

Catch22 Independent Schools Policy

Physical Intervention Policy

Catch22 Include Norfolk

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This policy will be reviewed annually.

Catch22 reserves the right to amend this policy, following consultation, where appropriate.

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Date created:	March 2020
Date of last review:	August 2025
Date of next review:	September 2027
Catch22 group, entity, hub:	Catch22 Education
4Policies level (all staff or managers only)	All Education Staff

Catch 22 MAT and Independent Schools

Education Intent Statement

Catch22's Vision:

To deliver better social outcomes through transforming public service through the 3Ps:

Place

Supporting people to find, retain, transition safely into homes and communities

Purpose

Working with people to achieve their purpose in education, employment or training

People

Building networks of people around individuals

Our Education Mission:

To enable young people to progress and succeed in sustained education, training or employment.

We do this through engaging young **people** positively with their **purpose** through learning and future life aspirations. All our pupils achieve positive outcomes, thrive and enjoy a quality education that is delivered by skilled, passionate **people** with high expectations in a **place** that is safe, high quality and appropriate.

Our schools and academies cater for young people aged 4-16 who are outside of mainstream education, many of whom have troubled and challenging backgrounds. We embody our vision in all we do to ensure our pupils are supported fully to achieve these goals.

Our Educational Intent:

	Evidenced in this policy?
Brilliant basics, magic moments - Support pupils to gain academic qualifications, experiences and the skills needed to move successfully to the next stage in life. - Provide a values-based curriculum, working with pupils to build their spiritual, moral, social and cultural capital and personal development	✓ throughout x
Relationships beat structures Treat pupils as individuals and help them to build bright futures in both	

their personal and professional lives	✓ throughout
Things about you, built with you, are for you	
• Understand pupils' unique needs and help them overcome their barriers to learning	✓ throughout
• Engage pupils with a broad and rich curriculum so they can realise their ambitions	X
• Make our pupils' voices heard and harness participation to benefit pupils and help our schools to improve.	✓ 3.3.7
Unleash Greatness	
• Have high aspirations for our pupils so they leave us prepared for life in modern Britain and the wider world.	X
• Instil belief in pupils so they can progress and succeed in education, training and employment	X
Let robots be robots and humans be human	
• Ensure pupils have a rounded understanding of themselves and the world around them.	✓ 3.3.7
• Harness curiosity and nurture a love of learning.	X
• Support and protect our pupils to be safe and feel safe online and offline.	✓ 3.3.1 - 3.3;5
Incubate, accelerate, amplify	
Embrace the values of 'Rights Respecting Schools' (<i>art. 3,12,19,28,37</i>); helping pupils thrive as individuals both as members of their school and the wider community.	✓ 3.3.3 - 3.3.8

1. What is the policy about?

This policy has been developed to outline best practice in relation to staff's physical interventions with children and young people across all Catch22 Education provisions, and within the context of child protection procedures and policies and Government guidance.

The policy is an essential part of Catch22 Education's commitment to create and maintain safety for all children, adults, the learning environment and property.

This Physical Intervention Policy:

- Outlines Catch22 Education's rationale and expectations of using Physical Intervention with children and young people attending Catch22 MAT and Independent schools (pupils).
- Sets out the legal framework regarding any physical intervention with pupils in Catch22 Education settings.
- Provides guidance regarding choosing when to physically intervene and which interventions staff are trained to use.
- Specifies the training and reporting procedures required by all staff.

2. Who does this policy apply to?

All staff working within Catch22 schools and academies, volunteers and parents.

3. Policy requirements

3.1 Rationale & Expectations

Physical contact is an important part of everyday human life. At Catch22 Education we model positive behaviour and support our pupils to interact with each other, staff and members of the community safely and purposefully.

Our practice is designed to meet the needs of our pupils, many of them with recognised Special Educational Needs (SEN), extensive barriers for learning and/or experiences of failure and rejection in their previous schools.

Staff in our academy are committed to creating and maintaining safe learning environments to both safeguard pupils and maximise their sense of safety. However, at times, the difficulties of our pupils to articulate and contain strong emotions will leave them dysregulated and could manifest as unsafe and harmful behaviour. At times, signs of safety and verbal interventions by staff will not suffice to reduce the risks and they will decide to use a physical intervention.

All relevant staff in our schools and academies are trained in Physical Intervention by an ICM (Institute for Conflict Management)/Bild ACT accredited provider. In addition, our ethos is underpinned by the Trauma Informed approach¹ and our robust reflective and quality assurance procedures.

