



# The Livity School

## Restrictive Physical Intervention

### Guidance Document

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## **1. Introduction**

At The Livity School we cater for a range of children and young people who have significant special needs including social and communication difficulties, autism and other conditions. We recognise that these difficulties can significantly affect how a person perceives and is able to interact with the world around them. We understand that at times, this can mean that our pupils act out in a way that could pose a risk of harm to themselves or others to get their needs met and voices heard.

At The Livity School we recognise that behaviour is a form of communication and a signal for support. We understand that our pupils are vulnerable, and we aim to ensure that every child and young person is recognised as an individual person, putting them at the centre of their support and providing them with choice and control of their lives. We respect that there are variables which can impact on a person's wellbeing, such as medical needs, sensory impairments, relationships and history of trauma or neglect.

We aim to support our pupils to have control over their lives and develop the skills they need in communication and daily living tasks that could them become independent for their future. We aim to have a positive relationship of trust with all our pupils through a nurturing and structured approach to learning and the school day.

This policy is part of the whole school approach to ensure our arrangements to safeguard and promote the welfare of children is line with our statutory duties set out in s175 of the Education Act 2002 and contributes to the delivery of outcomes for all children as set out in s10(2) of the Children Act 2004.

The rights and dignity of all pupils at The Livity School must always be at the heart of all our decisions and actions to manage behaviour. Any restrictive practice we use will be with a view to keeping the individual pupil and others safe. We will aim to support the pupil to not only recover self-control, but also acquire alternative adaptive behaviours, which over time will decrease the level of intervention needed.



## **This guidance should be read in conjunction with The Livity School Behaviour Policy.**

Some of our children and young people with special educational needs can behave in ways that others find challenging and which on some occasions, may be dangerous; potentially resulting in harm to the pupil displaying the behaviour, peers, staff or public. Such behaviours may initially appear to be unpredictable and can be frightening for all concerned including the pupil displaying the behaviour.

There are a variety of approaches and strategies that can be used to prevent situations from developing into incidents likely to cause harm such as de-escalation and other examples of positive behaviour support. These must be detailed on the pupil's personal behaviour support plan.

As a **last resort** it may be necessary to use a strategy that includes restrictive practice. We will only ever use restrictive practice to maintain the welfare and safety of the pupils we support and others. Staff will be trained in approved techniques through Team Teach and any unplanned interventions outside of a pupil's individual plan will be investigated by school leaders to ensure that the action taken was proportionate and applicable at the time to prevent harm to the individual and/or others.

### **2. Purpose**

Our purpose for this guidance at The Livity School :

- To state The Livity School's approach towards restrictive practice(s) within the relevant legal framework and safeguarding our pupil's welfare.
- To give guidance to staff to enable time to be clear as to what forms of restrictive practice are permissible and when and how they should be considered.
- To give clear guidance to staff about which forms of restrictive practices are never acceptable and the reasons for this.
- To ensure that the use of restrictive practices are minimised and clear reductions plans, and strategies exist for the individuals where restrictive practice is necessary.
- To outline the monitoring arrangements for any restrictive practice(s) used for any pupil at any point in time.

### **3. The Legal Context**

The British Institute of Learning Disabilities (BILD) define a restrictive practice as:

***'The implementation of any practice or practices that restrict an individual's***



***movement, liberty and freedom to act independently without coercion or consequence. Restrictive practices are highly coercive actions that are deliberately enacted to prevent a person from pursuing a particular course of action'*** -BILD Code of Practice 4<sup>th</sup> Edition

The law recognises that there are situations where some restrictive practice is necessary as an act of care. Where someone takes on a caring role, they owe a '**duty of care**' to that person. This means that the person must do what is reasonable to protect the pupil from reasonably foreseeable harm. If a pupil's actions could put them or others at significant risk, staff have a duty of care to respond positively, which might include as a last resort, restraining the pupil to prevent harm.

To ensure that we follow best practice when managing signs of stress and physically challenging behaviour, we follow and adhere to the guidance within the **BILD Code of practice for minimising the use of restrictive physical interventions: planning, developing, and delivering training – Social Care Online**.

