



Policy Title and Type	Related Documents	Related Guidance and Regulation	Author	Consultation	Curriculum Links	Date Created	Date for Review
Restrictive Physical Intervention and Positive Behaviour Support	The Lioncare School Policies (2020-21) Search and Confiscation Risk Assessment Promoting Positive Behaviour Safer working Practices Health and Safety Admissions and Exclusion Safeguarding and Child protection Manual Handling	<i>See section 2 Legal Framework</i> Keeping Children Safe in Education (2020) DfE Working Together to Safeguard Children (2018) DfE Positive Environments where children can flourish (Ofsted) 2018 Reducing The Need for restraint and restrictive intervention June 2019 Use of reasonable force in schools Dfe 2013	Sara Fletcher	Senior Leadership Team of The Lioncare Group Adults and Children of the Lioncare School	All	August 18	Reviewed August 19 (SF)  Reviewed August 20 Sara Fletcher and Shelley McEwan

**This Policy Applies to:**

To all adults in front line work with children at The Lioncare School, specifically teachers, learning support assistants, therapeutic adults in role as school pastoral support workers and adults such as The Head Teacher, Senior Managers, Maintenance Workers and Administrators who are appropriately trained and competent to offer support to incidents of restrictive physical intervention (RPI).

**Responsibilities:**

All adults in the roles detailed above have a duty to familiarise themselves with this policy and the associated policies listed above. They have a duty to attend, participate and engage with training, record and report accurately and with regard to process and to use all forums provided including team meetings, individual and group supervisions and debriefs to explore and develop their practice and that of their colleagues and the whole school. The Head Teacher, supported by The Executive Team of the Lioncare Group and the designated training lead, has a duty to ensure training is scheduled, accessible and fit for duty, to provide the safest possible environment in which RPI can take place, to ensure mechanisms for recording and reporting are in place and the welfare of all adults is paramount during and after all such incidents. This means providing for reflection and debrief, first aid and nurture, support in the event of an allegation of harm or assault from either party and the active promotion of work to reduce incidents of RP where necessary.

**Purpose of This Policy:**

To outline The Lioncare School's position on physical intervention.

To clarify which staff may use physical intervention techniques

Highlight guidance and legislations regarding reasonable and proportionate use of force.

Provide a framework within which positive behaviour can be promoted and managed while protecting children and adults alike.

The aim of the policy and associated procedure and training is to equip adults working in the school with the knowledge and skills to be able to respond to violence and physical threat to self and others with confidence and care in regard to the wellbeing of the children and young people, themselves and colleagues.

**Introduction**

Caring and educating children/young people can be complex, difficult, and stressful yet fundamentally rewarding, especially in a therapeutic environment that prioritises a relational framework to individual mutual development. The Lioncare School recognises that adults require relevant information, regular support and training so they can provide good education while promoting a child centered community. Support given to a child/young person must ensure that they are safeguarded and protected and that their welfare and wellbeing is paramount. Children/young people living in care are all subject to individual and often traumatic

circumstances which can result in feelings of hurt, anger, sadness and loss. Until healthy appropriate attachments begin to form between the child and their carers, such feelings together with previous life experience can mean that when under pressure a child/young person acts out with aggressive, harmful behaviours. The Lioncare School recognises that there are times when such emotional pressure upon a young person reaches a point where physical intervention is appropriate in order to keep that young person and/or others safe. This can be the case even where there is a high quality of caring relationships and a skillful and qualified adult team

This policy promotes the use of physical intervention in a way that respects dignity and protects individuals' rights, and where possible respects the individual preference of children and young people. It also requires that use of physical intervention is always reasonable, proportionate and justifiable to keep that child/young person or others safe and/or to prevent/limit serious damage to property. Physical Intervention is never used to enforce compliance where there is not threat to safety. It's important to recognise that children living in care, or who have remained or returned to families after a disrupted beginning to life, may not always respond to boundaries in a healthy way; they may push, challenge, and test relationships and authority in all sorts of creative and sometimes harmful ways. This may be because:

- Regular exposure to traumatic events leaves a developing brain locked into flight/fright/freeze responses

- An unsafe or unstable early environment leaves young people hypervigilant and likely to perceive threats where others may not

- Some young people have sensory processing difficulties which can be overwhelming

- Harm or neglect from caregivers can cause a disruption to the normal development of relationships and communication

- These factors mean that children and young people face environmental and social demands that can overwhelm their capacity to deal with life through words and thoughts alone

Once a child or young person has reached a position where they are overwhelmed in such a way, they are often unable to hear verbal communication or make much sense of it. As a result, some children and young people have experienced a cycle of rejection and perceived failure that has left them worried, confused or angry with low self-esteem and feelings of isolation and despair. The resultant anxiety impacts their capacity to value and invest in relationships and environment. They may find it difficult to accept praise and recognition, especially in their learning and they may find it hard to make friends and trust other people. In understanding this adult at The Lioncare School recognise that all behaviour is functional and often 'challenging behaviour' is a child/young person's only means of coping with their emotions and stress levels

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#### A Child-Centered Community

Central to the therapeutic education model practiced at the Lioncare School is the belief that an individual child can only have damage from their earliest years addressed in a setting that allows for relatedness to others. Our practice is based on Psychosocial Theory, influenced by Group Relations thinking, informed by the work of Klein, Winnicott, Bion, Bowlby, and Hinshelwood amongst others. In this way, the model used at The Lioncare School resembles the Therapeutic Community Approach. The idea at the heart of the model is one of equality between people and of the capacity in each of us to help and heal each other and to contribute to each other's development. It emphasises the quality of communication between adults and children (and between the adults), and on the connections between the help provided to individuals and the overall task with the whole group. Therefore, the key areas we are constantly attempting to nurture in the children at The Lioncare School (and the adults working with them) is the ability to be honest, open and reliable with each other, and willing to find ways to communicate difficulties and problems more effectively and to begin to take responsibility for their own actions, decisions and lives. It is our firm belief that our Therapeutic Curriculum based on the following five principles is a protective mechanism for keeping our children and young people safe both in school and over their journey to interdependence.

