



**The use of physical intervention for the prevention and
management of crisis situations**

**Submission to the
Department on Education & Skills**

April 2019

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1 Introduction

The Irish Primary Principals' Network (IPPN) is the officially-recognised professional body for the leaders of Irish primary schools. Established in 1999, IPPN is an independent, not-for-profit voluntary association with a local, regional and national presence. Recognised by the Minister for Education and Skills as an official Education Partner, IPPN works with the Department of Education and Skills (DES), the National Parents' Council, management bodies, unions, education agencies, academic institutions and children's charities towards the advancement of primary education. IPPN articulates the collective knowledge and professional experience of over 6,400 Principals and Deputy Principals, leading Ireland's 3,200+ primary schools.

Most primary schools now have to deal with extreme challenging behaviour to a greater or a lesser degree, and very often do so without the experience, expertise and supports that are required. Principals and deputy principals, as the leaders of learning and as day-to-day managers of schools, have asked IPPN to highlight their concerns regarding physical intervention with the DES and to request clear guidance, training and agreed protocols. In recent years, IPPN has sought advice from the Department and the Inspectorate in relation to issues that have arisen in many schools in this regard.

It is heartening to see some progress now happening in this area and we appreciate that the guidelines will seek to address *'realistic and appropriate emergency procedures for crisis situations, involving episodes of extremely challenging or violent behaviour, causing serious risk to the student him/herself, or other students or staff members; and the supports available to students, teachers, and parents following such incidents.'* However, IPPN would strongly encourage the Department to prioritise training and support to avoid such incidents occurring, rather than ensuring supports are available after the fact.

This submission sets out IPPN's considerations and recommendations in relation to the use of physical intervention in schools. We have encouraged school leaders to respond to the DES survey so that officials will appreciate the direct impact such issues have in schools, and hear the stories directly from schools and school leaders.

We would be happy to discuss this submission in further detail if required.

2 Background and Context

Schools have embraced inclusion from the outset and have sought to provide the best possible education to enable *all* pupils to achieve their potential. Schools try to ensure that any sort of physical contact with a pupil is considered exceptional, and have policies in place to that effect. However, schools' duty of care to *all* means that, as a last resort, it may also be necessary to use physical contact to prevent or protect children from engaging in behaviours that harm themselves or others or cause significant harm to school property - in other words, 'physical intervention'. Another term that is commonly used in relation to this is "restrictive practice". These terms are often used interchangeably and, in both cases, the focus for schools is on preventative measures calculated to identify and prevent situations arising where physical intervention might be used.

Schools need guidance in relation to physical intervention similar to that provided by the DES in recent years in relation to Child Protection and Anti-Bullying. Current guidance does not go far enough and does not address the working realities of schools. Appropriate training for staff is crucial to reduce the attendant risk. Training and policy development is mandatory in *health* settings in Ireland but not in schools. It is also mandatory in Northern Ireland and Britain in *all* settings. The reality is that we are lagging very far behind in this area in Irish schools.

In the absence of clear guidance and training, IPPN engaged a number of principals of special schools – who deal with extreme challenging behaviour on a daily basis - to work with us to provide guidance, templates and advice to their fellow principals in this area. A number of them had completed training provided by UK-based experts. We have made such guidance and sample policies (e.g. positive handling plan) available on our website for other school leaders to avail of. However, we are well aware that this approach falls well short of what is needed.

To progress this issue, IPPN engaged a number of principals to develop draft guidelines and policy, which were provided to the DES and the Inspectorate in March 2015. Our understanding is that there has been an appetite to address the issues, but also some challenges to overcome, including budget constraints and legal implications which have gone as far as the Attorney General. Hopefully we are now at a point where this appetite to act will be met with intent, plans and resources.

2.1 Current Position

The current position is set out clearly in the invitation to contribute to the development of guidelines:

'The Board of Management of each school is responsible for the care and safety of all of the pupils in their school. Schools should supervise and support children who are distressed or out of control until they have recovered and are able to re-engage in the classroom. In some circumstances this may mean the temporary removal of a child from the environment where the problems have arisen. Schools are not required to report on such interventions.'

Schools owe a duty of care to all their students and any action taken in relation to managing behaviour must be proportionate. Tusla's Educational Welfare Service, under the aegis of the Minister for Children and Youth Affairs, has published guidelines for schools on Codes of Behaviour which all schools are

required by law to have in place. The guidelines advise that specialised behaviour management strategies, such as the use of restraint, should not be used without expert advice, training and monitoring. In particular, the guidelines point to certain sanctions which are regarded as inappropriate, including leaving a student in an unsupervised situation while in the care of the school. All parents must be made aware of behaviour management strategies employed by the school.

