***Muirhouse Primary School***

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***De-escalating and Physical Intervention Policy***

***Introduction***

*North Lanarkshire Council recognises its responsibility to keep everyone safe and also acknowledges that some children and young people can present distressing behaviours that may require those staff working with them to intervene to keep themselves and others safe from serious injury.*

*The Health and Safety at Work act 1974 requires every employer to ensure, so far is reasonably practicable, the health and safety and welfare at work of all employees and also the provision of information, instruction, training and supervision as is necessary to ensure, so far is reasonably practicable, the health and safety at work of all employees.*

*The Education (Scotland) Act 1980 recognises that there may be occasions when staff may have to use ‘such force as is reasonable’ to prevent a child or young person causing injury to themselves or others. Despite using preventative and de-escalation strategies, it is recognised that in certain exceptional situations children and young people may continue to exhibit distressed or challenging behaviour that will require physical intervention as a last resort to prevent injury or serious harm.*

 *The Children (Scotland) Act 1995 places a duty on schools and local authorities to safeguard and promote the welfare of children.*

*The guidance: Included, Engaged and Involved Part 2: Preventing and Managing School Exclusions referenced the use of physical intervention and seclusion in schools (2017). It states that:*

*“it is only acceptable to physically intervene where the member of staff reasonably believes that if they do not physically intervene, the child or young person's actions are likely to cause physical damage or harm to that pupil or to another person”.*

***Rationale***

*At Muirhouse Primary School our main aim is to create positive relationships and mutual respect between staff, children and young people. These are essential to effective care and learning environment. A nurturing climate which focuses on children and young people’s entitlement to be safe, healthy, active, nurtured, achieving, respected, responsible and included is the foundation of North Lanarkshire’s approach to supporting children and young people to realise their full potential.*

*The implementation of staged intervention and the Health and Wellbeing map for GIRFEC planning pathways is used.*

*Consistent implementation of these approaches should prevent the occurrence of behaviours which risk harm to the child, young person or others.*

*However in very exceptional circumstances where safety is at immediate risk it may be necessary to physically intervene.*

*Physical intervention is a serious matter. The emotional and physical impact on the child or young person and the person implementing the intervention can be significant.*

***Aims***

*Our main aim is to ensure the safety of all our pupils and staff.*

*At Muirhouse Primary children will have their additional support needs supported and planned for across three levels: - Universal, Additional and Intensive. Whilst it is accepted that distressing and challenging behaviours can present at any of these levels, it is acknowledged that children and young people requiring intensive support, to meet their needs, are both more likely to be educated and cared for out with universal services and are at a higher risk of requiring physical intervention to keep them safe.*

 *However challenging behaviours which require de- escalation and physical intervention are challenging for staff within any setting and we understand the importance of ensuring all staff, no matter the setting, are equipped with the right support/training and feel confident in how to de-escalate difficult and distressing situations.*

*This policy aims to define de-escalation, physical intervention and seclusion and to clarify for staff the situations where physical intervention may be used*

***De- Escalation and Physical Intervention***

***Staff, parents/ carers must be clear on what the definitions mean.***

De-escalation is the reduction of the intensity of a conflict or potentially violent situation. All staff working directly with children in our school should be aware of the early preventative and de-escalation approaches. Support for staff in using de-escalation strategies and creating a positive ethos and climate forms an integral part of the Policy and Practice Map for Health and Wellbeing.

Physical Intervention is a term used to cover the use of direct or indirect force, through bodily, physical or mechanical means, to limit another person's movement.

This definition can be further expanded to include:-

(1) Proximity: A physical presence using no contact such as standing beside or near a child or young person to negotiate with them but allowing them freedom to leave if they wish.

(2) Touch Support: This includes minimum contact in order to lead, guide or usher a child or young person applied in a nurturing and secure manner which permits the child or young person some freedom and mobility.

(3) Restraint: This includes any measure or technique which involves the child or young person being held firmly or guided away from the situation by one or two trained persons. Physical restraint must be based on the principle of least restriction for the shortest time necessary in order to keep the child or young person safe.

Seclusion must not be confused with ‘time out’. Time out is defined as ‘a behavioural intervention of short duration in which undesired behaviours are eliminated by not being reinforced

’Seclusion in contrast is ‘the restriction of a person’s freedom of association without his or her consent by shutting him or her alone in a room or other area where they are prevented from leaving.’

According to the Mental Welfare Commission for Scotland, seclusion ‘can only be justified on the basis of clearly identified and significant risk of serious harm that cannot be managed by any other means.’