Attachment: Children and young people attending The Lioncare School need to feel a healthy sense of belonging. They are encouraged to become full members of a group that values them and gives them something to value. This is a fundamental first step in the feeling of self-worth necessary for learning to begin and it also means that they will not accept being treated badly by others and will speak up for themselves, trusting others to hear them. They will

begin to accept that a reliable adult can hear about unpleasant experiences without blaming or rejecting the child.

**Containment:** Safety is paramount for our children and young people. All children and young people have a need to experience an appropriate degree of consistency, predictability, and regularity in their daily lives, and it is this that promotes a child or young person's sense of being 'safe' and is a prerequisite for children and young people developing the ability to retain new facts and skills (i.e. 'learning'). Our children and young people have often had limited experience of this. When the child recognises what feeling safe is like they can begin to identify those things that were and are not safe and begin to want to protect themselves in healthy ways.

**Communication:** Children at The Lioncare School need to see that openness is important in moving forward and that the adults can work honestly and respectfully with everything they need to communicate. In school this means teaching socially appropriate communication is more successful when adults show they can understand and manage less positive communication.

**Involvement:** The children and young people attending The Lioncare School learn about "growing-up " by experiencing the interdependency of participation in individual and group learning. In school this means a number of different activities are planned each week to give new experiences at the right level for each child; these can be very small step achievements, but by finding value in them self-worth grows and the capacity to assert choice.

**Agency:** Agency can be defined as the acquiring of skills, actions, medium, or means by which to accomplish things. As children and young people move through the school they grow closer to taking control of their lives and learning post-16 and need to experience both success and failure to do so. This also means that as children and young people progress through the school, they are actively encouraged to take up roles and positions of increasing responsibility and authority through making and evaluating decisions.

We believe this ethos, in partnership with the robust procedures detailed below, informs an environment where children learn to keep themselves safe, demand safety from others and in which adults are attuned to how to work safely and how to spot the earliest possible indicators that things are not safe. Children learn, recognise and manage risks in different situations and then decide how to behave responsibly, judge what kind of physical contact is acceptable and unacceptable and recognise when pressure from others (including people they know) threatens their personal safety and wellbeing and develop effective ways of resisting pressure.

1 Acknowledgment is duly given to the work of Adrian Ward, Senior Lecturer in the department of social work at the Tavistock and Portman NHS Foundation Trust.

2 Haigh, R. (2013) "The quintessence of a therapeutic environment", *Therapeutic Communities: The International Journal of Therapeutic Communities*, Vol. 34 Iss: 1, pp.6 -15

## The Legal Context

It is essential to recognise that there is no universally recognised accreditation system or government standards for models of restrictive physical intervention (RPI). However, all RPI at The Lioncare School, and our procedures for training, monitoring recording and reporting is carried out with awareness of and in compliance with the following set of legal principals and frameworks:

Physically intervening to restrain a child or young person in order to restrict or control the movement of their body at the right time, in the right way and for the right reasons is lawful. In all circumstances of RPI adults must consider:

Whether their reason for RPI is lawful

Whether the method of restraint is approved or compliant with training provided.

Whether all interventions are proportionate, the minimum use of force applied and the duration of the intervention the shortest possible

Any RPI **must** be in the best interests of the child (and others), based upon an assessment of the circumstances and balanced against the risks of **not** employing a restrictive physical intervention.

**Civil law:** In the context of restraining a child, any legal action taken by that child against the worker or the employer/organisation is a civil action. A central issue is likely to be whether it was reasonable and necessary to restrain the child/young person. It is sometimes necessary to restrain a child because of a *duty of care* to them or another person. However, a complaint may also arise that there was a failure to discharge a duty of care; in other words, harm was sustained by the young person or others because of the negligence of the worker (because of their failure to act in the situation). Workers whose work falls below the ordinary standard of the ordinary skilled worker doing the type of job they are doing may be found to be negligent.

**Criminal law:** Under criminal law restraining a child could be assault if it is done in an abusive way. It will not be assault where the restraint was necessary and justified e.g. restraining a child:

- To prevent them harming themselves or others, or;
  - To prevent serious damage to property (although property damage on its own is not sufficient reason to restrain a child)
  - To prevent a child running away where you reasonably believe they will put themselves at serious risk of harm, or;
- To prevent serious disruption to the learning environment

RPI can never be justified as a punishment or as a means of enforcing compliance with adult instruction. Excessive force must not be used in any RPI, therefore any action taken by an adult must be able to be justified as proportionate to the situation and circumstances at the time. The act of assault must be accompanied by hostile intent, the act does not have to take place but the victim must fear that it will. It can occur without physical contact with the victim - actions like shaking a fist or threatening words fall within the definition. Excessive force depends on all the circumstances, including the age, size and actions of all the people concerned, the type of perceived danger and anything that might affect how people are reacting or acting.

### **Legal Framework**

**all the acts and clauses listed below must be adhered to when both organisational and individual responses are planned for, implemented and reviewed.**

False imprisonment is a **common law** offence involving the unlawful and intentional or reckless detention of the victim. Forcing a child into a room, building, taxi or bus, and preventing them from leaving, could result in an allegation of assault and/or false imprisonment. (see Section 5, Deprivation of Liberty/Protection of Liberty Safeguards)

An assault is committed “when a person intentionally or recklessly causes another to apprehend the immediate infliction of unlawful force”. Giving a child reason to feel threatened, either by words or behaviour, could result in an allegation of assault. Waving a fist could be assault, and waving a finger or using threatening words falls within the definition. *Criminal Justice Act (1988)*:

‘A battery is committed when a person intentionally recklessly applies force to another’ *Protection of Harassment Act 1997*

“A course of conduct which causes another to fear violence will be used against him which the defendant knows or ought to know will cause another to fear that violence will be used against him” This encompasses a variety of behaviours including speech, body language, covert and overt attempts at intimidation.”

