



Birmingham Federation
Maintained Nursery Schools

Allens Croft Nursery School
Jakeman Nursery School
Shenley Fields Nursery School

Lillian De Lissa Nursery School
Newtown Nursery School
St Thomas Nursery School

Adderley Nursery School
Gracelands Nursery School
Highfield Nursery School

BEHAVIOUR AND RELATIONSHIPS POLICY

ANTI-BULLYING POLICY

CARE AND CONTROL POLICY

Cluster:

Gracelands Nursery School
Jakeman Nursery School

Read in conjunction with

- *Teaching & Learning Policy*
- *Inclusion & Special Educational Needs Policy*
- *E-Safety policy*
- *Equality Policy*
- *Health and Safety Policy*
- *Safeguarding & Child Protection Policy*
- *Child on child abuse policy*
- *Guidance for safer working practice for those working with children and young people in education settings (February 2022)*

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Chair of Governors: Sean Delaney

Executive Head Teacher: Samantha Richards

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RRS – The UN Convention on the Rights of the Child links

Article 2 (non-discrimination) *The Convention applies to every child without discrimination, whatever their ethnicity, sex, religion, language, abilities or any other status, whatever they think or say, whatever their family background.*

Article 3 (best interests of the child) *The best interests of the child must be a top priority in all decisions and actions that affect children.*

Article 12 (respect for the views of the child) *Every child has the right to express their views, feelings and wishes in all matters affecting them, and to have their views considered and taken seriously.*

Article 15 (freedom of association) *Every child has the right to meet with other children and to join groups and organisations, as long as this does not stop other people from enjoying their rights.*

Article 16 (right to privacy) *Every child has the right to privacy. The law should protect the child's private, family and home life, including protecting children from unlawful attacks that harm their reputation.*

Article 19 (protection from violence, abuse and neglect) *Governments must do all they can to ensure that children are protected from all forms of violence, abuse, neglect and bad treatment by their parents or anyone else who looks after them.*

Article 23 (children with a disability) *A child with a disability has the right to live a full and decent life with dignity and, as far as possible, independence and to play an active part in the community. Governments must do all they can to support disabled children and their families.*

Article 28 (right to education) *Every child has the right to an education. Primary education must be free and different forms of secondary education must be available to every child. Discipline in schools must respect children's dignity and their rights.*

Behaviour Policy

“You can't teach children to behave better by making them feel worse. When children feel better, they behave better.” Pam Leo

Our approach is based on an attachment aware and trauma informed response to supporting behaviour in young children. We are curious about behaviour and use a nurture approach to support young children with ‘big feelings’.

We are a Rights Respecting School and work with the children every year to build our School Charter, which is a set of agreements between children and staff on how we behave and treat others at our nursery schools.

Aims

- To promote positive behaviour, helping children's social development and emotional wellbeing.
- To ensure children develop self-respect and self-esteem, empathy for others and build skills to navigate conflict
- To ensure that all children feel safe and secure in the nursery school.
- For all staff to have consistent expectations and approaches to children's behaviour, from a place of warmth and nurture.
- To enable staff to support children to behave appropriately.
- To help children develop an awareness of our expectations and know/learn how to behave appropriately.
- For parents to know there is a consistent and fair approach.

Approach to positive behaviour

Gracelands and Jakeman Nursery Schools strives to create a school community which is trauma informed; it is our aspiration to create a calm, nurturing ethos across the schools. We have developed this policy to ensure that relationships are at the heart of all we do to help children thrive and grow.

We believe that using positive strategies help children to interact successfully with their peers and with adults. The staff have all been trained in Adverse Childhood Experiences (ACES) and the school staff have completed De-escalation and Positive Behaviour training in October 2024. Our response to children's behaviour reflects the training we have completed. We use an emotion coaching method to ensure children can co-regulate and develop self-regulation.

We recognise that young children will need a lot of adult support when learning to manage their emotions. This is called co-regulation. Young children need help with skills to play co-operatively in group situations, take turns and express themselves. We help develop emotional literacy through stories, such as the Colour Monster.