The degree of physical intervention used must be proportionate to the circumstances of the incident. Any physical intervention should always be the minimum needed to achieve the desired result and depend on the age, understanding of the child.

The law forbids anyone to use any degree of physical intervention which is deliberately intended to punish a child or young person or which is primarily intended to cause harm or humiliation.

The threat of or the damage to property is not a reason for staff to use physical intervention(s). The only circumstance that may be considered as a justification for physical intervention with regard to damage to property would be where the damage could result in harm or injury to a child, young person or a member of staff or endanger lives.

Only in circumstances where a member of staff reasonably believes that there is an immediate risk of harm to the child, young person or others should physical intervention be considered.

Physical restraint of any kind must always be seen as the last resort.

***What we will do.***

 Staff continually monitor and assess children and their individual needs. Depending on the child and his/her needs the may implement a staged intervention approach. This ensures your child will receive the help they need when they need it. The staged intervention processes for identifying, assessing, planning and monitoring in respect of additional support is an integral part of care at Muirhouse Primary.

The child or young person’s plan should be used to target specific areas within Health and Wellbeing.

Where a child or young person for whom it has been assessed is at high risk of causing serious injury to themselves or others, consideration of interventions and strategies to minimise these risks should be identified and captured within the child or young person’s plan alongside a risk assessment.

On the occasions that the assessment process has identified that to prevent the risk of harm physical intervention strategies may be necessary. It is paramount that the circumstances that give rise and the strategies for managing the risks should be outlined in the planning process.

The risk assessment and subsequent plans should involve staff, parents or carers and the child or young person and where appropriate partner agencies.

The plan and risk assessment should outline the circumstances and factors that may give rise to the potential need to use of physical intervention, the methods which are known or likely to be effective and other arrangements for its use.

**(A risk assessment is required for some individual pupils)**

We will also determine whether there are any medical conditions which might place the child or young person at risk, should particular techniques or methods of physical intervention be used. If so, this will be drawn to the attention of those working with or looking after the child. This must be stated in the child or young person’s plan. If in doubt, medical advice must be sought.

If a child at Muirhouse Primary has not been identified as at high risk of causing harm but an unforeseen circumstance arises, the absence or existence of a plan or a risk assessment should not prevent staff/carers from intervening within the framework of this policy to ensure the safety of others.

**The need for the use of physical restraint techniques as opposed to ‘Proximity’ and ‘Positive Touching’ as a form of physical intervention will only be required in very exceptional circumstances.**

**Staff should only use physical restraint techniques if they have undertaken approved training which in North Lanarkshire currently includes:**

**(1) P.P.B (Promoting Positive Behaviour).**

**(2) C.A.L.M (Crisis Aggression Limitation and Management).**

**(3) T.C.I (Therapeutic Crisis Intervention).**

In an unforeseen circumstance, and in a situation where a child or young person is at significant risk of injury or harm, there may be occasion when an untrained staff member may need to intervene physically. Such situations might include: preventing unpredicted physical behaviours towards self and others.

**In all situations, the physical restraint of a child or young person must not:**

**(1) Impede the process of breathing;**

**(2) Intentionally inflict pain or injury or threaten to do so;**

**(3) Affect vulnerable parts of the body;**

**(4) Extend the joints beyond the normal limits or range of motion (hyperextension or hyperflexion), and pressure on or across the joints.**

Compliance with the terms of this policy should provide a measure of protection for staff, who in exercising their duty of care towards others, have had to resort to using reasonable force in physical restraint to prevent significant harm.

Staff however, should understand that in making the decision to deploy restraint, the decision to do so, and the particular approach deployed may be ***subject to challenge through legal process, an employer’s disciplinary procedure and GTC(S) disciplinary investigation.***

 ***It should be noted that unreasonable or excessive use of force during any physical intervention may result in criminal proceedings or civil proceeding for damages.***

A child may find that time on their own or withdrawal from a situation acts as a positive intervention at times of distress, such interventions should form an integral part of the planning for the child or young person.

The child and their parents/carers should know where the safe place is and how to access it. This should also be noted in the plan.

Withdrawal involves allowing, assisting or guiding your child to move away from a situation which they are finding distressing to a safer quieter or more comfortable space where they have the time and space to regulate their emotions or behaviours.

Withdrawal may be used for a child or young person who has requested time out of their environment whilst in a high state of anxiety or whose presenting behaviours are of a high level of physical threat or danger to themselves or others.