*HASW Act 1974*

Failing to take reasonable steps (for example by following health and safety procedures) to protect a child from harm could result in prosecution for a breach of Regulations or a charge of criminal negligence.

### **UN Convention on the Rights of the Child (ratified 1991)**

The absolute right to personal liberty is a key right and deprivation of liberty without lawful excuse is illegal.

**Human Rights Act 1998** Article 5 (1) Right to Liberty - Deprivation involves a significant restriction in terms of extent and intensity. Preventing a child from leaving a room, bus, taxi or building could result in an allegation of an abuse of human rights. Protocol 1 (Article 1) Right to peaceful enjoyment of possessions – confiscating items from a child could result in an allegation of abuse of human rights Protocol 1 (Article 2) Right to education – excluding or disrupting a child’s education could result in an allegation of human rights abuse.

### **Education and Inspections Act 2006**

Section 93 restated the powers conferred in section 550A of the Education Act 1996 on teachers and other staff, subject to the authorisation of the Head teacher, to have control or charge of pupils.

**Section 93 of the Education and Inspections Act 2006** gave school staff the legal right to use detentions and also gave a defense to Article 5 of the Human Rights Act (deprivation of liberty). Staff were enabled legally to confiscate and in certain circumstances dispose of items, thus providing a defense against an allegation of contravention of Article 1 of the Human Rights Act. **The guiding principle remains that if staff are required to use an RPI that the use of ‘force’ used is reasonable and that the circumstances are such that it is necessary to prevent either:**

Injury to self or others;

Serious damage;

The commitment of an offence; or

Engaging in behaviour that is prejudicial to maintaining good order.

The Violent Crime Reduction Act 2006 This authorised Head teachers and other authorised staff, to search a pupil for a weapon if staff had reasonable suspicion that the pupil had a weapon. Similarly any use of force would still have to be reasonable and proportionate. This provided a defense against allegation of contravention of Article 1 of the Human Rights Act (peaceful enjoyment of their possessions) and an allegation of assault.

### **Disability Rights Act 2001**

Failing to take reasonable steps to take into account the special needs of a child with a disability, resulting in disproportionate disadvantage to that child, could result in an allegation under this statute. This does not mean that children with a disability cannot be disciplined. However, it means there is an obligation on staff to demonstrate that they have taken into account the known special needs and made reasonable adjustments in response.

### **The Children Act 1989**

“The welfare of the child shall be of paramount consideration” (Welfare Principle para 1). Paramount in this context means that the welfare of the child is the first thing you should think about, and that it should take precedence over all other considerations. This could provide part of a defense against allegations, provided that you can demonstrate that the actions were reasonable, proportionate and intended in the best interests of the child.

### **The Mental Capacity Act 2005 (& Amendment 2019)**



The Mental Capacity Act 2005 provides the legal framework for acting and making decisions on behalf of individuals who lack the mental capacity for making decisions for themselves. The underlying philosophy of the Act is to ensure that any decision made or action taken on behalf of someone who lacks the capacity to make the decision, or act for themselves, is made in their **best interests**.

The above highlights the key statutes but is not an exhaustive account of the legal position on the restraint of children. Adults should also take into account other relevant legislation, together with such guidance and circulars as may from time to time be issued. Such material may be specific to the workplace rather than of general application.

### **Links to Other Policies**

This policy should be read in conjunction with our policy for **Risk Assessment** which outlines how plans to manage the challenging behaviour from individual children and young people are formulated and monitored and our policy for **Promoting Positive Behaviour and Relationships** which outlines our approach to reducing the need for Physical Intervention and note should also be taken of our **Policy for Search and Confiscation**. At all times attention should be paid to our policy for **Safeguarding and Child Protection**.

### **Key Principles and Values**

As outlined above Restrictive Physical Intervention is a measure of last resort when other positive behaviour support strategies do not, or are known not to, avoid or resolve a cycle of violence and aggression using methods of distraction or de-escalation. Further, and equally essential to our ethos, our planning for physical intervention must be personalised to each child, based on their specific presentation and risks and, as far as is safe and proportionate, formulated in partnership with them and respectful of their wishes and preferences.

**The following principles seek to guide adults in promoting positive behaviour, and managing challenging behaviour supportively in order to avoid or reduce the need for Restrictive Physical Intervention:**

boundaries that are consistent, clear and applicable to all children equitably depending on their age and needs are upheld by all  
reliable relationships, and good rapport with children/young people are based on mutual respect and non-judgmental attitude are at the  
centre of our work  
praise, and specific praise, are important for everybody

We work to uphold and support the containing therapeutic structures that form the school day and the arrangements in the building that contribute to a facilitating environment

rewards, both intrinsic (verbal praise and acknowledgement) and extrinsic (rewards systems, extended privileges), are more helpful than sanctions

choice and expression of opinion should be promoted in the most accessible way for each child or young person

we acknowledge when children/young people are making good choices and are able to accept boundaries and guidance from others.

everyday communication should adopt a non-confrontational approach, this modelling reasonable and open outlooks without being drawn into confrontation

we don't avoid challenging behaviour

we are creative and positive when children are testing boundaries.

we seek to understand the life experiences which children bring and how their past influences their thoughts, feelings and behaviour in the present.

all adults need to fully engage in training that covers the origins of behavioural learning and emotional development and the standard techniques/strategies that can be used to support positive change and development in children and adolescents with trauma/Adverse childhood experiences

- we work within a multi-agency context

we make regular opportunity to review the assessments and support plans with and for children/young people in order to support their needs and wishes

we ensure incidents are reported, recorded and monitored

we explicitly teach, as part of C2020, the skills children and young people need to keep themselves and others safe

- we review our environment to ensure it is safe and appropriate

**The following principles seek to guide adults in promoting positive behaviour, and managing challenging behaviour, when incidents of Restrictive Physical**

**Intervention occur:**

We never seek to cause harm or inflict punishment

- We all work with awareness of civil law, criminal laws and government advice

- children and young people have the right to expect proportionate, consistent responses, irrespective of the setting.

Those with a duty of care are expected to use their judgement and act reasonably and in the best interests of those for whom they are caring/responsible.