We encourage children to respect others, to share and collaborate, to appreciate and be sensitive to other people's feelings and qualities. This in turn creates a stable environment where children feel confident and secure to explore all the opportunities within the nursery.

We encourage good behaviour and reward it with specific praise such as, "I like how you listened..." or, "Well done for taking turns with the bike..." and believe that this enforces the positive aspects of acceptable behaviour. We allow for natural consequences rather than a punitive approach.

A strong network of relationships

We work consistently to ensure that each child has a strong relationship with their key person. In turn the key person can help the child develop a wider network of relationships with other children and the wider staff team. Warm, caring, emotionally-attuned relationships set a very positive climate for children's social and emotional development and help to promote good behaviour.

Expectations

Children learn that:

- Hurting each other and saying unkind things is unacceptable
- We all share the same space and need to consider others
- We co-operate with each other at work and play
- There is a difference between 'right' and 'wrong'
- We walk inside and can run outside
- We try hard to listen to others
- We take care of our peers and our belongings

We do not allow:

- Physical hurting – hitting, malicious biting, scratching, pushing

- Emotional hurting – using unkind words against another child, swearing, racist or any other prejudiced comments, mocking another person’s appearance, clothing, home, family, or (dis)ability
- Spitting

Keeping children safe

It is a core responsibility of the nursery school to ensure that children are safe and secure. Challenging behaviour and difficulties with social situations are an ordinary part of child development – our job is to help children work some of these problems through in a supportive atmosphere, where there are clear boundaries, so that they develop positive attitudes to each other and to learning.

The majority of our work is around helping children’s social development and supporting their emotional wellbeing. We want children to be strong, connected to other children and to adults, and to be self-motivated and self-regulating.

Sometimes children may present with severely challenging behaviour and may seek to hurt other children regularly. It is very important that steps are taken quickly, with the involvement of the SENCO and wider services, to help children with this level of difficulty, and to ensure that other children are kept safe. We are an inclusive school and we will work positively with every child and every family.

Strategies and staff responses

Proactive/ preventative strategies

- Modelling behaviour through play and with stories and props
- Setting boundaries/limits that are clear and simple, and that match the developmental needs of 2,3, and 4 year olds
- Anticipating and redirecting situations/intervening before they happen
- Interacting and supporting children’s play, modelling, and highlighting positive choices
- Allow a child time to process an instruction or request, having gained their attention first, and using visual or physical cues where helpful
- Offer pre-warning or countdown to change
- Agreed procedures /strategies (whole staff approach)

Reactive strategies

- If a child is upset, or distressed, endeavour to find out the reason and respond swiftly
- Children who display undesired behaviour, will receive an explanation at the time, at their level of understanding. Staff and children’s peers to sustain the child’s self-esteem and promote positive behaviour expectations for future behaviour. Positive aspects of a child’s behaviour will be shared with parents with gentle information sharing of their child’s current targets. E.g. We know X can.... X is learning to...’
- Children are encouraged, where possible, to say what has happened in their own words and suggest solutions.

- On occasions, it may be appropriate to take a child by the hand and direct them away from an area of conflict. This is a professional judgement and is made knowing the child, the scenario in motion and the early response cues of the child that can be seen. It may occasionally be necessary to lift or carry a child to protect them or those around them from harm. This is never in a form of punishment. (Refer to later section, 'care and control policy')
- Staff utilise de-escalation and conflict resolution.
- Adults will not raise their voices or communicate using a threatening tone. Adults will remember that a child demonstrating undesired behaviour, is in need of support. Adults will use a warm-strict approach. This entails a calm, nurturing but firm tone, with clear words, at the child's level and engaging in eye contact, where possible.
- There may be occasions where a child is in immediate danger and adults communicate loudly in attempt to eliminate risk of harm.

Strategy for when children show signs of dysregulation

<p>CALM</p> <p>Connect: Tune in to the child's feelings and your own</p> <p>Acknowledge: Validate the feeling and label them. Name it, to tame it!</p> <p>Limits (if necessary): Remind the child of acceptable/unacceptable behaviours</p> <p>Make a Plan: Problem solving and finding solutions</p>
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How staff deal with conflict

Experiencing and managing conflict is an important part of growing up and early education. Our aim is to help children to learn the skills they need to manage conflicts, through guidance and modelling.