Withdrawal should only be used when other less intrusive strategies within plan have been attempted and the behaviour continues to escalate and there becomes a serious threat of imminent injury.

Seclusion as a punishment is not acceptable as it contravenes both the ECHR and UNCRC. Occasionally seclusion may have to be used as a last resort when all other alternatives have been exhausted and it is the safest measure to manage the situation. This should be clearly evidenced with the pupil’s plan. Seclusion should be used for the shortest time possible and all incidents should be appropriately.

***All incidents involving physical restraint must be recorded by the following means***

(1) Schools – incidents will be recorded CIRIS

(2) Registered Care Settings – incidents will be recorded on the same day on CIRIS and reported to the Care Inspectorate (as appropriate) in line with the Care Inspectorate notification processes.

We will ensure that parents/ carers are informed of the incident on the same day, where appropriate and where it is reasonably practicable to do so.

Incidents where staff have been required to intervene with challenging and distressing behaviours is likely to have an emotional impact on the staff involved. Following such an incident the Head teacher will debrief with the member(s) of staff involved. The conversation should involve checking the well-being of the member of staff, talking through the incident and ensuring the incident has been accurately recorded, as appropriate. The affected member(s) of staff should be informed of support available to them through North Lanarkshire and their Professional Association.

Following any incident, and at an appropriate time, a member of staff who has a strong and trusted relationship with the child or young person should debrief with them. This may include the parent / carer or other agency involved with the child or young person. The conversation should involve checking the well-being of the child and talking through the incident using a solution focused approach.

***Supporting Documents***

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| ***Council business plan to 2020*** | *Support all children to realise their full potential* |
| *Related Documents**Standards in Scotland’s Schools etc. Act 2000* [*http://www.gov.scot/Resource/0051/00515736.pdf*](http://www.gov.scot/Resource/0051/00515736.pdf)*Education (Additional Support for Learning) (Scotland) Act 2004 (as amended)*[*http://www.gov.scot/Publications/2009/11/03140104/0*](http://www.gov.scot/Publications/2009/11/03140104/0)*Getting it Right for Every Child* [*http://www.gov.scot/Topics/People/Young-People/gettingitright*](http://www.gov.scot/Topics/People/Young-People/gettingitright)*Children and Young People (Scotland) Act 2014*[*http://www.legislation.gov.uk/asp/2014/8/pdfs/asp\_20140008\_en.pdf*](http://www.legislation.gov.uk/asp/2014/8/pdfs/asp_20140008_en.pdf)*United Nations Convention on the Rights of the Child (UNCRC)*[*https://www.unicef.org.uk/what-we-do/un-convention-child-rights/*](#_top)*Included Engaged and Involved Part 2 2017* [*https://www.gov.scot/binaries/content/documents/govscot/publications/advice-and-guidance/2017/06/included-engaged-involved-part-2-positive-approach-preventing-managing-school/documents/00521260-pdf/00521260-pdf/govscot%3Adocument/00521260.pdf*](https://www.gov.scot/binaries/content/documents/govscot/publications/advice-and-guidance/2017/06/included-engaged-involved-part-2-positive-approach-preventing-managing-school/documents/00521260-pdf/00521260-pdf/govscot%3Adocument/00521260.pdf)*Developing a positive whole-school ethos and culture – Relationships, Learning and Behaviour (2018)* [*https://www.gov.scot/binaries/content/documents/govscot/publications/advice-and-guidance/2018/06/developing-positive-whole-school-ethos-culture-relationships-learning-behaviour/documents/developing-positive-whole-school-ethos-culture-relationships-learning-behaviour/developing-positive-whole-school-ethos-culture-relationships-learning-behaviour/govscot%3Adocument/00537041.pdf*](https://www.gov.scot/binaries/content/documents/govscot/publications/advice-and-guidance/2018/06/developing-positive-whole-school-ethos-culture-relationships-learning-behaviour/documents/developing-positive-whole-school-ethos-culture-relationships-learning-behaviour/developing-positive-whole-school-ethos-culture-relationships-learning-behaviour/govscot%3Adocument/00537041.pdf)*No Safe Place*[*https://www.cypcs.org.uk/ufiles/No-Safe-Place.pdf*](#_top) |

*Policy Review and Development –* ***De- escalation and Physical Intervention Policy***

*June 2020 created by R Meimaroglou*

*Consultation-*

*Review annually and/or in line with advice from NLC*

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| *Date of Review:* | *Reviewed by:* | *Consulted with:* |
| *August 2021* | *Gillian Matthews* | *Staff at inservice day.* |
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