

# Education, Children and Families Committee

10am, Tuesday, 6 October 2015

## Physical Contact and Physical Intervention

Item number	8.11
Report number	
Executive/routine	
Wards	All

### Executive summary

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This report outlines the purpose of the new procedure and sets out the context for its use, by head teachers and staff, within the City of Edinburgh Council's special schools, special classes and [Additional Support for Learning Service](#) (ASL Service).

Links to the procedure and appendices are provided at the end of this report.

The procedure clearly sets out parameters for head teachers and staff to work safely and appropriately in these sensitive and exacting aspects of their daily work, as an integral part of the child's or young person's plan.

The guidance presumes that all head teachers and staff take an anticipatory and preventative approach, adopting early and least intrusive and consensual approaches to meeting needs and managing safe and productive environments for learning.

The procedure is underpinned by the fundamental principles, as outlined in the [Children and Families Department & Partnership Agencies Better Relationships, Better Learning, Better Behaviour Strategy and Better Relationships, Better Learning, Better Behaviour Procedure](#), of fostering and sustaining good relationships between staff and children and young people within a positive ethos and a climate of mutual respect and trust based on shared values.

### Links

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Coalition pledges	<a href="#">P1</a>
Council outcomes	<a href="#">CO1, CO2, CO3 and CO6</a>
Single Outcome Agreement	<a href="#">SO3</a>

## Physical Contact and Physical Intervention

### Recommendations

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- 1.1 It is recommended that the procedure be implemented within special schools, special classes and the ASL Service.

### Background

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- 2.1 This report acknowledges that consistently using physical contact and physical intervention in a positive and safe way is required to foster good relationships with our children and young people. This can be an exacting responsibility for staff, particularly when children may be displaying intense emotional reactions.
- 2.2 In addition, staff have a responsibility to acquire knowledge of the procedure and its agreed application in their own school or service.
- 2.3 This report also acknowledges that head teachers have a vital role to play in ensuring the guidance is consistently and fairly applied through associated working practices as outlined their school or service plans.

### Main report

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- 3.1 The procedure outlines the Support to Children and Young People (SCYP) approach and aims to support head teachers and staff, working in special schools, special classes and the ASL Service, in all aspects of the child's or young person's education and care provision.
- 3.2 Accordingly, in recognising the broad spectrum of children's needs across special schools, special classes and the ASL Service, the procedure provides an overarching SCYP perspective on key principles and methodology to be adopted and practised across the range of circumstances that may be anticipated with our provision, in the positive and safe way required, so that good relationships with our children and young people are maintained.
- 3.3 The procedure outlines roles and responsibilities for head teachers, staff, children and young people and parents/carers in the context of relevant legislation /best practice and the duty of care to ensure the health and safety of children and staff.
- 3.4 SCYP recognises that no procedure regarding the use of physical contact and physical intervention can be totally comprehensive, such that every conceivable

situation arising in the real world is covered and staff will be required to exercise professional judgement in seeking the least intrusive measures and appropriate to any specific circumstances.

- 3.5 The procedure also provides head teachers and staff with a range of tools to assess, manage, record and report situations where physical contact and physical intervention has been used.

## Measures of success

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- 4.1 The procedure aims to ensure consistency of fair and appropriate practice by head teachers and staff, ensuring a safe and secure environment for children and young people, thereby promoting better relationships, better learning and better behaviour.

## Financial impact

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- 5.1 There are no direct financial implications arising from this report.

## Risk, policy, compliance and governance impact

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- 6.1 The guidance presumes that all head teachers and staff take an anticipatory and preventative approach, adopting early and least intrusive and consensual approaches to meeting needs and managing safe and productive environments for learning. In doing so staff are expected to use the least intrusive intervention consistent with the safety of children and young people and themselves.
- 6.2 The procedure emphasises that staff:
  - 6.2.1 Must still have justifiable reason to use physical contact or physical intervention on a regular basis which must be approved for the child or young person in their individual plan;
  - 6.2.2 Should be aware that all forms of physical contact and intervention can result in the possibility of claims of inappropriate use e.g. by parents/carers or other external agencies. Staff must therefore ensure that such use is appropriate to the situation, is within prescribed limits and is for as short a timescale as possible.
- 6.3 The procedure recognises that there will be rare occasions in which staff have to make decisions or take action in the child's or young person's best interests that could contravene this guidance or where no guidance exists.
- 6.4 Individual staff are expected to make judgments about their behaviour and actions in order to secure the best interest and welfare of the child in their charge. In doing so there is greater propensity for any appropriate actions taken, deemed as reasonable.

## Equalities impact

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- 7.1 The use of clear and structured guidance and consistency of practice will further promote equality of access to the curriculum for children and young people with a range of complex additional support needs.

## Sustainability impact

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- 8.1 There are no adverse environmental impacts arising from this report.

## Consultation and engagement

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- 9.1 A comprehensive programme of consultation and engagement has been carried out including special head teachers and staff; parents/carers and professional agencies.
- 9.2 The implementation of Procedure, subject to Committee approval will be supported by a programme of engagement and staff training as required.
- 9.3 Feedback will be actively sought on the procedure once implemented to ensure the guidance meets the needs of head teachers, staff and children and young people.

## Background reading/external references

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[Better Relationships, Better Learning, Better Behaviour Policy and Procedures, Report to Education, Children and Families Committee, 6 October 2015](#)

[Physical Contact and Physical Intervention – Special Schools, Special Classes and Additional Support for Learning Service – Procedure](#)

[Physical Contact and Physical Intervention Appendices:](#)

- [Appendix 1: Use of Physical Presence – Further Guidance and Examples](#)
- [Appendix 2: Use of Physical Contact – Further Guidance and Examples](#)
- [Appendix 3: Use of Reasonable Force: Legal Considerations and Use in Practice – Further Guidance and Examples](#)
- [Appendix 4: Use of Safe Spaces – Further Guidance and Examples](#)
- [Appendix 5: Use of Mechanical Aids and Restraint – Further Guidance and Examples](#)
- [Appendix 6: Behaviour Risk Assessment Toolkit](#)
- [Appendix 7: Behaviour Risk Assessment Forms](#)
- [Appendix 8: Using the 'SHE' Health and Safety System to Record/Report Incidents](#)

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## Links

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<b>Coalition pledges</b>	P1 Increase support for vulnerable children, including help for families so that fewer go into care
<b>Council outcomes</b>	CO1 - Our children have the best start in life, are able to make and sustain relationships and are ready to succeed. CO2 - Our children and young people are successful learners, confident individuals and responsible citizens making a positive contribution to their communities. CO3 - Our children and young people at risk, or with a disability, have improved life chances. CO6 - Our children and young people's outcomes are not determined by poverty and inequality.
<b>Single Outcome Agreement Appendices</b>	SO3 - Edinburgh's children and young people enjoy their childhood and fulfil their potential