- Encourage children to be assertive and to say/sign "no" clearly, say "I don't like that", etc. Where a child appropriately asserts "no" and the other child responds, it is not usually necessary for an adult to get involved.
- Think developmentally: if a child is at an early stage of development, then sharing resources will be very challenging. Ways to support include making sure that we have enough resources for everyone; setting up experiences for 2 or 3 children, to avoid large groups crowding round; model language/approaches like "me next"; "can I have a turn"; "you can have it next, when I've finished".
- Model sharing and learning. Show children that we actively listen to the ideas, needs and wants of others. Show simple approaches to sharing like "I'll do one, you do the next." Support and promote open-ended experiences that promote collaboration, e.g. block play.

If a conflict needs adult intervention to be resolved, our approach is:

- Listen to both children.
- Encourage children to say how they feel ("it hurt" ... "I'm sad" etc.)
- Ask the children how they could solve the problem and try to find a solution based on their ideas. If necessary, impose a solution and explain why.
- If a child has hurt another, ask them to find a way to help the other child feel better. This *could* involve saying sorry, comforting the other child or agreeing to be friends. Avoid a situation where a child expresses a grudging "sorry". Empathy is more important at this age.

- If a child has been hurt or is distressed, then initially focus attention on that child. Deal with the behaviour of the other child next.
- If necessary, calmly state a clear boundary. “Remember, no hitting in nursery.”
- If necessary, move one child away from the other’s play.
- It is important to spend time settling the children back into positive play – don’t deal with an incident and walk away too soon.
- Where possible, notice positive behaviour shortly afterwards and praise it. “I can see you are playing nicely now, that’s good to see you sharing.”

Bilingual staff play a key role in helping with incidents where children are at early stages of learning English.

Considerations

- Be aware of the physiology of stress – ‘meltdown’ or ‘crisis response’ leads to the release of adrenaline and endorphins (fight or flight) and a lack of ability to ‘think straight’
- Be aware of channels of attention – children develop from single channel (own agenda) to being able to process several things at once (own and others’ agenda). Children may have differing levels of development with regards to channels of attention
- Where undesirable behaviour is seen, it is always the action, not the child that is considered unacceptable.
- All adults are aware of and respect varying cultural views and special educational needs. The expectations regarding interactions between people must not, for example, expect eye contact with children who would consider this impolite or find this difficult.
- For all children, *behaviour is communication*. In order to understand the behaviour, it is pertinent to examine what the child is trying to communicate.

We do not consider children to be naughty or label them as naughty, but describe their behaviour for example ‘taking her train from her was unkind’. We do not insist on children saying sorry, but ensure children have the opportunity to reflect on their actions and the effect they have on others.

The Nursery has access, through the Special Needs Code of Practice, to Educational Psychology Service and support for behaviour management can be sought through the attached Educational Psychologist, who collaborates with parents and staff.

Biting

Information about biting

- It is part of a normal developmental phase
- It is a form of communication
- It can be a quick way to get a toy/attention
- It can be as a result of activities that are too demanding, wants, frustration, and stressful environment.
- It can be as a result of lack of routine and/or inadequate levels of positive and nurturing adult interaction
- It may be imitative behaviour
- It may be as a result of inappropriate attempts at interaction (a young child will not know the difference between biting and kissing – it is hard for them to understand that one is acceptable physical interaction and one is not)
- 1: 10 toddlers bite (i.e. it is common).

Guidance on dealing with and avoiding biting

- ‘Punishment’ is NOT advised – ‘unpick’ the reasons and MODEL appropriate behaviours.
- Focus attention on the ‘victim’ – show a sad/angry face to the biter and say, “No biting.”
- Be CONSISTENT in response.
- Teach and model nurturing behaviour.
- Teach words like ‘stop’ and ‘no’ to promote children to advocate for themselves.
- Teach ‘gentle touching’.
- Observe to establish patterns and triggers. Biting may be due to internal reasons, such as hunger, tiredness, teething etc. It may be due to external reasons, such as over-stimulation, overcrowding, lack of favoured toys etc.

