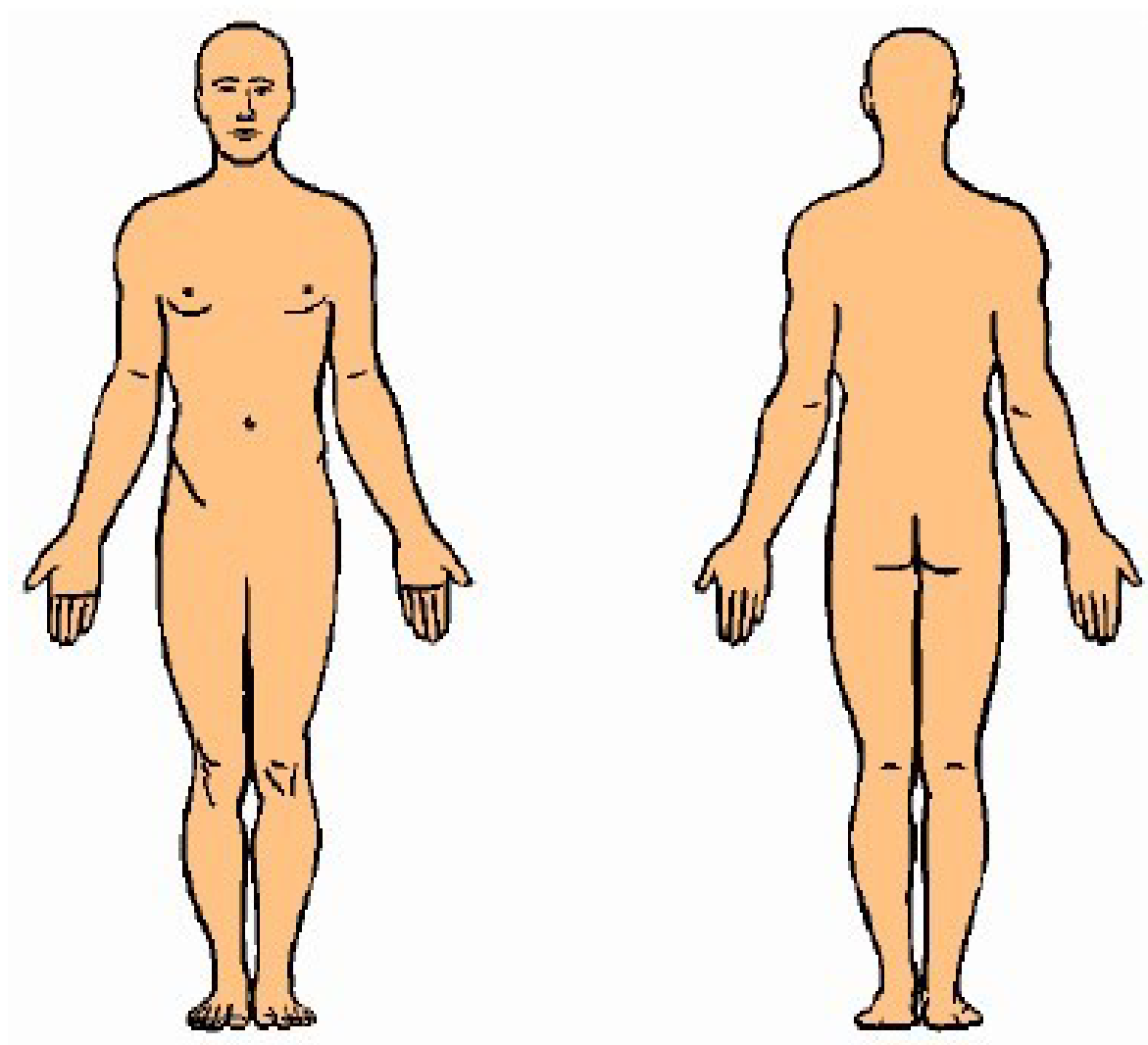
Please use this form to document any injuries sustained during restraint on the following body maps, indicating location of injury and type of injury e.g. graze, cut, bruise.



Detail	Comment
Name of child sustaining injury:	
Date and time of incident:	
Treatment received:	
Follow-up actions (if appropriate)	
Name of person completing form:	

### Appendix 3 - Positive Handling: Adults Body Map

Please use this form to document any injuries sustained during restraint on the following body maps, indicating location of injury and type of injury e.g. graze, cut, bruise.



Detail	Comment
Name of adult sustaining injury:	
Date and time of incident:	
Treatment received:	
Follow-up actions (if necessary)	
Name of person completing form:	

## Appendix 4 - Model Behaviour Support Plan

Pupil name:	Class/form:	Year:
Date of plan:	Review date:	
SEND status: EHCP EHCA MSP SEN(K)	Primary need:	
Name(s) of staff involved:		
Name of parent(s)/carer(s) involved (where appropriate):		

Stage 1: Anxiety behaviours	Stage 2: Defensive behaviours	Stage 3: Crisis behaviours

What does the behaviour look like?

What are common triggers and early warning signs?

Preferred de-escalation strategies

Strategy	Try	Avoid	Notes/comments
Give verbal advice and support			
Give space			
Give reassurance			
Help scripts			
Negotiation			
Choices			
Humour			
Consequences			
Planned ignoring			
Take up time			
Transfer adult			
Success reminded			
Acknowledgement			
Apologising			
Agreeing			
Removing audience			
Other			

## Diversions and distractions / Praise points

1.
2.
3.
4.

Any medical conditions to be considered before using physical interventions

Preferred method of physical intervention

Intervention	Try	Avoid	Notes/comments
Intermediate			
Friendly escort			
Single elbow			
Figure of four			
Double elbow			
Single elbow to seats			

Are there any factors to consider when debriefing? E.g. Communication aids, staff etc

<p><b>H</b> e a r</p> <p><b>E</b> x p l a i n</p> <p><b>L</b> i n k</p> <p><b>P</b> l a n</p>	
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How should we record incidents and who should we inform?

Role/position	Print name	Signature
Headteacher		
Parent/Carer		
Social Care (if applicable)		
Educational Psychologist (if applicable)		
Child		
Other (state role)		