Schools may seek advice from their local National Educational Psychological Services psychologist, from the NCSE's Support Service which includes special educational needs organisers, the National Behavioural Support Service and the Special Education Support Service, as to how children with behavioural needs can best be supported in school.

A range of guidance is available for schools in relation to the management of student behaviour. The Department published Guidelines for Supporting Pupils with Behavioural, Emotional, and Social Difficulties, which is available on the Department's website, www.education.ie. The National Educational Psychological Service's document Behavioural, Emotional and Social Difficulties – A Continuum of Support also provides advice for teachers, including some advice on the use of "time out" procedures in the classroom.

Training is available for schools in relation to the provision of support for children with special educational needs from the NCSE's Regional Service. The Special Education Support Service can, as part of its designated training modules, provide guidance for schools in relation to the management of difficult behaviour.'

We concur that there is a range of supports available to schools, however, we believe that there are a number of significant deficits that need to be addressed. These are outlined in section 3 – Recommendations.

2.2 Incidence of extreme behavioural difficulties

We are not aware of any significant research in relation to the incidence of violent or extreme behavioural difficulties in Irish primary schools. Anecdotally, school leaders do report increasing levels of such behaviours, which may be partially explained by the prevalence of connected technology in the home and access to social media and online games.

In an IPPN member survey in 2012, one in five principals reported that there was an increase in violent behaviours among children enrolling in primary school, while more than half (57%) reported an increase in emotional disturbance. In the same survey, almost eight out of ten school leaders said that they were not satisfied with supports available to children presenting with Emotional and Behavioural Difficulties (EBD) in their schools.

It would be worth gathering up-to-date and comprehensive data in relation to this, to gauge the real demand for supports, training and guidance for teachers, SNAs, principals and deputy principals.

2.3 Special Schools

Special School principals highlight that additional supports are needed within their own context. Students in Special Schools, many of whom are up to 18 years old, can present with dangerous behaviours requiring a very specific response from staff who are not supported with guidance and training from the DES. These staff are often left with no option but to apply restrictive practices and, sometimes, physical restraint. In doing this, they leave themselves vulnerable to losing their jobs, their status and their reputations whilst trying to exercise their duty of care to keep others and themselves safe in school. These incidents are not occasional - there can be many incidents in a single day requiring an immediate, hands-on response. The principal is often the only person 'free' from teaching duties who can be there to help. H/she must then spend many hours ensuring that the correct post incident actions take place to safeguard all involved.

Where schools have a policy on restrictive practice and the training to go with the policy, it is considered essential to evaluate any incident that takes place in terms of: What did we do well and would do again? What would we do differently? Is what we did in line with our policy? To whom do we need to communicate outcomes of the evaluation and how will that be done? This is an important aspect that needs to be built into training for all schools using any form of restrictive practice/physical intervention.

When special school principals were asked in an IPPN survey 'Do you believe further supports are needed to alleviate behavioural issues in the classroom?', 99% of them said yes. That is the stark reality on the ground, and it is by no means limited to the special school sector.

School leaders across *all* school settings have to deal with these issues on an ongoing basis. It should be noted that it takes up a significant amount of leadership time that could be spent – *should* be spent - leading teaching and learning, if appropriate guidelines, training and adequate supports were in place.

2.4 Impact

Where schools have been in a position to put training in place for staff in relation to restrictive practices, the impact has been very positive. In such circumstances, positive handling plans have been devised for pupils who need them; incidents are monitored and appropriate follow-up actions taken where necessary. Staff have reported increased confidence, and crucially, parents know what is happening to their vulnerable child.

Interestingly, where such training and support is available, staff also report that better quality teaching and learning is taking place for all children due to calmer and safer learning environments. This will have the benefit of improving learning outcomes across all subject areas.

3 Recommendations

There is no doubt that this is a difficult, emotive area fraught with ethical and legal considerations. What is clear is that Boards of Management need help to address this properly. Our key recommendations are as follows:

1. Physical Intervention should be used as a last resort and must only ever be used for **prevention and intervention, never for sanction**.
2. Currently there are no official guidelines available for schools in relation to physical restraint/restrictive practices. Such guidelines are essential to establish **clear national standards** for addressing this area, similar to the recent processes developed for Child Protection and Anti-Bullying. The existing guidance from the DES and NEPS essentially refers to ‘managing difficult behaviour’ and says to not use physical intervention or restrictive practice without expert training. While we agree that this should be the case, the guidance does not address the working reality in schools, where repeated, severe, violent behaviours can cause serious injury and damage and must be dealt with, even in the absence of expert guidance and training. We can no longer shy away from this difficult reality.
3. The other essential element is the provision of **certified training** to the staff of schools or classes where physical interventions are required in order to keep pupils or staff safe. There are several agencies providing certified training. In Britain, it is mandatory that all school staff engaging in physical interventions must be trained in an appropriately approved system. All best practice guidelines in Ireland from the Health Information Quality Authority and the Health Service Executive cite the necessity of such training for their residential centres. It now needs to be implemented as a matter of urgency. Training currently available from the Special Education Support Service (SESS) is excellent in relation to minimizing the need for interventions, but does not address training in physical intervention/restriction when it is needed, and is therefore inadequate.
4. **Policy advice needs to apply to all schools in all settings**. These issues are not confined to special education settings or indeed to pupils with special educational needs; they affect all schools to some degree. In 2014, Minister Ruairi Quinn stated that he had requested the NCSE to prepare policy advice on Educational Provision for Children with Autistic Spectrum Disorders and that, in developing this advice, they will consult widely with parents, professionals and other stakeholders. He told us that within this consultation process the use of seclusion/withdrawal rooms would be considered. Such policy could take into account the policy guidelines developed by Cork special school principals, as outlined in APPENDIX I – DEVISING A POLICY REGARDING THE USE OF RESTRICTIVE PRACTICES/ INTERVENTIONS/ PHYSICAL RESTRAINT IN SCHOOLS.
5. Central to **best practice** is the development of a culture in all schools that aims to:
 - a. promote a culture of ‘positive handling’ throughout the school, focusing on mood management, the development of effective relationships, de-escalation, diffusion and distraction strategies
 - b. prevent and reduce the use of restrictive physical interventions

- c. manage serious incidents safely when they occur, to prevent injury to the child and others
- d. provide training and clear guidelines to staff, pupils and parents regarding the use of restrictive physical interventions, when they are necessary to keep people safe.

These are the principles that should underpin national guidelines.

- 6. All schools using any form of restrictive practice must have an agreed policy on restrictive practice. This policy should incorporate an evaluative stage in relation to any incident that takes place, in terms of:
 - a. What did we do well and would do again?
 - b. What would we do differently?
 - c. Is what we did in line with our policy?
 - d. To whom do we need to communicate outcomes of the evaluation and how will that be done?
- 7. We believe that there is a **lack of awareness of the supports** that are currently available to schools and this should be addressed as part of a review of policy.
- 8. **Additional capacity** is required within the NEPS service, to ensure that all schools seeking support can avail of it in a timely manner. There is no doubt that the quality of support provided by SESS to primary schools to date has been excellent, but there is insufficient capacity. It is crucial that the new NCSE support service, through their ten regional teams, be equipped to provide **immediate support** to principals and schools who are trying to cope with extreme challenging behaviours.
- 9. Where training in physical intervention/restrictive practice identifies **equipment and other resources to safely implement the practices** being trained, these must be made available to schools, along with the relevant certifications.

4 DES Online Survey Responses

The following are the responses IPPN made to the online survey.

Please tell us your interest in taking part in this questionnaire?

IPPN is the officially-recognised professional body for the leaders of Irish primary schools. It is an independent, not-for-profit voluntary association with a local, regional and national presence. Recognised by the Minister for Education as an official Education Partner, IPPN works with the DES, the National Parents' Council, management bodies, unions, education agencies, academic institutions and children's charities towards the advancement of primary education. IPPN articulates the collective knowledge and professional experience of over 6,500 Principals and Deputy Principals.

What can schools do to prevent crisis student behaviours occurring?

All schools should be provided with training from SESS in this area – such specialist skills would need to be developed among school staff as this is not part of student teacher studies.

In your view, are there circumstances when school staff should ever use physical intervention to prevent and manage crisis student behaviours in schools?

Yes, there are circumstances that would require staff to use physical intervention, to prevent injury to others as well as damage to property.

In what situations do you think physical intervention is appropriate in schools?

Where there is severe, violent behaviour, whether repeated or otherwise, that would cause risk of injury to life or property.

What physical intervention should be used to manage or prevent student crisis behaviour?

This can only be determined through national policy, expert guidance and training.

In your view, are there circumstances when school staff should ever use any form of physical isolation to prevent and manage crisis student behaviours?

Only where this is considered to be appropriate to mitigate the risks of or actual harm. The term 'isolation' has negative connotations. The reality is that it is about providing a space that is safe and quiet and has been promoted as a positive place familiar to children and not just those requiring such a space on a regular basis (e.g. sensory breaks).

6. In your view, are there circumstances when school staff should ever use any form of physical isolation to prevent and manage crisis student behaviours?

Yes, there are likely to be circumstances/scenarios where physical isolation would be required to manage or prevent crisis situations.

7. In what situations do you feel physical isolation should be used by schools?

Where this is deemed by experts to be an appropriate response. Specific guidance is essential in this regard.

8. How should physical isolation be used to manage and prevent crisis student behaviour?

As with all physical interventions/restrictive practices, physical isolation should be used only where other responses have failed to prevent or manage a crisis situation. There may be circumstances where the child would feel more calm by being physically removed from a difficult situation and placed in a safe, calm, quiet space for a period. As stated above, specific guidance is essential in this regard.

5 Conclusion

We hope that any forthcoming policy guidelines from the DES will be applicable to all and will outline clear mechanisms for schools to access skills training that is appropriate to their differing working realities. We also hope that this process will be given due priority so that schools can move forward with confidence, in the knowledge that they are acting in the best interests of all children in their care.

APPENDIX I – DEVISING A POLICY REGARDING THE USE OF RESTRICTIVE PRACTICES/ INTERVENTIONS/ PHYSICAL RESTRAINT IN SCHOOLS

GOOD PRACTICE GUIDELINES, COMPILED BY CORK SPECIAL SCHOOL PRINCIPALS

1. The policy on the use of restrictive practices/physical interventions/restraint and or seclusion should be consistent with the schools' Codes of Behaviour, Child Protection, Anti Bullying and Health and Safety policies.
2. The policy should be ratified formally by the BOM following a consultative process involving all stakeholders – parents/guardians, staff, pupils where relevant, patron.
3. The policy should describe the kinds of circumstances that schools regard as justification for the use of restrictions, for example – to prevent injury to others; to prevent serious damage to school property; to prevent absconding; to prevent a crime. All staff should know what is authorised and what is not.
4. Schools should avoid having a 'no contact policy' because this may hinder staff who need to physically intervene to keep someone safe e.g. breaking up a fight, disengaging from a hair pull.
5. The policy should take appropriate account of 'fragile' pupils or those with SEN or other disabilities. This is particularly important for pupils whose ability to understand what is happening is limited. The expectations of staff must be modified accordingly. Account must also be taken of pupils from cultures where the use of touch on some areas of the body may be a sensitive issue.
6. Individual Positive Handling Plans should be devised for those pupils who are assessed as being at greatest risk of needing restrictive physical interventions. These plans should be devised in consultation with parents and the pupil where appropriate. The plan should be short and user friendly to maximise the chances of it being a successful working document. A suggested framework is available in Appendix B.
7. Appropriate, approved, certified training should be provided to staff in situations where restrictive physical interventions are recommended.
8. The following principles should be employed by staff who are considering using a restrictive physical intervention
 - best interests of the child
 - maximum care, minimum force
 - reasonable, proportionate and necessary
 - only for reasons of safety (never for sanction, punishment or convenience)
 - part of an agreed plan with parents and the pupil where appropriate
 - reviewed regularly with a view to reducing the need for the intervention
9. Incidents where restrictive physical interventions are used should be recorded (suggested format in Appendix C) and communicated to parents/guardians in a pre-agreed format – meeting, phone, email, letter etc. These should be retained according to the school's Record Retention Policy.
10. When developing a policy (see sample Appendix A), management should consider the following questions:
 - Are the relevant staff members adequately trained in an approved certified system? Is this training updated as per guidelines?
 - Who has oversight of the use of Restrictive Practices in the school?

- Who is promoting a culture of reducing the use of Restrictive Practices?
- Who is ensuring that parents/guardians are informed?
- How and to whom will the policy be communicated?
- How are unforeseen or emergency situations handled?
- Could staff confuse 'safeguarding' with discipline?