Working with parents around biting

- Reassure parents of the child’s confidentiality
- Assure parents that this is part of a normal phase of development for many young children (rule of thumb – once children have developed the language they need to communicate wants and desires words replace biting)
- If necessary, tell other parents you are working to resolve the situation
- Establish whether biting is an issue elsewhere – work with parents to adopt same strategies and language used.

Play fighting

- Practitioners can usually tell the difference from rough and tumble play and genuine fighting
- However, rough and tumble play can easily lead to real fighting – so we must aim to establish rules
- A play fight is not the same as bullying – bullying would involve persistent actions from a specific person/s

- Play fighting helps children to develop – through play fighting children learn to control their emotions, bodies, expression and anger. They learn their own limits, own physical strength and those of others so that they don't lose control and hurt themselves or others

What does this mean for the early years?

- We should allow for play fighting as part of PSED....but....
- We should monitor for 'singling out' / bullying
- We should intervene when it looks as though it may emotionally charged and no longer 'play'
- We should help our children to learn about and understand their own emotions and those of others – sometimes we need to experience a situation in order to do this (cognitive dissonance) – discussion, negotiation, establish rules, empathy, self-control
- We should help our children develop the skills they need to cope in challenging social situations – self-control, ability to walk away, adherence to rules, seek help from a trusted adult etc.

The children who experience and learn to deal appropriately with rough and tumble play are more likely to develop the resilient and robust social skills they will need later in life.

All young children need adult support to enable them to make effective use of the play provision. We need to be able to interact, support, comfort and reassure children so that we know they are happy and safe.

Controversial and challenging play

All sorts of play can pose a dilemma in terms of whether it is children's natural exploratory play or something more concerning. Staff often have to make judgements about the nature of the play and whether they should be supporting and scaffolding it, whether to intervene or whether to observe and report concerns.

Weapon play

It is understood that however we respond to weapon play, we will always ensure that every child feels safe and protected. Children are not allowed to use forms of play to intimidate other children in any way.

We are tolerant of weapon play and believe that children should be able to extend their imaginative play in this direction. Staff will join in to support and extend the play, however, we will not actively help them to make weapons as props. We will support them to understand that, while this type of play is harmless, real weapons are not.

Any member of staff that does not feel comfortable with weapon play should feel able to express this to children and decline to enter into such play. However, they should make their position clear to their room leader.

Responsibilities

Key people will:

- Work closely with each key child, starting with the home visit and settling-in procedure, to help each child feel safe, secure, valued and feel that someone knows about them as a unique child.
- Be aware of and seek out children who don't approach them.
- Relate positively to each key child every day.
- Make time to listen to and take an interest in each child every day.

All staff will:

- Strive to be 'emotionally attuned' to children, valuing and accepting their emotions e.g. "I can see you're sad about that, shall I help you for a moment?" rather than, "Don't cry, you're a big girl now".
- Praise positive behaviour
- Praise good efforts
- Model how to deal with and resolve difficult situations
- Show empathy towards children and each other e.g. "I understand you feel..... but" ...
"Are you feeling?" "How do you feel?"

Involving parents

It is important to involve parents because:

- They know their own children best. They may be able to help us to understand why their child is finding a particular situation difficult, and help us to manage it.
- Parents need a clear picture of how their child is managing in school. It is important to talk to parents about difficulties their child might have. Staff will be clear that the reason is to share information, and not because we want them to tell their child off again, or because we are blaming them.
- Working with parents to support their child's positive behaviour is an ongoing and collaborative process that depends on regular and open communication over time.
- We offer a range of Early Help services to support parents

Process for continued undesired behaviour

1. Record undesired behaviour that has impacted another child in the behavioural incident folder
2. Review patterns of behaviour and impact of early support
3. Transfer to ABC plan and Behaviour and Nurture Plan when necessary / appropriate and share with parents
4. Review and amend regularly and as appropriately

Child on child abuse

Abusive behaviour can happen to children in schools and it is necessary to consider what abuse is and looks like, how it can be managed and what appropriate support and intervention can be put into place to meet the needs of the individual and what preventative strategies may be put in place to reduce further risk of harm.

