



# Guidance on the Use of Restrictive Physical Interventions for Pupils with Severe Behavioural Difficulties.

## Executive summary

Section 550A of the Education Act 1996 recognised that, in certain specific circumstances, necessary **reasonable** force can be used by teachers and others authorised by the head teacher to control or restrain pupils.

These guidelines are intended to provide clear, practical advice for LEAs and special schools on drawing up policies on the use of restrictive physical interventions. They are divided into three main areas:

- Model policy guidelines for local education authorities
- Model policy guidelines for special schools
- Advice on risk assessment and a suggested risk assessment proforma

## Further information

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LEA/0242/2002 – Guidance on the Use of Restrictive Physical Interventions for Staff Working with Children and Adults who Display Extreme Behaviour in Association with Learning Disability and/or Autistic Spectrum Disorders

# PART 1: INTRODUCTION

These guidelines have been published to assist LEAs and special schools to respond appropriately in situations where the management of pupil behaviour requires the use of restrictive physical interventions. It is DfES policy that the use of force should be avoided wherever possible. Nonetheless, there will be occasions where its use is necessary. Section 550A of the Education Act 1996 (reproduced as an Annex to this guidance) recognised that, in certain specific circumstances, necessary **reasonable** force can be used by teachers and others authorised by the head teacher to control or restrain pupils.

The guidelines for model policies are designed to be helpful but are not intended to be followed rigidly. Rather, they are designed to provide a broad structure on which policies might be based and highlight some questions and issues to be explored or clarified. There might be other questions and considerations according to local circumstances.

Assessing and managing risk is central to the process of deciding whether to use restrictive physical intervention and ensuring that it is both **reasonable** and **proportional** to the circumstances. Where it is known that a pupil is likely to present severe behavioural difficulties, a formal risk assessment will assist staff in judging the benefits and risks of any proposed intervention for staff, the pupil concerned and others. We therefore offer with this guidance a suggested format for a risk assessment proforma.

This material was commissioned by the DfES from the British Institute of Learning Disabilities (BILD) and has been developed in consultation with teachers and other professionals. We are grateful to all those who have contributed.

Although not intended to cover all forms of extreme behaviour in all settings, LEAs may wish to bring the principles set out in this guidance to the attention of mainstream schools in their areas.

# PART 2: MODEL POLICY GUIDELINES FOR LOCAL EDUCATION AUTHORITIES

## 2.1 Overview

In order to meet their responsibilities in respect of the education of pupils with behavioural difficulties, local education authorities are already required, under Section 527A of the Education Act 1996, to develop and publish behaviour support plans. Recently published DfES/ DH joint guidance (DfES guidance LEA/0242/2002) emphasised the importance of clear and consistent policies in relation to restrictive physical interventions. The following guidelines are designed to help LEAs draw up such policies where they do not already exist, or to review them where they do.

The LEA policy on the use of restrictive physical interventions should reflect an ethos of respect, care and safety in schools. It should be designed to:

- provide, together with the DfES/DH joint guidance, a framework within which schools can develop their own policies
- promote a coherent, consistent and co-ordinated approach across different schools and, where appropriate, with other agencies
- form a basis for monitoring the implementation of policies in schools
- provide advice to schools on how to monitor and evaluate their own use of restrictive physical interventions so that practice is improved both locally and across the authority.

## 2.2 Formulating a policy

It is important that the LEA policy on use of restrictive physical interventions is developed in consultation with schools, other agencies and professional bodies including local area child protection committees. The LEA should make clear the extent to which its own policy reflects collaboration within the local authority and with other agencies. The greater the degree of collaboration, the greater the sense of joint ownership and common purpose.

At the heart of the LEA policy should be the clearly stated expectation that the use of physical intervention in schools should be **reasonable** and **proportional** in the circumstances. LEA policies should comply with:

- DfEE Circular 10/98, "Section 550A of the Education Act 1996: the use of force to control or restrain pupils"
- DfES letter dated 24 April to Chief Education Officers in England, "Positive handling strategies for pupils with severe behavioural difficulties"
- joint DfES/DH guidance issued July 2002, "The use of restrictive physical interventions for staff working with children and adults who display extreme behaviour in association with learning disability and/or autistic spectrum disorder" (DfES document LEA/0242/2002, referred to here as "DfES/DH joint guidance")
- LEA behaviour support plan.

The LEA policy should identify one or more named contact points able to offer schools advice and information on physical intervention, both on a routine basis and in the event of specific incidents/emergencies.

## 2.3 Expectations of schools

The LEA policy should make explicit the issues and topics that it would like to see covered by schools making provision for pupils with extreme behaviour. These might include:

- the name of the person(s) responsible for implementing policy on restrictive physical interventions and monitoring and co-ordinating their use
- the balance required between the needs of the pupils and the needs and responsibilities of schools towards staff
- the measures to be put in place to ensure that, where physical intervention is used, it is reasonable and proportional to the circumstances
- the relevance of Health and Safety legislation, including guidance on manual handling and violence reduction in relation to staff, pupils and visitors
- the way in which schools should integrate policies on using physical intervention with policies on more general aspects of improving behaviour /a whole-school approach to improving behaviour
- how schools should communicate with parents/carers and pupils about their policies on the use of physical intervention
- the procedures which the LEA expects schools to follow when planning, implementing, monitoring, reviewing and revising their own policies.

### Issues for the LEA to address

- How will the LEA policy be introduced and disseminated to schools and relevant agencies?
- What procedures should schools follow when recording incidents<sup>1</sup> ? A consistent approach across the authority will be desirable and will aid training.
- What avenues should schools follow when reporting incidents to the LEA?
- Are schools clear as to the circumstances in which they should report incidents?
- Ensuring that reporting and recording procedures for schools are straightforward in nature and kept to a manageable level.
- How should the LEA respond to school policies and practice which are found to be at significant variance with the LEA's own policy?
- How challenging children are managed outside the school, for example on school transport.

<sup>1</sup> The basic procedures and systems for recording incidents involving the use of restrictive physical interventions that schools are expected to follow are set out in the DfES letter to Chief Education Officers dated 24 April. See also Section 11 of the DfES/DH joint guidance.

## 2.4 Supporting the policy

It is important that structures exist to assure schools that they are not alone in dealing with pupils with severely challenging behaviour and potentially dangerous situations.

As well as helping schools to draw up their own policies in the context of the LEA policy, there are a number of areas where the LEA can offer practical help.

### Issues for the LEA to address

- What help will be available to schools to ensure that policies are effective, e.g. will the LEA provide advice and support to schools after an incident involving the use of force?
- What steps can be taken to ensure that good practice is shared across the authority?
- What training and professional development is provided to school staff and to LEA personnel dealing with incidents requiring physical intervention and/or their aftermath? How are such needs identified?
- What are the most appropriate ways of introducing parents/carers and pupils to new policies, or to revised versions of existing policies. This might occur at the time a pupil is admitted to the school or be ongoing during the placement.
- More generally, what steps can be taken to secure the active support of parents/carers for both the LEA policy and the policies adopted by individual schools? Can parent partnership services help with this?

## 2.5 Monitoring the implementation of policies and their impact upon practice

Without imposing excessive administrative burdens on schools, it is important that LEAs collect a range of information in order to identify issues and trends, evaluate the effectiveness of their approach to the use of physical intervention in special schools, and the effectiveness of policies adopted by individual schools. This might include:

- how schools put into practice their policies and who co-ordinates, monitors and evaluates the process
- the extent to which schools' policies are consistent with the culture and practices the LEA wishes them to achieve whilst allowing for differences which properly reflect to the individual needs of schools (and thus aid ownership)
- to what extent the LEA policy and school policy have been shared with other providers, and the compatibility of policies on the use of restrictive physical interventions operated by other agencies
- what role governors have in the evaluation and review of the schools policies and procedures

- to what extent there is an integrated approach to training staff in the use of restrictive physical interventions across the LEA area
- how successfully schools respond to complaints.

### **Issues for the LEA to address**

- What criteria should schools use when evaluating their policies? Would schools find it helpful to have authority-wide criteria?
- Which agencies should be involved in working with schools to review and evaluate policy and practice, for example the Area Child Protection Committee, parent partnership groups and social services departments?
- Are there opportunities for sharing good policies, for example by making them available to other schools, independent and non-maintained, as well as schools in adjacent areas?
- Similarly, is there scope for LEAs in adjacent areas to develop common approaches to evaluation, share experience and perhaps collaborate, for example on training?
- If changes to the LEA policy are made, what are the implications for schools?
- What avenues do schools have to alert LEAs of problems encountered in their use of physical intervention?
- How are schools supported when discussions between an individual school and an LEA point to the need for improvements?

# PART 3: MODEL POLICY GUIDELINES FOR SPECIAL SCHOOLS

## 3.1 Overview

These guidelines are designed to help special schools to draw up policies covering the use of restrictive physical interventions with pupils with severe behavioural difficulties. A policy on restrictive physical interventions should be an integral but discrete element of the school's wider behaviour management policy. It is recommended that a policy should be organised into sections covering the following:

- introduction
- school expectations
- positive behaviour management
- risk assessment and planning for use of restrictive physical interventions
- use of restrictive physical interventions in unforeseen and emergency situations
- post-incident support
- reporting and recording use of restrictive physical interventions
- monitoring use of restrictive physical interventions
- responding to complaints
- staff training.

We consider each of these in turn in the sections below.

Each section points to good practice and identifies issues to be addressed. We hope that the guidance will be of practical assistance to schools when examining current school practice and procedures, and developing a policy suited to local circumstances. It should be possible to draw wording for school policies directly from these guidelines (by, for example, changing "the school should" to "the school will").

## 3.2 Introduction

In special schools there are children with severe behavioural difficulties who present behaviour that may necessitate the use of restrictive physical interventions to prevent injury, damage to property, or the breakdown of discipline. Section 550A of the Education Act 1996 clarifies the position about use of restrictive physical interventions by teachers and others authorised by the head teacher to control or restrain pupils. Teachers and other authorised school staff are reminded that use of physical force must be reasonable and comply with:

- DfEE Circular 10/98, "Section 550A of the Education Act 1996 : the use of force to control or restrain pupils"

- DfES letter dated 24 April 2001 to Chief Education Officers in England, "Positive handling strategies for pupils with severe behavioural difficulties"
- Joint DfES/DH guidance issued July 2002, "The use of restrictive physical interventions for staff working with children and adults who display extreme behaviour in association with learning disability and/or autistic spectrum disorder"
- Local authority policies
- LEA behaviour support plan
- School discipline and behaviour policies.

#### **Issues for schools to address**

- Which staff other than teachers will be authorised to use restrictive physical interventions in your school?
- By what process will staff be selected and authorised to use restrictive physical interventions in your school?

### **3.3 School expectations**

The use of restrictive physical interventions should always be considered within the wider context of other measures. These include establishing and maintaining good relationships with children and using diversion, defusion and negotiation to respond to difficult situations. Use of physical force that is unwarranted, excessive or punitive is not acceptable. Failure to comply with this principle, when considering or using physical force, should be dealt with under school disciplinary procedures.

#### **Issues for schools to address**

- In what situations would the school consider it appropriate for teachers and other authorised school staff to use restrictive physical interventions ?
- What kinds of actions would be viewed as using reasonable physical intervention in your school?
- What kind of actions involving use of physical intervention would be viewed as unwarranted, excessive or punitive in your school?
- What course of action will be taken in the event of staff failing to comply with this policy?



### 3.4 Positive behaviour management

All staff should adopt a positive approach to improving behaviour in order to reward effort and application, and to build self-esteem. The school should work in partnership with those who know the child to help those concerned:

- find out why this child behaves as he or she does
- understand the factors that influence this child's behaviour
- identify early warning signs that indicate foreseeable behaviours are developing.

This approach will help to ensure that early and preventative intervention is the norm. It should reduce the incidence of extreme behaviours and make sure that the use of physical force is rare.

School staff should refer to the school's behaviour policy when developing and implementing behaviour management plans<sup>2</sup>. All behaviour management plans should be formally agreed and ratified before implementing them in school. Plans should be formally recorded in accordance with school procedures and set out the action taken to:

- meet the pupil's needs
- encourage the pupil to make positive choices and develop self-control
- support the pupil in difficult situations
- safely manage crises if and when they occur.

#### Issues for schools to address

- How will the school involve parents and others who know the child in the process of developing behaviour management plans?
- What process is to be used to agree and ratify behaviour management plans for use in school?
- How are behaviour management plans to be recorded?

### 3.5 Risk assessment and planning for use of restrictive physical interventions

Schools should acknowledge that some children behave in ways that make it necessary to consider the use of restrictive physical intervention as part of a behaviour management plan. All identified behaviours necessitating use of physical intervention should be formally risk assessed: see section 4 of this guidance. The resulting risk management strategy must be compatible with a positive behaviour management approach. Planned use of physical

<sup>2</sup> Here the term "behaviour management plan" is used to refer to the measures the school has agreed to support and manage a particular child who behaves in ways that pose risk. This plan may be referred to in schools by other names, such as individual plan, support plan or care plan.

intervention must be clearly shown to be in keeping with the pupil's statement and his or her individual education plan. It should also be properly documented within school records.

All staff should be aware of the distinction between physical contact or touch, used appropriately in everyday situations to support, encourage, guide or comfort a pupil, and the use of force to restrict movement or to disengage from pupils whose behaviour presents a clear risk of injury.

Techniques and methods for controlling and restraining pupils using restrictive physical interventions must be assessed to ensure they are safe, suitable and appropriate for use with the named pupil.

They should be agreed in partnership with the pupil, his /her parents (or those with parental responsibility) and other statutory agencies working with the pupil. This is especially the case when children are looked after by the local authority, in respite care, or cared for by others with legal responsibility in order to ensure that there is a consistent approach to the use of force in and out of school.

In the event of disputes over, or concerns about, techniques and methods being considered, an interim school strategy should be agreed and the matter referred to the LEA. If necessary, adjudication might be offered by an independent officer nominated by the local Area Child Protection Committee.

### **Issues for schools to address**

- For what kinds of behaviours would the school view it necessary to consider planned use of physical intervention?
- What action does the school intend to take to assess and manage the risks presented by pupils?
- What steps does the school take to ensure that all staff coming into contact with pupils who may present a risk have necessary information on the pupil concerned?
- How will the school ensure that planned use of physical intervention is compatible with a positive approach to improving behaviour and in keeping with the pupil's statement and pastoral support plan?
- What action will the school take to assess techniques and methods for implementing planned use of physical intervention?
- Who will the school work in partnership with to agree the techniques and methods to be used to implement planned use of physical intervention?
- What process is in place for you to refer disputes or concerns to the LEA?

### 3.6 Use of restrictive physical interventions in unforeseen and emergency situations

Schools should acknowledge that, on occasion, staff may find themselves in unforeseen or emergency situations when they have no option but to use reasonable force to manage a crisis. It is recommended that:

- before using force - staff attempt to use diversion or defusion to manage the situation
- when using force - staff must use techniques and methods with which they are familiar, confident and are permitted by the school
- in exceptional circumstances (where permitted techniques are ineffective or staff are unfamiliar with the action they should take) – staff manage the situation as best they can to comply with Section 550A of the Education Act 1996.

Staff should always report and record use of physical force that occurs in unforeseen or emergency situations using school procedures.

#### Issues for schools to address

- What kinds of unforeseen or emergency situations might staff find themselves in within your school?
- What techniques and methods for implementing use of physical force to control or restrain pupils will be acknowledged as suitable for use in typical emergencies?
- What actions are staff required to take to report and record use of physical force in unforeseen and emergency situations?

### 3.7 Post-incident support

Incidents that require use of restrictive physical interventions can be upsetting to all concerned and result in injuries to the child or staff. After incidents have subsided, it is important to ensure that staff and children are given emotional support and basic first aid treatment for any injuries. Immediate action should, of course, be taken to ensure that medical help is accessed for any injuries that require other than basic first aid. All injuries should be reported and recorded in accordance with school procedures. The school should take action to report any injuries to staff or pupils in accordance with RIDDOR<sup>3</sup>.

#### Issues for schools to address

- Who will provide staff and children with support after incidents?
- Who will check for injuries, provide first aid and arrange for medical aid?
- Who will report injuries to HSE?

<sup>3</sup> RIDDOR - Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995, HSE Books, PO Box 1999, Sudbury, Suffolk, CO10 6FS. HSE website: <http://www.hse.gov.uk>  
HSE information line: 0541 545500 (HSE Information Centre, Broad Lane, Sheffield, S3 7HQ)

### **3.8 Reporting and recording use of restrictive physical interventions**

After incidents in which physical intervention is used, staff should report and record the matter in accordance with school procedures. All incidents requiring the use of physical intervention should be thoroughly and systematically documented within school records such as registers, logs, and incident books as advised in DfES letter dated 24 April 2001 to Chief Education Officers in England, "Positive handling strategies for pupils with severe behavioural difficulties". The school should take action to ensure that parents and the local authority are informed about these incidents in accordance with agreed local procedures and time scales.

#### **Issues for schools to address**

- How are incidents to be reported and recorded?
- What action will the school take to inform parents and the local authority about incidents?

### **3.9 Monitoring use of restrictive physical interventions**

Use of physical intervention in school should be monitored in order to help staff learn from experience, promote the well being of children in their care, and provide a basis for appropriate support. Monitoring can help schools to determine what specialist help is needed for children and to assess the appropriateness of the child's placement at the school. Information on trends and emerging problems should be shared within the school using local procedures. Monitoring information should be reported on a regular basis to school governors.

#### **Issues for schools to address**

- How will you monitor and evaluate the use of physical intervention?
- How will incident monitoring inform risk assessment and management?

### **3.10 Responding to complaints**

The use of restrictive physical intervention can lead to allegations of inappropriate or excessive use. In the event of a complaint being received by a school in relation to use of force by staff, the matter should be dealt with in accordance with agreed procedures for handling allegations against members of staff. Revised guidance about such procedures, prepared jointly by the National Employers Organisation for School Teachers and the six teacher unions, was published in September 2002. The document "Education Staff and Child Protection : Staff Facing an Allegation of Abuse" can be accessed electronically at <http://www.lg-employers.gov.uk/conditions/education/allegations/index.html> . Guidance about dealing with allegations is also contained in DfEE circular 10/95 "Protecting Children

from Abuse – The role of the Education Service". Schools should only take action to suspend staff subject to such allegations after careful consideration of whether this is the appropriate course of action.

#### **Issues for schools to address**

- How will complaints be investigated and by whom?

### **3.11 Staff training**

Training in physical intervention methods that are acceptable within the school is available and teachers and support staff should be encouraged to take up such opportunities<sup>4</sup>. This training is intended to help staff to link meeting children's needs with positive behaviour management. Staff involved in implementing planned use of physical intervention, as part of a behaviour management strategy within the school, should be provided with training in the range of intervention techniques they are expected to use in their day-to-day work. On successful completion of training, staff should be expected to practice their skills and periodically attend updates.

#### **Issues for schools to address**

- How will you choose training for your school and what is the training to include?
- How will staff be assessed and updated?

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<sup>4</sup> Accreditation arrangements for training providers are being established by the British Institute of Learning Disabilities (BILD), with support from the DfES and Department of Health.

# PART 4: ASSESSING AND MANAGING RISKS FOR CHILDREN WHO PRESENT CHALLENGING BEHAVIOURS

## 4.1 Introduction

The risk assessment and management proforma included in this guidance has been designed to help teachers, learning support assistants and other adults working in special schools<sup>5</sup> to improve practice in relation to the assessment and management of risk posed by pupils with severely challenging behaviour. The risk may be to the pupils themselves, other pupils, teachers, other adults or property.

## 4.2 What is meant by "risk" and "risk assessment"?

The term "risk" refers to any circumstances which could lead to adverse outcomes for the child or others. Risks may arise in relation to a number of factors, such as the health care and social support arrangements for the child; interactions between the child and his or her environment; the direct impact of behaviour(s) presented by the child; measures and interventions employed to reduce, limit or manage the risks presented to the child and others.

Risk assessment and management is a process that helps staff and others to consider risk issues, to act reasonably, and to learn from what happens in everyday practice. In the main, risk assessment and management involves:

- using what is known, in the light of experience, to make rational judgements about risk issues
- weighing up options and taking reasonable risks
- taking action to implement a range of approaches to support and safeguard children.

By working in this way it is possible to make decisions and take actions to:

- **limit the level of inherent risk** to which children and others are exposed
- **take calculated risks** to broaden the child's experience and maximise his or her individual potential
- **avoid unreasonable risks** for this child and others
- ensure that strategies used to respond to challenging behaviour are **reasonable**, and **proportionate** to the risks presented by the behaviour.

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<sup>5</sup> In this part, it is assumed that the school will apply the risk assessment and management proforma. For some pupils, it will be appropriate for the LEA to conduct the initial assessment, followed by updating by the school.

Using a structured approach to risk assessment and management will help staff to make decisions about what can reasonably be done to limit risks. At the same time it will help prepare them for times when things go wrong.

Challenging behaviours are often foreseeable, even though it may be difficult to predict exactly when they will occur or the degree of challenge they will pose. As a general rule, schools should:

- explore why children behave in ways that pose a risk
- try to understand the factors that influence the behaviour
- recognise the early warning signs that indicate that the child's behaviour is beginning to emerge, and
- develop the skills to manage difficult situations competently and sensitively.

The measures agreed for managing identified risks should be set out in an agreed behaviour management plan for the individual child. Risk assessment and management can also be used in emergency situations when unforeseen risks occur.

### 4.3 Assessing the risk

Risk assessment involves a consideration of potential and actual risk. Key steps are:

- **assessing the context for risk** - trying to predict the situations in which risks do/may occur. For example, situations where pupils might feel frustrated, pupils being near open roads, on transport or in crowded places;
- **assessing probability** - trying to estimate how likely it is that the risk situation will occur and whether any injury or harm is very likely to occur, likely to occur, or unlikely to occur
- **assessing seriousness** - trying to gauge the kind of injury and harm that could result. For example: choking, bruises, bleeding, sprains, broken bones, stress, burnout, panic attacks, nervous breakdowns and post traumatic stress disorder.

When assessed, all risks should be recorded in accordance with relevant requirements such as LEA or school policies. In the event that risks are thought to be serious for the child or others, the school may need to use formal risk assessment frameworks and tools, such as the Health and Safety Executive's "Five steps to Risk Assessment".

#### 4.4 Exploring risk reduction options

Risk reduction involves an examination of risk management options and consideration of the benefits and drawbacks of each option for the child, staff and others concerned. After weighing up the options available, some may be discarded as unsuitable. This will usually be because they have insufficient impact on the risk or have too many drawbacks. **A record should be kept of risk reduction options examined and discounted as well as those adopted for each pupil.**

Risk reduction should include:

- proactive measures to support the child effectively and prevent difficulties emerging
- early interventions to help the child in difficult situations and avert problems
- planned measures to manage the child and others safely, when unavoidable difficulties arise.

In circumstances where there are concerns that the risk reduction options being considered may themselves give rise to risk to the pupil or others, it would be prudent for schools to seek advice from other bodies. These may include:

- the Area Child Protection Committees (ACPC) for concerns in relation to children
- Health and Safety Executive for concerns in relation to school staff and others
- medical advisers
- legal advisers
- the LEA and/or social services department.

#### 4.5 Deciding risk management measures

The measures selected to prevent risks occurring, manage risks that arise and respond to injuries and harm that occur should be based upon a full appraisal of all the risk management options. In agreeing the risk management strategy, it is important to be explicit about inherent risks that continue to exist, even when the strategy is fully implemented; risks that can be reduced by implementing the strategy; and the risks that can be prevented by implementing the strategy, and any risks inherent in the strategy. The agreed risk management measures should form the basis of the child's behaviour management plan<sup>6</sup> and the school's risk management strategy. All decisions made about risk management options should be recorded in accordance with school procedures.

When selecting risk management procedures for the child's behaviour management plan and the school risk management strategy, schools should involve parents, or those with parental responsibility. Both sides benefit from such an approach; parents can examine measures for supporting their child within a broader context, while schools find out things that might

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<sup>6</sup> See footnote, page 9.



otherwise be overlooked. Professionals from other agencies should also be consulted in the process of deciding the best options to eliminate, reduce or limit the risk, without placing unreasonable restrictions on the child, children, school staff or others, or putting others at unreasonable risk. Accommodation and resources will influence the strategy employed.

In the event that there are disputes or concerns about the measures employed, it would be prudent for schools to seek advice from the people or bodies listed in the preceding section.

#### **4.6 Sharing and communicating an agreed approach**

Once agreed, the behaviour management plan and risk management strategy should be shared with all those responsible for implementing or monitoring the impact of the plan. This is important as it will help to ensure that those concerned know how children are to be supported and why, which behaviours are to be managed and how they are to be managed; and which risk reduction measures are to be employed and when.

The risk management strategy can be shared through discussion groups, meetings and circulating information. Those who should be informed include:

- the child
- his/her parents or those with parental responsibility
- members of the teaching team and other school staff
- other professionals involved with the child, child protection teams and other agencies.

Schools should keep a record of those informed about the strategy.

#### **4.7 Staff training**

Once the plan and risk management strategy have been shared with those who work with and support the child, consideration should be given to the ability of staff to implement the strategy. In particular, steps should be taken to determine what training may be required prior to implementation. This is key, because successful implementation will be dependent on staff competence and expertise. School records should show training needs identified as a result of the strategy and how training was provided to enable staff to implement it.

Where it is apparent that there are staff with significant training needs, implementation of the risk management strategy should be modified until relevant staff training has been provided. In some instances, staff training will be required as a matter of urgency so that implementation can take place without delay.

## **4.8 Evaluating impact and effectiveness**

Along with other aspects of their approach to restrictive physical intervention, schools should regularly review risk assessment and management measures. All evaluations of plans and strategies should be reported using school procedures and recorded in school records. These will make an important contribution to informing future planning and improving day-to-day practice.

## **Specimen Risk Assessment Proforma for assessing and managing foreseeable risks for children who present challenging behaviours**

This proforma can be downloaded via the  
DfES Special Educational Needs website at:  
<http://www.dfes.gov.uk/sen/viewDocument.cfm?dID=713>

# Proforma for assessing and managing foreseeable risks for children who present challenging behaviours

**Name of child** .....

**Class group** .....

**Name of teacher** .....

**School** .....

<b>Identification of Risk</b>	
Describe the foreseeable risk	
Is the risk potential or actual?	
List who is affected by the risk.	
<b>Assessment of Risk</b>	
In which situations does the risk usually occur?	
How likely it is that the risk will arise?	
If the risk arises, who is likely to be injured or hurt?	
What kinds of injuries or harm are likely to occur?	
How serious are the adverse outcomes?	

**Assessment completed by:**

.....

Signature .....

Date .....

<b>Risk Reduction Options</b>			
Measures	Possible options	Benefits	Drawbacks
Proactive interventions to prevent risk			
Early interventions to manage risk			
Reactive interventions to respond to adverse outcomes			

<b>Agreed Behaviour Management Plan &amp; School Risk Management Strategy</b>		
Focus of measures	Measures to be employed	Level of risk
Proactive interventions to prevent risks		
Early interventions to manage risks		
Reactive interventions to respond to adverse outcomes		

Agreed by:

.....

Relationship to child

.....

Date:

.....

**Communication of Behaviour Management Plan &  
School Risk Management Strategy**

Plans and strategies shared with:	Communication Method	Date Actioned

**Staff Training Issues**

Identified training needs	Training provided to meet needs	Date training completed

**Evaluation of Behaviour Management Plan &  
School Risk Management Strategy**

Measures set out	Effectiveness in supporting the child	Impact on risk
Proactive interventions to prevent risks		
Early interventions to manage risks		
Reactive interventions to respond to adverse outcomes		

**ACTIONS FOR THE FUTURE**

Plans and strategies evaluated by:

.....

Relationship to child

.....

Date:

.....

**Section 550A of the Education Act 1996****Power of members of staff to restrain pupils**

- (1) A member of the staff of a school may use, in relation to any pupil at the school, such force as is reasonable in the circumstances for the purpose of preventing the pupil from doing (or continuing to do) any of the following, namely –
- (a) committing any offence,
  - (b) causing personal injury to, or damage to the property of, any person (including the pupil himself), or
  - (c) engaging in any behaviour prejudicial to the maintenance of good order and discipline at the school or among any of its pupils, whether that behaviour occurs during a teaching session or otherwise.
- (2) Subsection (1) applies where a member of staff of a school is –
- (a) on the premises of the school, or
  - (b) elsewhere at a time when, as a member of its staff, he has lawful control or charge of the pupil concerned;

but it does not authorise anything to be done in relation to a pupil which constitutes the giving of corporal punishment within the meaning of section 548.

- (3) Subsection (1) shall not be taken to prevent any person from relying on any defence available to him otherwise than by virtue of this section.
- (4) In this section -

"member of the staff", in relation to a school, means any teacher who works at the school and any other person who, with the authority of the head teacher, has lawful control or charge of pupils at the school;

"offence" includes anything that would be an offence but for the operation of any presumption that a person under a particular age is incapable of committing an offence.





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