Decisions must be based on ethical practice which means that adults will consider all relevant factors, and will engage in opportunities to discuss with colleagues and supervisors the ethical issues that physically restraining a child raises.

A child centered approach will inform the use or otherwise of RPI. All techniques used will be least intrusive and least harmful and based on a variety of approaches that are appropriate to each young person's needs, understanding and propensity towards violent or aggressive behaviour.

The implementation of RPIs involving the limiting of a child/young person's freedom against continuing resistance will be recorded and monitored to identify patterns of response. Management action will be taken as required.

Any adult or young person who has been involved in a physical restraint will be actively encouraged to discuss and reflect openly on the incident.

Our procedures ensure incidents are reported, recorded and monitored

All adults will work within our Safeguarding and Child Protection Policy at all times and are aware of when, and to whom, incidents and concerns may be reported

**Deprivation of Liberty** (written with regard to the current advice regarding liberty Protection safeguards for people aged over 16 and the 2019 Mental Capacity (Amendment) Act (2019))

Deprivation of Liberty means to take away the capacity of an individual to move freely around and beyond their environment. During an incident of RPI the individual is deprived of their liberty for the duration of the restraint. This is another reason why restraint must be of the shortest duration and intensity necessary to keep everyone safe. In no other circumstance does The Lioncare School Deprive children or young people of their liberty. This means:

No equipment is used to restrain children.

Doors are not held or locked shut by adults to contain children and young people in rooms.

There are no isolation or exclusion areas

There are "quiet" or "chill-out" areas in some classrooms. Children and young people are encouraged to make use of these spaces as strategies to manage their own self-regulation and as part of their learning to do so adults may encourage this by verbally instructing them to do so or by escorting them to the space to

work with an adult. An adult may use their own body. not in contact with the child to encourage them to make use of the space, i.e. they may stand in the doorway for a limited time while assessing if the strategy is aiding de-escalation- if not an alternative strategy must be considered. Any such intervention should follow the Key Values and Principles listed above and must be recorded on the Behaviour Watch system for signing off and comment by The Head Teacher or Assistant Head Teacher.

The Lioncare Works with children from age 7-16. Measures that can be reasonably considered good care of a younger child and in line with appropriate parenting approaches are not restrictions on liberty- to hold the hand a young child by a road or to put a hand on a shoulder to prompt movement away from a difficult or distressing situation is sensible adult care. If such a measure is used on a non-compliant child-i.e. a hand is held when near a busy road and the child tries to pull away the incident must be recorded as a physical intervention, but not as a restraint and must be placed on the Behaviour Watch system for signing off and comment by The Head Teacher or Assistant Director.

In most cases a child over the age of thirteen will never be stopped from leaving the school building if they request. This needs to be based on the individual risk profile for the young person, which will record necessary levels of supervision, and the procedure for notifying home, the local authority and the police (see absent without permission statement in our Policy for Promoting Positive Behaviour and Relationships). Adults may review this guidance if the presenting mood and behaviour causes concern.

For children under thirteen a decision will be made based on the risk assessment, the circumstances of the moment and the presenting mood and behaviour. As ever the guiding values above should steer the decision made.

### **Our Practice**

Definitions of restrictive physical intervention;

- 1 Restrictive physical intervention (RPI) involves limiting a person's freedom of movement and continuing to do so against resistance. (Harris, Cornick, Jefferson & Mills, Physical Interventions; A policy framework 2008 p20 BILD)
- 2 RPIs are one part of a wider strategy in which varying degrees of physical control may be used as a last resort in managing the behavioural challenges presented by a small number of children and young people with complex needs. These challenges may be such, that some form of RPI may be unavoidable.
- 2 RPI encompasses restraint but also includes methods where holding is not used, such as guiding the person away from a harmful situation or blocking his/her path. It may also include the use of interventions such as a weighted blanket/safety pod/cool down space/

2 Restrictive physical interventions are deployed with the aim of restoring self-control to the person concerned, within the shortest period of time possible, with a minimum use of force, and as a last resort. Challenging behaviour – refers to “culturally abnormal behaviour of such intensity, frequency or duration that the physical safety of the person or others is likely to be placed in serious jeopardy, or behaviour that is likely to seriously limit the use of, or result in the person being denied access to, ordinary community facilities” (Emerson 1995 etc. in BILD). In service settings, it is most likely the risk to self or others that are most frequently managed with an RPI. Including:

Violence – directed at others or less specific and arising from distress, confusion or panic

Self-directed violence or self-injury – examples are banging the head against hard objects or skin picking

Reckless disregard for own safety or safety of others – e.g. Trying to leap out of a first floor (or above) window or of a roof

Serious damage to property may require an RPI (see below) In addition schools may use “reasonable force”, including restrictive physical intervention to:

remove disruptive children from the classroom where they have refused to follow an instruction to do so;

prevent a pupil behaving in a way that disrupts a school event or a school trip or visit;

prevent a pupil leaving the classroom where allowing the pupil to leave would risk their safety or lead to behaviour that disrupts the behaviour of others;

(See use of Reasonable force in Schools DfE 2013)

All efforts should be made to reduce the need for RPIs (restrictive physical interventions) as far as practicable. Research has shown (Holding Safely The Scottish Institute for Residential Care 2005) that the following provide a sound basis on which this can be achieved both organisationally and at an individual level:

Maintain a positive culture/approach;

Promote ethical practice by working with the best interests of the child and only using reasonable, proportionate and evidence-based interventions.

Maintain a child-centered approach, and having regard for other young people or adults present; and safety and dignity of all concerned is central

Understand high risk behaviour or violent behaviour, which we do through our comprehensive training plan for adults

Promote an awareness in staff of their own reactions to aggressive or violent behaviour and the effect of their mood on others, as it is not only young people who bring their history into the system: We all have our own fears and impulses and particular young people may trigger unhelpful responses in us. This is normal and support should be sought in managing these responses from a supervisor/manager and if appropriate colleagues/peers.