1. Physical abuse e.g. (biting, hitting, kicking, hair pulling, etc.)
2. Sexually harmful behaviour/sexual abuse e.g. (inappropriate sexual language, touching, sexual assault, etc.)
3. Bullying (physical, name calling, homophobic etc)
4. Cyber bullying
5. Prejudiced behaviour

Points to consider

What is the age of the children involved?

Where did the incident or incidents take place?

What was the explanation by all the children involved of what occurred?

What is each of the children's own understanding of what occurred?

Repetition

The following strategies are in place to prevent child on child abuse:

- We ensure that our setting has an open environment where the children feel safe to share information about anything that is upsetting them or worrying them.
- We ensure that the children are adequately supervised (in line with ratio guidance) during snack/lunch, in the outdoor area, moving through the setting and off-site, i.e. school outings.
- Our setting has a strong and positive curriculum through quality teaching around children's rights.
- We ensure that the children are part of changing their circumstances and that of the procedures within our setting in the form of a Rights Respecting Steering group.
- Our School promotes British Values throughout the curriculum.

Sexualised play

The NSPCC advise that from infancy to 4 years:

Even at this stage, sexual behaviour is beginning to emerge through actions like:

- kissing and hugging
- showing curiosity about private body parts
- talking about private body parts and using words like poo, willy and bum
- playing "house" or "doctors and nurses" type games with other children
- touching, rubbing or showing off their genitals or masturbating as a comforting habit.

<https://www.nspcc.org.uk/preventing-abuse/keeping-children-safe/healthy-sexual-behaviour-children-young-people/>

This type of play should not in itself raise undue concerns. However children do need to learn that this type of play is not appropriate, without being made to feel they have done something bad, wrong or shameful. It is also important that children are empowered to feel confident in saying “no” when they do not like someone else’s actions or play.

Staff should respond to sexualised play in a low-key and matter-of-fact way, following the general guidance in this policy. Of course, this won't be easy for everyone, especially if the child's behaviour seems shocking or morally wrong to a member of staff. But staff should try to keep calm. Body language and tone can make a difference.

If it is important to describe a body part, we use the correct term like a doctor would, not another term. So for example, “penis” rather than “willy”.

It is important to respond to children’s direct questions but not to offer information which the child might yet be ready to understand.

If a member of staff feels any concerns about the play, then they should talk over those concerns – however small – with one of the Designated Safeguarding Leads.

Positive handling

With a very young age-group of children, physical holding and guidance are often needed, e.g. when a small child is very angry and about to hit out at other children, or runs to the gate during an unsettled episode whilst settling-in.

Staff are trained to use safe techniques, which are called ‘positive handling’.

We judge that an incident is ‘physical restraint’ if the child has to be fully restrained from movement for more than a few seconds because the child wants to hurt another child or to hurt her or himself. Restraint is then needed in order to keep the child or other children safe. All episodes of restraint are recorded and communicated with parents. Support is given to staff members and a child following an episode of restraint.

If a child’s behaviour results in a need for restraint, as defined above, then there will be a specific plan to manage behaviour and set clear boundaries. This plan will be drawn up by the SENCO / behaviour lead, working with wider services where required, and with the involvement of the child’s parents. All instances of restraint will be recorded by the SENCO and the information will be shared with the parents.

(Also refer to Care and Control Policy below)

Anti-Bullying Policy

Purpose

The aim of the anti-bullying policy is to ensure that children learn in a supportive, caring and safe environment without fear of being bullied. Bullying is anti-social behaviour and affects everyone; it is unacceptable and will not be tolerated. Only when all issues of bullying are addressed will children be able to fully benefit from the opportunities available at school. In order to achieve this:

- All staff must be alert to the signs of bullying and act promptly and firmly against it in accordance with this policy.
- Children must be encouraged to tell a trusted adult about bullying.
- A key person is often in a good position to notice a change in a child's emotional wellbeing or confidence and to look for and ask about reasons behind this change. Sometimes that may lead to the judgement that the child is experiencing bullying, which can then be acted on.
- Parents must be informed about what is happening at school and have the opportunity to discuss it with the head teacher or deputy head teacher.
- All staff have a common approach to bullying and deal with incidents consistently.