It is expected that Physical Intervention is discussed and pre-agreed as part of a pupil's Behaviour Support Plan to guide any staff response in incidents of crisis and distress.

Any physical intervention must be deemed necessary, reasonable, proportionate and in the child's best interest.

Corporal punishment is not permitted and is illegal in all circumstances; we prohibit and prevent **unsafe** physical interventions (as detailed in para. 3.3.2).

3.2 The Legal Framework – Use of Reasonable force, what it means and who can use it

- The Children's Act - staff will always follow the principles enshrined in this act, whereby the safety and wellbeing of children is paramount. Staff will act in accordance with the 'best interests' principle - honestly and in good faith to protect what they perceive is the best interests of the child/children (Legislation UK, 1989).

¹ as articulated by TISUK - recent neurobiological research and other empirical studies relating to attachment, child development and learning - that identify physical contact as a positive contribution to emotional regulation, mental health and the development of self-regulation and pre-social skills.

- Behaviour and Discipline in Schools (DFE-00023-2014, 2016)
- Use of Reasonable Force (DFE 00295-2013, 2015)
- Improving Guidance on Managing Risk and Restraint in Children's Services (Bernard Allen, 2014)

'Harm' and 'welfare' are broad terms that include the physical, mental and emotional. In many cases staff members will be assessing different types of harm occurring simultaneously to ascertain the best way to intervene in order to safeguard the welfare of everyone in the learning environment. The decision to physically intervene is a professional judgement based on the dynamic risk assessment of staff members responsible for pupils when an incident occurs. This decision will be based on this policy's guidelines and the circumstantial factors, in addition to being informed by the risks of using, or not using, physical intervention.

All members of school staff have a legal power to use reasonable force where necessary. However, it will only be used when the criteria outlined in this policy (including appendices) have been satisfied. Ultimately, a member of staff who takes the decision to use physical intervention in the best interests of the child/young person will be expected to be able to answer:

- Why was it necessary?
- How was it reasonable?
- How was it proportionate?
- Was it in the child's best interest?

'Physical intervention' is a distinct form of using reasonable force and is categorised in two forms of practice:

i. Planned Physical Intervention –

Individual pupils assessed as likely to require planned physical intervention due to their specific needs will have specific strategies and techniques detailed in their Behaviour Support Plan and Risk Assessments². These will be agreed in consultation with the school,

² Behaviour Support Plan & Risk Assessment (See Appendix 2)

parents/carers, and the pupil and will be applied accordingly.

Physical intervention to reassure, guide or prompt without resistance from the pupil; in which a member of staff uses force intentionally for the purpose of containing and soothing a child's strong emotions, and/or where it is used to support a pupil through reassurance and regulation at an early opportunity³.

ii. Emergency Physical Intervention –

Physical intervention applied to restrain or control the pupil against their resistance; in which a member of staff uses force intentionally for the purpose of restricting a pupil's movement against their will. Restraint means to hold back physically or to bring a pupil under control and is used in extreme circumstances where the physical safety of the pupil or another is in question.

Staff should accept that pupils might resist physical intervention. Whilst this will be addressed and acknowledged as harmful, it will not be considered as assault on staff.

3.3 Deciding to Physically Intervene

3.3.1 Physical Intervention:

All staff (unless the Headteacher states otherwise) have responsibility for the pupils, at all times, in school or elsewhere under the charge of a teacher, including times when on school visits and activities outside school. The choice to use physical intervention will be made with paramount consideration to the safeguarding and welfare of all pupils, and visitors.

All relevant staff members will be trained with specific physical interventions methods and building safety/de-escalation strategies.

Staff will be able to demonstrate how their decision to use a physical intervention was necessary, reasonable and proportionate in the circumstances.

³ (see Appendix 1)

DFE 00295-2013 permits all staff to use reasonable force; DFE 00295-2013 States it is not illegal to touch a pupil; DFE 00295-2013 offers examples of acceptable use

Any decision to physically intervene must consider the following:

- The pupil's age, any special educational needs or disability, and any religious requirements affecting them in balance with any perceived harm they may be causing.
- The use of force must not compromise the pupil's safety and must be relevant to the incident.

The school must make clear to pupils and parents the reasons that led to a decision to physically intervene, both immediately and before the pupil returns home wherever possible. However, a school or academy does not require parental/carers consent to use reasonable force.

Staff should always try to avoid acting in a way that might cause injury, but in extreme cases it may not always be possible to avoid injuring a pupil.