Promote self-control in children and young people, and include them in making and reviewing their plans and those for the whole school; There are young people who lose control in the run up to being restrained, and other young people who are fully in control when being violent or committing other

high risk behaviours. In either case the number of times a young person has to be restrained can be reduced through helping them learn self-mastery. Adults do this by demonstrating self-control, shaping young people's behaviour in ways which do not involve punishment, interacting in ways which invite cooperation rather than convey coercion, showing respect for the legitimate interests and property of others, and promoting impulse control by encouraging discussion and consideration of choices rather than impulsive action. Our school curriculum also explicitly teaches skills for reflection and control and promotes a peer learning model for healthy social interaction.

Use authority appropriately; Child centered practice does not preclude clear boundaries being set and identification of what is negotiable and what is not negotiable. Clear communication with the child/young person is a prerequisite to ensure they are aware of what is expected of them and the potential consequences if they breach the expectations. Clear boundaries can give young people a sense of security but a sense of fairness and a spirit of care underlying all interactions and decision-making must be implicit in the boundaries set.

Maintain a policy to manage behaviour positively through promoting positive relationships (see policy)

Use restorative and reparative approaches in daily life at school

Instill an open culture of reflection, challenge and information sharing. Talking openly and honestly about our own part in a high-risk or violent incident will help us develop self-management in future difficult situations this is referred to as reflective practice

Support the young person's needs arising from his/her personality, age, ethnic, religious or cultural background, stage of development, gender and/or gender identity, sexuality and history

a positive culture is developed and maintained through consideration of the physical environment: a safe, pleasant and well-maintained building with space for young people to have time alone particularly when tensions are running high may prevent/reduce the likelihood of high-risk behaviour.

Opportunities for support and advice are always available

Working with local partnerships and protocols: The Lioncare School does not work in isolation around any child or young person. Families, carers, local authorities, local safeguarding partnerships, the Designated Officer, criminal justice networks and health services all play a role and clear information services all play a role and information sharing, properly structured and safeguarded is necessary to maintain good practice. Even more "locally" benefits of shared protocols within The Lioncare Group (PBS plans and risk profiles, clear structure and boundaries) are that children's needs can be more effectively met if there is an understanding about what a particular base, adult or service is likely to be able to offer to the young person.

## **The Lioncare School Restrictive Intervention Procedure**

As outlined in our Risk Assessment Policy there is a shared set of documents (The Initial Impact Assessment, The Safeguarding Risk Profile and The Positive Behaviour Support Plan) that are used to gather information on the behaviours likely from a young person and suggest and monitor strategies for both successful intervention and for the reduction of incidents of violence and aggression necessitating RPI. The plans identify low, medium and high intensity behaviours and indicate the effective strategies for their management. This should include comment on the most effective time and method of implementing RPI on the young person. The plan must identify:

The triggers that cause the young person distress;

Positive Strategies to reduce Stress and Anxiety

The early warning signs that all is not well and how to respond

What to expect and how to respond during escalation, crisis and post crisis depression and recovery phase

Ways in which workers can calm the situation at all stages of a crisis.

Appropriate mechanisms for the review of the plan after each incident of RPI and the communication of any updates to the plan

A strategy to reduce the frequency, duration or intensity of incidents of RPI as appropriate for the young person and their presenting needs.

Proper consideration must be given to the child's views of their care and the plans and decisions, which affect them. When carrying out any assessment, care plan, behaviour plan or review, the child's views must be at the centre of the activity. There must be a discussion with them about the actions that will be taken if their behaviour presents serious risks. After children/young people have been restrained it is important that a discussion takes place with them to ascertain their thoughts and feelings about what has happened and record them accordingly. In a group setting young people should be given the opportunity to be consulted on identifying behavioural limits within the setting and the localised approach to managing behaviour

Within this context planned RPIs are a part of a structured approach within a child's individual plan to deal with challenging behaviours that are known to apply to particular individuals.

Planned interventions take place within our cover and contact model.

## **The Cover and Contact Model**

All incidents of RPI at The Lioncare School require two people to safely intervene. This is not because we believe that the strength of two adults is needed to apply undue coercive force but because we believe two adults working in clear communication provide secure containment for the child, optimum communication of what is happening and why, and a set of checks and balances on practice that aids reflection and appropriate professional challenge.

At any one time the child or young person is in contact with an adult. This adult is the adult working with a child in any context in school-teaching a class, supervising an activity or supporting behaviour outside of these specific settings. This adult should be, within the confines of the activity, attuned to the presenting emotional state of the young person, aware of their behaviour support plans and trained in our WAVE model of intervention (see below). If they are not, they must be closely supervised by an adult who is trained and experienced. A planned intervention requires that the contact person makes the decision to implement RPI and

communicates this to the cover person. The cover person is a trained adult who happens to be working in the area or, more likely, has moved to shadow the situation to provide support. The contact adult leads and directs the RPI, including communication with the young person, and is responsible for the recording of the incident on The Lioncare School's Behaviour Watch System. Both adults are responsible for alerting the DSL/DDSL to any concerns (see The Lioncare School Safeguarding and Child Protection Policy)

In summary a planned RPI meets the following criteria:

- It is in line with the Positive Support Plan for the young person.

- Is judged necessary by an appropriately trained contact person and this is communicated to an appropriate cover person.

- Involves two people in contact with the young person. **NOTE: From February 2021 our revised WAVE will make provision for a planned single person intervention**

- This judgement has been made after all other recognised strategies to avoid RPI have been fully attempted.

- Uses only the interventions and handling techniques taught on our WAVE training programme.

- Is reported, recorded and monitored following the process outline below.

- Is reflected on by all concerned.

#### **Unplanned Restrictive Physical Intervention.**

There may be occasions when events/behaviour occurs which may not have been foreseen or the young person may not have a behaviour plan or trained staff may not be on hand. Unless the situation is urgent, advice/assistance should always be sought. However, the 'duty of care' remains and any response must be:

- Reasonable;

- Proportionate;

- Motivated by the maintenance of safety and prevention of injury; and



Consistent with the circumstances and with any training the worker may have received.