What is bullying?

Bullying is defined as deliberately hurtful behaviour, repeated over a period of time, where it is difficult for those being bullied to defend themselves. The three main types of bullying are:

- physical (e.g. hitting, kicking, taking things off another child)
- verbal (e.g. saying unkind things, name calling, racist, sexist or homophobic remarks)
- indirect (e.g. excluding someone from play or other social groups)

The outcomes of bullying

Children in nursery who are being bullied may show changes in behaviour, such as signs of low emotional wellbeing, low confidence, becoming shy and nervous, not engaging in play and becoming preoccupied in look around, feigning illness, taking unusual absences or clinging to adults.

The bully, or potential bully, may also be experiencing problems which are a cause of his/her anti-social behaviour. Staff must be alert for behaviour or comments which may highlight that the child needs help to deal with their concerns.

Teaching about bullying

It is important to raise awareness of the nature of bullying and teach children how to respond if they are involved in, or witness, an incident of bullying. It is also essential that children learn to identify what bullying is, and how it differs to normal disagreements between friends. This can be done through our play-based curriculum, using suitable stories, and using group time for discussions.

Implementation of the policy

The following steps must be taken when dealing with incidents:

- If bullying is suspected or reported, the incident will be dealt with immediately by the member of staff who has been approached.
- A clear account of the incident will be recorded and given to the head teacher.
- The head teacher/deputy head teacher will record the incident.
- Class teachers will be kept informed.
- Parents will be kept informed.
- Parents are asked to support us by encouraging their children to talk to staff and not telling their child to hit back.

Children who have been bullied will be supported by:

- Offering an immediate opportunity to discuss the experience with their key person or member of staff of their choice.
- Reassurance and continuous support.
- Encourage the child to be assertive and strong, say “no”, and say when there are things happening which they do not like or want
- Help to restore self-esteem and confidence.

Children who have bullied will be helped by:

- Discussing the events and their behaviour with their key person.
- Discovering why the child became involved.
- Establishing the wrong doing and need to change.
- Informing parents/guardians to help change the attitude of the pupil.

Strategies to prevent bullying:

- Ensuring that children feel valued and respected.
- Listen to what children say about their emotional state and value it. Acknowledge when children are sad or shy and offer them help, without contradicting their emotional state (e.g. avoid saying “don’t cry, it’s alright”; plan to say things like “I can see you’re really sad, how can I help you with that” – “I can see you are very angry with her, let’s think what you could do”).
- Giving children time and encouragement to talk about and resolve any disagreements they might have. Where appropriate allow children to sort out disagreements themselves and to be strong and assertive, e.g. shouting “no” or saying “I don’t like that”.
- Good supervision.
- Awareness and sensitivity on the part of staff.
- Support children’s communication and their social development.
- Clear expectations of behaviour.
- Consistent and fair approach.

Care and Control policy

(Incorporating Physical Intervention, Positive Touch, Physical Contact and Restraint)

Purpose

The policy takes cognisance of relevant legislation, regulations and guidance including the most recent examples from the Department for Education, Department of Health and the Health and Safety Executive.

The policy has been prepared to support all staff who will come into contact with children and for volunteers/work place students working within the school to explain the school's arrangements for care and control. The purpose is to give good staff the confidence to act in the best interests of the child. This policy should be made available to parents and pupils upon request. Within this policy there will be references to the most current government guidance and legislation and includes a glossary for reference.

Duty of Care

All staff have a duty of care towards the children and young people they look after, their colleagues and others, under Health and Safety Legislation. They have a responsibility to familiarise themselves with policies and risk assessments, and participate in necessary training. They should look out for obvious hazards and reduce foreseeable risks wherever possible.