A restrictive practice is only justified in law where there is a presence of clear and immediate danger. The term 'immediate' in this context refers to seconds as opposed to minutes. It does not justify action taken to prevent possible danger unless incident data clearly shows that a given behaviour or cue quickly results in escalation to a dangerous level, in which case a planned intervention may be justified in the short term. As well as the presence of clear and immediate danger staff must also be able to demonstrate that all other available least restrictive options have been tried and failed before the use of restrictive intervention. Our staff will evidence that there was no other alternative at the time.

As well as the duty of care, the principle of **Best Interest** applies. A member of staff must demonstrate that in the presence of clear and immediate danger they have considered all available alternatives and acted in the best interests of the student. They will consider that to not act could result in greater harm and does not use unreasonable or excessive force. This ensures that we have complied with the law.

**Reasonable and Proportionate** Any force used must be reasonable and proportionate. Reasonable will be in that it was the minimum force required to prevent injury and proportionate in that it is not excessive given the seriousness and likely harmful consequences of the pupil's behaviour. As with all the support and care we provide our pupils we will make decisions based on the best available knowledge at the time.

A useful concept to bear in mind when carrying out any restrictive practice is social validity. During any restrictive practice we should be conscious of both how our intervention may be perceived to others not involved in the



interaction and how we would like ourselves, family members or friends to be interacted with in similar circumstances.

All staff will be familiar with the statutory guidance for schools on the **Use of Force in Schools (2013)**. When working with children with SEND, all staff should have a full working knowledge of the **Reducing the Need for Restraining and Physical Intervention with Children with SEND (2019)**.

**Keeping Children Safe in Education 2022** highlights that there are circumstances when it is appropriate for staff in schools and colleges to use reasonable force to safeguarding children and young people.

#### **4. Restrictive Physical Interventions – Practice Expectations**

All our pupils who require any form of behaviour intervention will have this recorded in their individual behaviour support plan. This will provide detailed information relating to all aspects of a pupil's behaviour and how best to support them. The plan is shared with parents and carers and other professionals as required. All staff working with our pupils will be highly familiar with the individual pupil's plans.

A behaviour support plan will set out the proactive and responsive strategies that are to be followed by adults supporting the student to maintain positive behaviour for learning and reduce the risk of harm to themselves or others. Part of this responsive plan may include restrictive practices where necessary and deemed in the pupil's best interests. Where a pupil has the capacity to consent then we will support them to evidence their agreement on the PPSP. Where the student does not have capacity to consent the plan must be agreed by the parent or carers.

Restrictive practices can take several forms and may not always involve direct physical contact but include environmental restraint, such as the holding of doors or blocking access or exit. Restrictive practices can be categorised as planned or unplanned practices:

**Planned restrictive practice** – prearranged interventions clearly recorded in the behaviour support plan are as a graded response to identified risks. These interventions will follow Team Teach approved techniques and staff will be fully trained to carry out these interventions based on the needs of the individual pupil. They will be agreed as being in the pupil's best interests and as the least restrictive intervention and used for the least amount of time possible (when the present and immediate danger has passed).

Any use of a planned restrictive practice will be recorded and monitored by school leaders. Parents/carers must be informed on the same day of any restrictive practice used.



**Unplanned restrictive practice** – is an action used in response to unforeseen hazardous events such as pupil who is being supported is about to run out in front of a car and there is **no other alternative**. The use of an unplanned restrictive practice will be recorded and monitored by school leaders every day. Parents/carers must be informed on the same day.

Wherever possible, an unplanned response will be responded to with Team Teach approved techniques. In an emergency, if this was not practicable, but an intervention is urgently required to prevent significant harm to the pupil or others, staff will follow the legal principles set out at the start of this guidance by providing a reasonable and proportionate response to the situation they are presented with, and only when all other options have been explored where and when possible.

When unplanned or unintentional incidents of restrictive practice occur, they will always be recorded, there will be an opportunity for pupils and staff to debrief, followed by a class team reflective session with the Inclusion Team/SLT to ensure that the possibility of reoccurrence is planned for in the pupil's plan alongside proactive strategies used to reduce the need for such intervention over time.

## **5. Recording, reporting, and monitoring**

For any incident involving the use of restrictive practice, a record must be completed as soon as practicably possible with the Inclusion Team and always on the same day with the parents/carers informed.

This record will be monitored and signed off by the senior leadership team on the day of the event.

An accident record must be completed if there is any injury to the pupil or staff and should be signed off by school leaders.

School leaders will prepare reports for the leadership team and Governing Body to enable challenge and support in line with this guidance and other relevant policies and expected practice to ensure The Livity School:

- Keep all children safe.
- Support staff welfare and safety.
- Manage behaviour that challenges effectively.
- Ensure the maintenance of the highest standards of staff conduct.



## 6. Unacceptable and Dangerous Intervention

The Livity School has a zero-tolerance policy of any interventions that are unacceptable, dangerous or both. Any intervention considered to fall within this remit will be immediately referred to the relevant agencies including the Local Authority Designated Officer. There are several interventions that are either unacceptable, dangerous or both such as:

- Any restraint using the locking of joints.
- Any restraint using pain to achieve compliance.
- Any restraint that involves forcing the head forward onto the chest area .
- Any restraint that puts pressure on the abdomen or chest area.
- The Team Teach “T-Wrap” technique will **NOT** be used at The Livity School.

All staff will remain aware that particular care is taken with any physical practice involving a pupil with underlying health conditions. When assessing the needs of any individual who requires the use of restrictive practice as part of their support plan, it is essential that advice is sought from relevant medical professionals around the use of such practices for the individual pupil.

Medical attention must be sought if a restrictive practice has been used to support someone with underlying health issues.

## 7. Use of Seclusion

Under the Children Act 1989 any practice or measure, such as ‘time out’ or seclusion which prevents a child from leaving a room or building of their own free will may be deemed a restriction of liberty. The Livity School do not use seclusion of any kind as a planned intervention. In exceptional circumstances we may use seclusion for a short period of time when all other options may present a risk of injury for all involved. For example – holding the classroom door to prevent a pupil from hurting another pupil or staff member. The senior member of staff will risk assess the situation and end the temporary seclusion as soon as possible whilst maintain the safety of all involved.

If a seclusion occurs, details will be recorded on the school system and signed off by school leaders on the same day. Parents/carers will be informed on the same day.



## 8. Principles for the use of restrictive practice

- Staff will always act in a measured way when faced with behaviour that is potentially dangerous to the pupil and others. They will always bear in mind their duty to try and keep the pupils we support, staff and themselves safe.
- Any restrictive practice used will be proportionate to the risk of harm presented and the seriousness of that harm.
- Wherever possible, pupils will be supported to engage in any discussions about the use of restrictive practice. We will work with the pupil's communication needs to encourage their involvement.
- Under no circumstances should any use of restrictive practice result in pain or pressure on the joints.
- Staff will, wherever possible consult and collaborate with colleagues. The person who is most familiar with the pupils should take the lead.
- Staff will always explore possible alternatives – for example restrictive practice should not be used when a change of staff could have meant it was not necessary.
- Except in an emergency, all restrictive practices will be undertaken using only approved techniques by staff trained to use them.
- Care will be taken regarding the use of restrictive practice when a pupil we support is engaging in self-injurious behaviour. A full risk assessment needs to inform the strategy to support pupils who engage in self-injurious behaviour. Only agreed, trained practices can be used as last resort and only when it has been agreed that more harm will result from not using these interventions.
- After any restrictive practice a senior leader who has not been involved in the intervention will check the child for any injuries or signs of potential injuries.

## 9. Debriefing

In the context of this guidance, debriefing is an opportunity for the pupil and staff involved to reflect on the incident after it has occurred. The opportunity to discuss the reasons why the incident escalated, and the emotional and physical impact that the incident had on all involved.

Debriefing is not about analysing the individuals involved and should allow the individuals to speak freely and openly about how the incident made them feel and to move forwards from the incident.



Debriefing must always take place on the same day as the incident. It is strongly encouraged that all staff involved participate. The pupil involved has the right to refuse to engage in the debrief but should be encouraged to participate as much as possible. The debrief should be recorded on the school system and senior leaders will promote and monitor the effectiveness of the debrief process.

## **10. Whistleblowing**

All staff at The Livity School have a duty to voice any concerns over practice. Please refer to the Whistleblowing Policy for further information.

**This policy was approved by the Governing Body on: 3<sup>rd</sup> May 2023**

**Review Date: May 2024**