"The use of unauthorized techniques is never good or harm-free however in highly exceptional or one-off circumstances it maybe both reasonable and proportionate"  
(‘Holding Safely’ The Scottish Institute for Residential Care 2005).

In summary an unplanned RPI meets the following criteria:

May or may not be in line with the Positive Support Plan for the young person: new or different patterns of behaviour may emerge behaviours or a new setting or activity may trigger unforeseen anxiety

Is judged necessary by an appropriately trained contact person and this is or is not communicated to an appropriate cover person

May or may not Involves two people in contact with the young person. In some rare occasions an adult may need to intervene alone or more that two people may be necessary to contain a situation

This judgement has been made after all other recognised strategies to avoid RPI have been fully considered.

May not use only the interventions and handling techniques taught on our WAVE training programme. Adults are within their rights to use all reasonable methods to protect themselves or others from harm and may have to weigh up the risks of an unplanned intervention against the risk of NO intervention

Is reported, recorded and monitored following the process outline below

Is reflected on by all concerned.

Repeated unplanned RPIs would trigger an immediate review of all plans for the young person and prompt a review of the training needs of the adults involved.

### **Moving from unplanned to planned interventions**

On occasion it may be that a child needs to be restrained in such a way that is not within our core set of taught techniques. In such cases those responsible for monitoring will raise this to the in-house instructor and a bespoke, higher level intervention will be devised and taught. In this case the taught intervention is only to be used on the child for whom the plan is written. This is the only provision under which holds using the floor will be permitted and such holds will be subject to additional scrutiny, including the plans to reduce or end such interventions.

## Minimising the risk and promoting the wellbeing of children and young people

### Physical restraint should never be used when:

You can restore safety in another practicable way e.g. through the use of recognised de-escalation techniques;

You are not in control of yourself

You consider it unsafe to do so (e.g. the young person has a weapon that you are unable to safely neutralize or remove);

You know the young person has a medical condition that may be adversely affected by being restrained

You are not confident based on all the circumstances that the young person can be restrained safely (e.g. the presence of the public or other young people who could be adversely affected).

There are environmental hazards that have the potential to increase the risks associated with RPI

Each time consideration is given to responding to concerning behaviour presented by a child/young person there will normally be consideration (albeit a quick mental assessment) of the risks of reacting in a particular manner. These thought processes will normally include assessment of the following:

Who is at risk of harm and what is the nature of the risk?

What is the probability of harm and how serious will it be?

Would the prime reason for restraining the young person be about keeping them safe?

Will the consequences of restraining the child/young person be less or more harmful than the behaviour itself?

Who else will be affected by the restraint?

What would the consequences be of not restraining the child?

Are there any alternatives I could use?

Can the child be safely restrained based on the training received by the worker(s)?

What is the least restrictive and most respectful way of restraining the child to prevent harm?

Have additional/previously unidentified risks been presented?

All adults applying restrictive physical intervention in either planned or unplanned situations should be prepared to review their responses to each of the above points both immediately after the incident and in any subsequent review/investigation.

No procedure can set out all the circumstances in which planned or RPI can take place and each adult has a full detailed description of individual holds, techniques and interventions taught to them at our regular training events. This are taught by discussion, demonstration and practical experience. Core principles for minimising harm remain central to the work despite updates to individual practices:

RPIs should be employed with minimal reasonable force. This is imprecise advice but adult training and legal advice will help workers/adults judge what is reasonable and minimal.

Any RPI should be employed for the minimum duration of time which training and legal advice will help to identify.

Our techniques seek to avoid injury to the service user, but it is possible that bruising or scratching may occur accidentally, and these are not to be seen necessarily as a failure of professional technique, but a regrettable and infrequent side effect of ensuring that the young person remains safe. First aid is always offered to all concerned after any RPI.

RPIs should not intentionally cause pain unless in the most exceptional circumstances where a person's right to life, freedom of torture and unlawful imprisonment is compromised (Human Rights Act 2008).

Training will assist workers/adults in utilising appropriate techniques and raising awareness of inappropriate contact.

Interventions should be tailored to individual needs and the risks presented and must take account of any contraindications of using particular techniques with a particular young person.

Immediately following an RPI, young people should be routinely assessed for signs of injury or psychological distress.

After incidents of RPI the child or young person should be offered the opportunity for individual advocacy and any such request referred to their local authority

All behavioural management plans that identify RPIs should be reviewed after each and every intervention.

Unless it is not reasonably possible there should be two workers/cares present when an RPI is undertaken (for assistance or to witness what has happened).

The Lioncare School will not use 'prone' holds -face-down holds against the floor or any technique that may be described as a "pin down". Any occurrence will prompt a safeguarding investigation.

All young people are monitored for adverse effects for 24-48 hours after any restrictive physical intervention with all homes being made aware on the day or any incident so the right monitoring system can be put in place.

## Training

The Lioncare Group has a dedicated Restrictive Physical Intervention trainer who is Shelley McEwan, co-author of this policy and she is assisted by Lucy Steer, who is also the Senior Pastoral Lead for the school. Shelley and Lucy are trained, and work in consultation with Loddon Training and Consultancy <http://www.proact-scipr-uk.com/training-for-organisations/>. Shelley can be contacted on [shelley.mcewan@lioncare.co.uk](mailto:shelley.mcewan@lioncare.co.uk) and Lucy on [lucy.steer@lioncare.co.uk](mailto:lucy.steer@lioncare.co.uk)

Our overall training and practice approach is entitled Working with Aggression and Violence Effectively (WAVE) and the physical techniques within this are those of Proact-scipr. Shelley and Lucy use their substantial therapeutic experience and understanding to contextualise a training programme for our child centred community based on the following Learning Outcomes:

All participants will

Learn about the structures and approaches for Positive Behaviour Support within the Lioncare Group and their own responsibilities at work

Consider the de-escalation of aggression, and “behaviours that challenge”, what may underpin these and how to use the self as an effective intervention

Demonstrate an understanding of the legal framework for restrictive physical interventions, and know how to review these regularly to ensure their practice (and that of others) is safe and legal

Demonstrate an understanding of the risks of restrictive physical intervention to all involved

Understand the structures and approaches for recording and reporting planned and unplanned interventions within the Lioncare Group and their own responsibilities at work

Learn the best working models for restrictive physical intervention procedures within teams at work within the Lioncare Group

Learn, practice and demonstrate competency in the least harmful breakaway techniques and when to apply them

Learn, practice and demonstrate competency in the least harmful methods of control and restraint

Create a personal action plan for continuous development of practice

The training cycle for adults at The Lioncare School is:

Each adult has a full two-day WAVE training at the start of their employment. Every January Shelley and Lucy visits the school for one or two inset days (depending on need) for refresher training for the whole team. In 2020 there will be an initial 1 day visit in September to prepare for our transition to Proact-scipr. Shelley also delivers adhoc training in twilight sessions at the request of the Head Teacher based on the needs identified around individual children or elements of practice that are

causing concern. Adults who raise concern through their practice or who ask for additional support will either attend a two-day refresher outside of this cycle or receive one to one coaching from Shelley.

### **Reporting and Recording**

Every incident of restraint or restrictive physical intervention is recorded using the following procedure:

#### Recording and Reporting

At 3.15 every day the whole staff team meet to review the day. Any incident if restraint or RPI is logged, as well as any accident or injury to an adult or child. Consideration is given to other incidents of concerning or significant behaviour to review whether they should be recorded. If the team involved have any doubt the decision is made by the Head Teacher and if an individual adult is concerned that incidents are not being recorded they should raise this immediately with the Head Teacher, or if the Head teacher is the cause for concern with the Assistant Director for Education and learning or , ultimately with the Executive Director of the Lioncare School, Matt Vince.

Those incidents that are to be reported are entered on to The Lioncare School main log and allocated an incident number

A daily handover is written that includes details of incident numbers and a brief overview as well as comment on incidents that did not meet the criteria for reporting

The Contact adult has 24 hours to write the incident report, including restraint details and within a further 48 hours this should be reviewed by the Head Teacher or Assistant Director and signed off (unless there is a safeguarding concern , in which case the process must follow the Child Protection and safeguarding Policy)

School Managers should not sign off incidents of restraint where they have been the Contact Adult

Some forms are set to “query” if details are missing or unclear and each day every adult should check their reports have not been allocated as queries

Teachers must regularly check whether the author of the report has indicated a change to the risk assessment of the child is necessary-this information is usually conveyed daily in the end of day debrief but Behaviour Watch provides a written check on this process, with the author able to email the teacher with this prompt.

Every Tuesday and Friday Incident forms are sent to parents/carers/social workers

In the event of the incident including a concern that must be reported under our Safeguarding and Child Protection Policy the process must be completed within 24 hours.

Data from behaviour watch is summarised for parents/carers at least termly Recording serves many purposes. Locally it provides an account of care and control within a particular setting and can be used to encourage staff to reflect on and develop their practice. It helps management and staff plan care by helping to identify problematic behaviour patterns and can also help a young person face and confront difficulties. It may also form evidence in civil or criminal proceedings.

Any notes kept for personal reasons in relation to an incident of RPI will be treated by courts as evidence and the court could order that they be produced. In criminal proceedings the police may seize such notes as evidence. In addition, such notes must be treated as confidential information to respect the privacy of the individuals concerned. Therefore, they must be kept securely and in accordance with the principles of the Data Protection Act 1998.

### **Monitoring and Restraint Reduction**

Incidents at The Lioncare School, including those of restraint and/or restrictive physical intervention are monitored in the following way:

The Lioncare School "Live Monitoring Form" is reviewed many times a week by each class teacher. This form contains a section for the analysis of trends around violent and concerning behaviour. This analysis should prompt necessary reviews of risk assessments and profiles and support plans.

By the Pastoral Team who support the teaching team with both strategies to avoid restraint and in maintaining good practice around physical intervention. The pastoral team also support children to be involved in their own risk assessments and plans.

By the Head Teacher. Each teacher is supervised by the HT at least once a month and all Live Monitoring form must be reviewed. The HT will look at progress for the child and support the review of any area that is impeding progress, including any impact on learning caused by violence and aggression. The Head Teacher monitors BehaviourWatch data at least half termly: looking at the patterns of RPI across the school for duration, intensity, time, location, and adults involved, frequency of injury etc. Such monitoring may also ensue from queries raised by the routine signing off of incidents.

The Assistant Director for Education and Learning reviews all incidents of restraint each month and oversees daily any that involve a higher-level intervention, a significant amount of unplanned intervention or injury.

The Lioncare Group Annual Safeguarding Audit for the Monitoring and Advisory Panel. This is commissioned from an external consultant by the MAF group who hold a governance function for the school

The Lioncare Group Safeguarding Monitoring Group who review all incidents that are reported under our Safeguarding and Child Protection Policy The Senior Leadership Team will hold critical incident reviews, including incidents that the head teacher has had cause to raise concerns about.

Every child and/or young person has a Positive Behavior Support plan with a specific area for the Restraint Reduction Plan. If any of the above monitoring systems raises concerns regarding the frequency, duration or intensity of restraint the plan will be reviewed-to be clear on top of the usual strategies for the management of all

types of challenging behaviour actions will be taken to actively reduce incidents of RPI. This may include a temporary reduction in full participation in school life. On other occasions, and with the full support of the network around the child it may be that restraint reduction is not the main focus of a plan- there may be a piece of work to be done that indicates this is not in the best interest of the child. An example may be the use of RPI to stop a child attempting to abscond and place themselves in greater danger. Some children may use the occasion to seek out RPI as a way of seeking physical contact when they have not yet learned healthier ways of doing so, or to explore the psychological containment offered by robust and resilient adults\*. Understanding what incidents of Restrictive Physical Intervention mean for different children emotionally and being open and reflective about this with them is the first important stage of restraint reduction \*Catharsis, Containment and Physical Restraint in Residential Child care, Laura Steckley British Journal of Social Work (2018) 48, 1645–1663

### **Reflective Practice**

The period following an occurrence of RPI provides a key opportunity for learning for the child, adults and managers. This learning and associated reflective practice is supported for adults through a thorough and objective debrief at the end of each day and may also be explored through supervision, group supervision, team meeting and key work sessions with children and young people. Incident debriefs are a standing item of all supervisions and should be prepared for by the supervisor who will have read reports and collated data from Behaviour Watch.

Assisting adults to reflect and learn from incidents

The focus of 'structured reflection' is to ensure the emotional well-being of the adults involved in the RPI. It is recognised that "most people cope after a critical incident, but they recover more quickly if they have a procedure to follow which enables them to talk through what happened, how they reacted and consider what they want to learn from the experience" (Positive Listening and Debriefing' p5 Team Teach 2005) In summary 'structured reflection':

- Gives adults the opportunity to express difficult emotional pressures created by the act of physically restraining a young person;

- Provides an opportunity for adults and their supervisor to clarify what happened;

- Facilitates learning from the experience and assists in helping people integrate the learning into their lives and future responses.

Timing

The timing of the discussion following an incident of RPI will vary according to the adult's needs, shift arrangements and practicalities of our provision, for example if the incident involves a foster carer then it may not be possible to hold the discussion immediately after the event. Ideally the discussion should be held when the adult is calm, refreshed and willing to talk. It is usual for the discussion to start in daily debrief and be extended in the next 1:1 supervision. If the incident has been distressing or concerning for any reason the supervisor, or Head Teacher or a senior member of the school team will offer one to one conversation at the earliest opportunity.

## The 1:1 discussion

This discussion would normally be facilitated by the adult's supervisor and might include:

- What has been learnt about the young person as a result of the RPI and the events leading up to it;
- What the adult has learnt about themselves
- What the adult thinks the young person's view is of the events leading up to the RPI;
- What the adult thinks the young person's understanding is of why they have been restrained;
- What appeared to work;
- What didn't work so well
- What could be done differently in the future;
- Any communication or support issues arising;
- Any improvements made or further training provided to improve responses to such situations in the future

## Recording and Reflective Practice

A record of the discussion outlined above should be made and may include the following headings:

- an objective description of events leading up to and including the RPI
- The learning (what has been learnt about themselves, what they did, what worked well and what didn't)
- Any further actions required
- Signed by the adult and the person facilitating the discussion

A summary will be fed up to the Head Teacher via the supervision chain, or earlier if necessary.

The process of providing learning opportunities for young people to reflect on what happened should be mirrored by opportunities for adults to learn from their experiences and should be undertaken in a similarly structured way.

The fact that a young person has had to be physically restrained shows that there are situations where the young person's behaviour is so unsafe as to place them or other people at risk. An opportunity should be given to them to learn from the experience and to explore alternative ways of coping with difficult situations. The timing of a discussion about what has occurred is critical but the young person should be encouraged to discuss the incident. Some children will want to be comforted in the period immediately after the event and as part of that may see the opportunity to discuss the event as helpful, others may welcome a period of calm but not be



ready to talk and others may be angry and resentful and resistant to any discussion. It is the adult's responsibility to find the right time to talk with the child about how they can be helped to manage similar situations differently, however it is the preferred option is that the first option to do this is presented upon entry to school the next day. Consideration should be given as to who may be the best person to discuss the incident with the young person. It may be beneficial for this person to be the adult who perhaps took the lead in the RPI in order that the discussion can continue the process of restoring the relationship. However, as with the timing of the discussion, sensitivity to the individual is key here.

A creative approach to communicating perhaps by using drawings or symbols, offering a computer or using a diary may also be appreciated by the young person, and may be more appropriate to their communication needs and style. This may help them feel more comfortable in reflecting on what happened. Considering environmental issues may assist in helping the young person to engage in the process e.g. going somewhere quiet, or even somewhere busier depending on the young person's preference. A constructive and meaningful discussion will contain the following elements:

The young person's view:

- Of the experience of being restrained;
- As to why the adult restrained them;
- Of events leading up to the RPI; Of the part played by others (if appropriate);
- Of what they were trying to achieve by their behaviour;
- Of the process of regaining self-control

In addition, the adult should be aiming to:

- Help the young person identify the link between thoughts feelings and behaviour
- Develop an action plan identifying what the young person and adult will do if a similar situation arises in the future
- Identify action to repair where necessary relationships between the young person and their adults
- Provide support to deal with any difficult memories that restraint may have brought up.

The period after the young person has been restrained is a time when he or she can reflect on how to deal with consequences, poor choices and repairing relationships.

A record of the discussion is captured on the "Purple Form" by either the adult or the young person. The Purple form promotes a restorative justice model through considering the impact on others and the behaviour leading to the RPI-it is our hope that completing the form prompts a reparative action. The adult who supports the

child with the form is responsible for updating any relevant paperwork with issues that arise and informing the teacher of these. The form is then passed to the school administration team who record the information alongside the incident form.

### **Complexity and difficulty arising from the use of restrictive Physical intervention**

Using Restrictive Physical Intervention is a difficult task and sometimes things happen that are complex or difficult. This can include harm to the adult or the young person or an allegation of harm being made by either party that needs further investigation, including by external agencies

The following policies should lead our response to complex outcomes:

The child is injured- **First Aid Policy. Safeguarding and Child Protection Policy**

A child alleges harm or inappropriate touch by an adult-**Safeguarding and Child Protection Policy**

A child alleges harm or inappropriate touch by **another child or young person-Safeguarding and Child Protection Policy** During the incident or reflection, the child makes an historic allegation or disclosure- **Safeguarding and Child Protection Policy** There is concern by adults that they have been assaulted or subject to a criminal act. **Safeguarding and Child Protection Policy** The child or adult feel that their relationship has been damaged **Our Promoting Positive Behaviour and Relationships.**

The child or their carer wishes to complain- **Our Complaints policy is on our website**