The Children Act 1989 makes clear that in any decision involving a child the paramount consideration must be the child's welfare. Paramount means it should be the first thing people think about and it should take precedence over all other considerations. For that reason staff need to carefully consider what is in the best interest of the child, both in the short term and the longer term.

In exceptional circumstances, staff may need to take action in the best interest of the child and the use of reasonable force may be required to achieve this. School acknowledges that physical interventions which use varying degrees of reasonable force are only a small part of a whole setting approach to behaviour management.

We expect to use physical contact only on rare occasions. During an incident, the minimum amount of restraint will be used, and children will be helped by staff to regain self-control as quickly as possible. In exceptional circumstances i.e. the nursery may request a written agreement with the parents.

This policy has been written in consultation with, staff and the Governing Body; it is monitored and reviewed annually.

Every effort will be made to ensure that all staff in this school:

- Understand their responsibilities in the context of their duty of care
- Understand that the paramount consideration is the welfare of the individual child
- Understand that 'reasonable' force means that it is necessary and proportionate

- Are provided with appropriate training to manage risk and this training is maintained at an appropriate level.
- Make reasonable adjustments for disabled children and children with special educational needs (SEN).

Legal Justification

The Education and Inspections Act 2006 gives examples of the types of circumstances in which use of reasonable force may be legally defensible.

- Self – injuring
- Causing injury to other children, staff, parents and visitors.
- Causing significant damage to property.

The paramount consideration is for staff to work in the best interests of the child. Reasonable force will only be used when no other effective alternatives are available.

Identifying hazards and making risk assessments

It is essential to make risk assessments when considering the use of reasonable force. Staff should balance the risk of taking action against the risk of not taking action. The Health and Safety Executive (HSE) has developed a 5 step approach to risk assessment. This can easily be applied to situations where staff need to make a decision whether to use de-escalation or physical contact.

1. Look for hazards.
2. Decide who might be harmed and how
3. Evaluate the risk and decide on the necessary and proportionate action.
4. Record your findings.

It is not always possible to predict all risks relating to a specific behaviour of a child. When an unforeseeable risk presents itself a “dynamic risk assessment” can be undertaken. This means that staff do a mental risk assessment and then act in the best interests of the child. Once a risk has been identified, or if the risk is already known, then a planned risk assessment needs to be put in writing. If physical touch or restraint is required, a Positive Handling Plan or Restraint Reduction Plan can be recorded by staff who work closely with the child, using their knowledge of the child’s behaviour and the environment they are working in. Review and revise if necessary.

The Health and Safety Executive is keen to stress that risk assessment is a simple process. They should focus on the most likely and serious risks. Formal risk assessments should be clear and concise so that staff can recall useful information. Information should be explicit and honest. Parents need to be informed and involved with this process as they need to be notified of why and how reasonable force is being used in the best interests of their child. Where possible the child’s views should be sought and included in the risk assessment.

Assistance can be sought from other members of staff to help reduce the risk. Physical intervention is seen as a proactive response to meet individual pupil needs and any such measures will be most

effective in the context of the overall ethos of the school, the way that staff work together as a team, share their responsibilities and the holistic behaviour management strategies that are used.

Physical Contact

There are a range of circumstances in which positive physical contact occurs between staff and pupils in order to support equal opportunities to access to a broad and balanced curriculum such as using PE equipment. Examples of physical contact covers a wide range of positive physical interactions ranging from light touch to firm pressure. Physical contact is necessary to provide provision of care, give comfort, and convey communication, reassurance and safety. Physical contact should be considered “positive and part of the adult role-modelling what good touch or contact is. The purpose of any physical contact should be to meet the needs of the child. Where children have special needs their individual requirements should be detailed in an individual behaviour management plan.

Physical Intervention

There needs to be a gradual and graded approach from staff when considering the use of reasonable force. Examples of low risk physical interventions could be guiding or escorting a child to a safer place. Medium to high risk physical intervention could be separating a fight or using a standing or seated restraint.

Restraint

Restraint involves the restriction of freedom and movement in circumstances in which the child is resisting. It is reasonable to use proportionate force when there is a significant risk to children, staff or property. It should be used as a last resort when no effective alternatives are available. All incidents involving restraint must be recorded and reported. The level of force and/or positive handling techniques used towards the child determines whether or not it is classified as restraint.