In those incidents, staff might physically intervene with someone who is actively:

- resisting, to prevent them putting themselves and others at risk of harm;
- resisting, in order to reduce risk of pain or injury;
- resisting, in order to prevent commission of an offence;
- resisting movement into a reduced risk environment;
- seeking to move into an increased risk environment.

3.3.2 Physical intervention that is NOT safe

All staff are informed and supported to be fully cognisant of physical intervention that is an abuse of their position of power, invasive, or which could be confusing, traumatising and/or could be experienced as erotic in any way⁴.

It is unacceptable⁵ for staff members to:

- Use physical intervention to meet their own needs and/or for their own reassurance;
- Use physical intervention as a form of punishment;
- Use physical intervention that replicates an element of a pupil's traumatic past;
- Use physical intervention that the pupil experiences as unwanted, uncomfortable, or invasive (except in the use of Emergency physical intervention where safety is paramount);
- Make contact in the following areas: genitals, chest/breast or bottom, except for the purposes of providing intimate care in accordance to the Intimate Care Policy.
- Hold in order to obtain submission or dominance over the child/young person rather than to keep them and/or others safe.

Younger children or children with complex needs may initiate a hug or a kiss between themselves and a member of staff as a genuine, instinctual demonstration of affection. It is the role of school staff to support children to understand safety in physical contact and develop proportionate boundaries to keep themselves safe. Staff should withdraw from the situation, gently reminding the child/young person of their role and the right people to demonstrate their affection to in this way;

Staff are expected to report any unsafe physical interventions they may witness immediately following the Catch22 Safeguarding, Managing allegations and Whistleblowing Policies.

⁴ See Safer Working Practice and Staff Code of Conduct Policies

⁵ This list is NOT exhaustive

3.3.3 When to Avoid Physical intervention

- When the adult has been triggered by the pupil's behaviour and is dysregulated. It is impossible to contain and calm a dysregulated child/young person when the adult is not calm and steady. Their dysregulation is likely to communicate itself to the child/young person and further exacerbate their sense of threat and danger.
- With pupil's who are identified as sensitive to touch or are touch defensive e.g. children/young people with sensory integration/processing difficulties, ASC or traumatic associations with touch;

3.3.4 Quality Assurance and Accountability

- Behaviour support plans and risk assessments will be completed for all pupils.
- In cases of recurring incidents, pupil's Behaviour Support Plan⁶ will be reviewed (a change of provision might be considered) and re-shared with all relevant staff.
- All use of physical interventions will be debriefed and recorded, quality assured, monitored and analysed.
- A member of staff that has not been trained will be expected to physically intervene only as an emergency response, rather than as a planned response as might be detailed in the pupil's Behaviour Support Plan.
- Following a physical intervention, a process to repair relationship will be facilitated.
- records will be counter-signed by a senior member of staff.
- The involved pupils' experiences and comments should always be sought and recorded.
- Parents/carers will be informed of this policy and when staff have physically intervened with their child.
- Teachers/support staff will be introduced to the underpinning theory behind physical interventions.

⁶ see Behaviour Policy

- Staff members that feel unable to use physical intervention should discuss it with their line manager.
- Leadership teams (local & national) will monitor the use of physical intervention, to include consideration of both staff's and pupils' frequency and volume of involvement in physical interventions.
- In the event of allegation against a member of staff in relation to physical intervention, senior leaders will support their staff in accordance to the statutory guidance outlined in the guidance Keeping Children Safe in Education and in Catch22's Managing Allegations Policy.

3.3.5 Recording and reporting incidents

All Physical Interventions will be recorded and reported as follows:

- The physical intervention itself will be recorded in the bound & numbered book based to be locally specified. The book is located Assistant Headteachers office.
- The incident will be reported on SIMS and (when relevant) on CPOMS⁷

The purpose of recording and reporting is to ensure that policy guidelines are followed, to facilitate quality assurance, provide records/data for monitoring/analysis, and to assist any future enquiry regarding a specific incident.

Incident accounts should be taken from the member of staff who undertook the physical intervention, the pupil(s) involved, and any third-party witnesses.

Records will be completed after everyone has had time and support to recover, within 24 hours where medically possible and will include:

- The supportive strategies and intervention used to create safety & physical regulation;
- A brief statement of exactly what happened (during the PI);
- Will be signed and dated.

⁷ see Behaviour and Safeguarding Policies

3.3.6 Monitoring and Evaluation

A designated member of staff will review every Physical intervention report with the relevant member of staff, taking account of the pupil's voice, to confirm it was necessary, proportionate and reasonable; and will counter-sign the record to this effect. If the physical intervention is deemed otherwise, support and intervention for the staff member will be devised by the Headteacher, and where relevant will include the pupil.

The School Leaders will regularly monitor and analyse the physical interventions records and reports. This will include the frequency and volume of the PIs; the proportion of interventions that are necessary, proportionate, and reasonable; the quality of the evaluations; the prevalence of meaningful pupil voice; the overall number of incidents; which staff were involved; which pupils were involved; and any other relevant aspect.

The Catch22 Education Board (Independent) will be informed of the number of physical interventions and analysis of their use on a half termly basis.

3.3.6 Informing Parents/Carers

Parents/carers will be informed that a physical intervention has occurred as soon as practical and, wherever possible, before the pupil returns home. The contact will:

- Provide information in regards to when and where the incident took place, which members of staff were directly involved (anonymised where necessary), why they decided physical intervention had to be used, what physical intervention was used, whether there were any injuries, and what follow up action has been/is being taken in relation to their child.
- Enable parents/carers to discuss the incident and their child's needs arising from it.
- Provide relevant information in the event of a parent/carer expressing a complaint and/or an allegation against a member of staff.

The welfare of pupils is paramount and if the school believe a pupil could come to harm as a consequence of a parent being notified, a judgement not to inform can be made by the Headteacher; whereby both the Local Authority and Catch22 Education SLT will be notified. A child's Social Worker will also be informed where there is one assigned.

3.3.7 Post Physical Intervention Support

Children & Young people

Pupils who have been involved in a physical intervention will be closely monitored to ensure their wellbeing, prevent retrigger into crisis, and support their integration to the learning environment.

Where such an incident has occurred close to the end of the learning day, it may be necessary for a pupil to remain at school to ensure that the pupil can be monitored.

It will be the responsibility of all members of staff involved in a physical intervention to check for injuries, supported where necessary by a trained first aider. Injuries will be reported to and recorded in accordance with the Catch22 Health & Safety policy.

Adults

Initial support for staff after an incident will be available as part of the recording and debrief procedures; further support will be available and through the SLT or the school counsellor or mental health first aider.

It is critical that relational repair is facilitated between adult and child. This may not be immediate, but will involve the same adults that were party to the PI.

4. Definitions

SIMS – School Information Management System

CPOMS – Safeguarding software for schools

PI – Physical Intervention

5. Related policies

- Catch22 Behaviour Policy
- Catch22 Health and Safety Policy

- Catch22 Managing Allegations Policy
- Catch22 Safeguarding Policy
- Catch22 Staff Conduct Policy
- Keeping Children Safe in Education
- Catch22 Safer Working Practices
- Catch22 Whistleblowing Policy

6. Appendices

Appendix 1 - Legal Framework

The current legal context and guidance is informed by the following documents

- DFE-00023-2014 Behaviour and Discipline in Schools (updated 2016)
- DFE 00295-2013 Use of Reasonable Force (reviewed 2015)
- Bernard Allen 2014 Improving Guidance on Managing Risk and Restraint in Children's Services

DFE-00023-2014 gives school staff the legal right and power to use reasonable force in specific circumstances to prevent pupils:

- committing an offence
- injuring themselves or others
- damaging property
- disrupting good order and discipline in the classroom.

DFE 00295-2013 defines the term 'reasonable force' to cover the broad range of actions used that involve a degree of physical contact with children and young people. Force is usually used either to control or restrain. This can range from guiding a pupil to safety by the arm through to more extreme circumstances such as breaking up a fight or where a child/young person needs to be restrained to prevent violence or injury. 'Reasonable in the circumstances' means using no more force than is needed.

Where touch is used to support a child/young person through reassurance, regulation at an early opportunity it is legally deemed to be 'physical intervention'.

Where the child/young person movement is controlled either through passive physical contact, such as standing between pupils or blocking a pupil's path, or active physical contact such as leading a pupil by the arm out of a classroom, this is legally referred to as 'restrictive physical intervention'. Restraint means to hold back physically or to bring a pupil under control and is used in extreme circumstances where the physical safety of the child/young person or another is in question. This is also referred to as 'restrictive physical intervention'.

DFE 00295-2013 permits **all** members of school staff have a legal power to use reasonable force when the situation satisfies the circumstances outlined above. This power applies to any member of staff at the school regardless of whether they have received training in restrictive physical intervention or not. It can also apply to people whom the Headteacher has temporarily put in charge of pupils such as unpaid volunteers or parents accompanying pupils on a school organised visit or where a professional from another agency is working with the child/young person e.g. therapist

Further situations when physical intervention may be required include to

- remove disruptive children from the classroom where they have refused to follow an instruction to do so;
- prevent a pupil behaving in a way that disrupts a school event or a school trip or visit;
- prevent a pupil leaving the classroom where allowing the pupil to leave would risk their safety or lead to behaviour that disrupts the behaviour of others;
- prevent a pupil from attacking a member of staff or another pupil, or to stop a fight in the playground;
- restrain a pupil at risk of harming themselves through physical outbursts.

Annex 1: Equality Impact Assessment

1. Summary

This EIA is for:	Physical Intervention Policy
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EIA completed by:	Head of Personal Development, Behaviour and Attitudes
Date of assessment:	November 2020
Assessment approved by:	Education SLT

Catch22 is committed to always: avoiding the potential for unlawful discrimination, harassment and victimisation; advancing equality of opportunity between people who share a protected characteristic and those who do not; and, foster good relations between people who share a protected characteristic and those who do not.

An Equality Impact Assessment (EIA) is a tool for identifying whether or not strategies, projects, services, guidance, practices or policies have an adverse or positive impact on a particular group of people or equality group. Whilst currently only public bodies are legally required to complete EIA's under the Equality Act 2010, Catch22 has adopted the process in line with its commitment to continually improve our equality performance.

Policy owners are required to complete or review the assessment indicating whether the policy has a positive, neutral or negative impact for people who it applies to and who share one or more of the 9 protected characteristics under the Equality Act 2010.

Definitions are based on the Equality & Human Rights (EHRC) guidance.

Objectives and intended outcomes

This EIA has been completed in order to ensure that the implications and potential impact, positive and negative, of this policy have been fully considered and addressed, whether or not people share a protected characteristic.

2. Potential Impacts, positive and negative

Equality Area	Positive	Neutral	Negative	Please give details including any mitigation for negative impacts
Age Does this policy impact on any particular age groups or people of a certain age?	☐	☒	☐	The policy applies equally to all members of staff and pupils regardless of age. It is not considered that the policy includes any guidance or rules that may impact either positively or negatively on members of staff or pupils because of their age.
Disability Does this policy impact on people who have a physical or mental impairment which has a substantial and long-term adverse effect on that person's ability to carry out normal day to day activities?	☐	☒	☐	The policy applies equally to all members of staff and pupils regardless of any disability. It is not considered that the policy includes any guidance or rules that may impact either positively or negatively on members of staff or pupils because of any disability.
Gender reassignment (transsexual, transgender, trans) Does this policy impact on people who are transitioning from one gender to another (at any stage)	☐	☒	☐	The policy applies equally to all members of staff and pupils regardless of their gender at any given time. It is not considered that the policy includes any guidance or rules that may impact either positively or negatively on members of staff or pupils because of their gender.
Marriage and civil partnership Does this policy impact on people who are legally married or in a civil partnership?	☐	☒	☐	The policy applies equally to all members of staff and pupils regardless of marital status. It is not considered that the policy includes any guidance or rules that may impact either positively or negatively on members of staff or pupils because of their marital status.
Pregnancy and maternity (in work this is linked to maternity leave, non-work this is for 26 weeks after giving birth) Does this policy impact on people who are pregnant or in their maternity period	☐	☒	☐	It is not considered that the policy positive or negatively impacts on pregnant women or on staff on maternity or paternity leave.

following the birth of their child?				
Race Does this policy impact on people as defined by their race, colour and nationality (including citizenship) ethnic or national origins	☐	☒	☐	The policy applies equally to all members of staff and pupils regardless of their race, origin, colour or nationality. It is not considered that the policy includes any guidance or rules that may impact either positively or negatively in these respects.
Religion and belief Does this policy impact on people who practice a particular religion or none, or who hold particular religious or philosophical belief or none?	☐	☒	☐	The policy applies equally to all members of staff and pupils regardless of religion or beliefs. It is not considered that the policy includes any guidance or rules that may impact either positively or negatively in these respects.
Sex Does this policy impact on people because they are male or female?	☐	☒	☐	The policy applies equally to all members of staff and pupils regardless of their sex. It is not considered that the policy includes any guidance or rules that may impact either positively or negatively on members of staff or pupils because of their sex.
Sexual orientation Does this policy impact on people who are sexually attracted towards their own sex, the opposite sex or to both sexes?	☐	☒	☐	The policy applies equally to all staff and pupils regardless of their sexual orientation. It is not considered that the policy includes any guidance or rules that may impact either positively or negatively on members of staff or pupils because of their sexual orientation.

3. More information/notes

N/A