Positive Handling

Positive handling uses the minimum degree of force for the shortest period of time necessary to achieve the desired result. The scale and nature of any physical intervention must be proportionate to both the behaviour of the individual and the nature of the harm they might cause. Positive handling techniques are intended to ensure the safety and wellbeing of the child, maintain dignity for both adult and child and allow for communication.

Consideration must be made to clarify the distinction between:

Seclusion: the term used where a child is forced to spend time alone against their will in a locked room or restricted space which they cannot leave. Staff are advised to follow guidance on the use of seclusion. Seclusion of a child should only be considered as an emergency response and where it is in the best interests of the child. Staff working with young people aged 16 years and older should consider an application to the Court of Protection under the Mental Capacity Act if they believe that planned use of seclusion may be required in the future.

Time out: this term is used informally to mean a cooling off period, giving space to calm down and reflect.

Withdrawal: this term is used when removing the 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

Staff Training and Authorised staff

The provisions of the Education and Inspection Act 2006 apply by default to all school staff who are authorised to have care and control of children. The Head Teacher is responsible for making clear to whom such authorisation has been given. The Head Teacher must consider the training needs for all staff and then retain a list of all staff that have been trained and when the training needs to be refreshed. This list is reviewed within a regular time-frame and consideration given to new members of staff and to volunteers/students/supply staff.

Training for all staff will be made available and will be the responsibility of the Head Teacher. Training needs should be assessed in relation to foreseeable risks. Training that contains physical interventions should be accredited.

Reporting and Recording

Whenever a physical intervention has been used a record of the incident needs to be kept. If the physical intervention does not involve restraint it needs only to be recorded on the child's risk assessment e.g. guiding. If a restraint has been administered then the incident needs to be recorded in the Bound and Numbered Book. This can be in the form of a hard-backed book, with numbered pages, retained by the Head Teacher. It should be considered reasonable and good practice for staff to collaborate when recording an incident in order to ensure the most accurate and complete record possible. If staff do not agree on details of an incident, they should write separate reports. The aim is to promote clear, accurate and useful records.

Records should normally be completed within 24 hours, but the welfare of those involved takes precedence over paperwork. If this is not possible the Head teacher needs to be informed as soon as possible with the reason for the delay. Records should be kept for at least 25 years. After the review of the incident, a copy of the details will be placed on the pupil's file. Parents/carers of the child need to be informed following the use of reasonable force. A record of this communication should be kept.

A Health and Safety Accident/Incident Form will be completed and returned to the Authority in situations where injury has occurred to either members of staff or pupils. Where staff have been involved in an incident they should be given time to recover and have access to support such as counselling and debriefing.

Support for staff and children after an incident

The Head Teacher will ensure that each incident is reviewed and take action as necessary, such as:

- Reviewing the child's risk assessment.
- Reviewing curriculum access.

- Reviewing staffing levels.
- Considering the Involvement of outside agencies
- Reviewing provision.

Remember, the priority after a significant incident is to look after the people involved.

Listening and Learning

Incidents provide opportunities for teaching and learning. Staff should explain the reasons for any use of reasonable force according to the level of understanding of the child. They should clearly distinguish between restraint, which is designed to keep people safe, and sanctions or consequences. Staff should reinforce simple messages:

- We hold children to keep them safe from harm
- We hold children to prevent them doing something they will regret
- We care about children too much to let them be out of control

Complaints

The availability of an accessible policy about reasonable force and early involvement of parents should reduce the likelihood of complaints but may not eliminate them.

All allegations will be investigated thoroughly; however, it is the responsibility of the person making the allegation/complaint to prove any inappropriate actions by the staff member.

RECORD OF INCIDENT REQUIRING PHYSICAL INTERVENTION

Child's Name:
Date & Time:
Description of events leading to intervention:
Actions taken/by whom:
Witness:
Discussed with Head Teacher:
Parent informed by:
Parent Signed:
Signed: