

Safe Practice for Schools - understanding and supporting behaviour

**(Including the use of restrictive / non-
restrictive physical intervention)**

**Guidance for Schools
Autumn 2019**

Contents

	Page
Introduction – a whole school approach	3
Difficult and harmful behaviour	4
Responding to difficult behaviour	5
Responding to harmful behaviour	5
Use of consequences	6
Reflect, repair, restore	7
Use of physical contact	7
Use of reasonable force and restrictive physical intervention (restraint)	9
Withdrawal and isolation	12
Managing allegations against members of staff / volunteers	12
Communication to parents / carers	13
Further guidance	14
Acknowledgements	14
Appendices (templates) Appendix A – template for recording incidents Appendix B – letter to inform parents of an incident	15

Introduction – a whole school approach

Positive behaviour in schools is key to academic achievement, and inseparable from safeguarding, the well-being of pupils / staff and all other aspects of learning. There is much in educational literature on the requirement for a whole school approach when promoting healthy emotional wellbeing and positive behaviour. School senior leaders should be active in promoting a positive approach to this and there should be a shared ethos for the school, which emphasises care, respect and responsibility. The cornerstone of such an approach is that it is owned by the whole school community, including staff, pupils, parents and the school governors.

The Department for Education (DfE) requires every school to have a Behaviour Policy. This should set out a school's approach to behaviour for all children and also for those with more challenging or harmful behaviour. It should be clear, well-understood by all pupils, staff and parents and consistently applied. It should also be transparent about the school's use of day-to-day physical contact with pupils and should set out very clearly its procedures and de-escalation strategies in respect of behaviour management. It should include when a school may use restrictive and non-restrictive physical intervention as a response to difficult and harmful behaviour, how this is recorded and how it will be communicated to parents. The policy must comply with the Equality Act 2010 (schools must ensure their policies and practices do not discriminate against any pupils by unfairly increasing the risk of exclusion for them).

Schools should always consider behaviour (and responses to it) in the context of keeping children safe. Keeping Children Safe in Education (DfE, 2019) states that safeguarding and promoting the welfare of children is everyone's responsibility. It states that *"everyone who comes into contact with children and their families has a role to play. In order to fulfil this responsibility effectively, all professionals should make sure their approach is child-centred. This means that they should consider, at all times, what is in the best interests of the child"*.

The document 'Positive environments in which children can flourish' (Ofsted, 2018) sets out that staff should work 'positively and confidently' with children and find the least intrusive way possible to support, empower and them safe. It cites good practice as:

- building relationships of trust and understanding
- understanding triggers and finding solutions
- if incidents do occur, defusing the situation and/or distracting the child wherever possible

Governors / Boards must make, and periodically review, a written statement of principles to help Headteachers and leaders determine the measures that make up the school's behaviour policy. There must be consultation with the Headteacher, other appropriate members of staff, parents and all registered pupils before making or changing this 'statement of principles' – this supports the expectation that approaches to behaviour are owned by the whole school community.

A whole-school approach to the promotion of positive behaviour and emotional well-being enables staff to support each other and involves them in open discussions about behaviour and safeguarding, without individuals feeling their classroom management skills are being

questioned. Because staff support has been identified as one of the major factors in coping effectively with difficult and harmful behaviour, best practice is where they receive appropriate training which is regularly updated. Staff should be supported and empowered through training that identifies strategies to respond appropriately and, done effectively; this should reduce the number of significant incidents in future.

Difficult and harmful behaviour (anti-social behaviour)

It can be very helpful to consider behaviour as a form of communication. When examining and talking about anti-social behaviour, it is useful to separate it into two types: *difficult* behaviour and *harmful behaviour* (sometimes referred to as '*dangerous behaviour*').

Difficult behaviour, in the school context, encompasses behaviour that has duration, frequency, intensity or persistence and is beyond the typical range for the school. It generally:

- interferes with the pupil's own and / or other pupils' learning;
- disrupts the day to day functioning of the school, making it a less safe and orderly environment
- is less likely to be responsive to the usual range of interventions identified within the school behaviour policy

It should be recognised that difficult behaviour may also include withdrawn behaviour, including refusal to respond or engage.

Harmful behaviour in the school context encompasses behaviour that is generally:

- physically aggressive towards adults or other pupils (including pushing, punching, kicking, biting, scratching, spitting, head-butting)
- verbally abusive (and may include racist/homophobic/sexist abuse)
- destructive, including destruction of property and the environment;
- self-harming, including head banging, scratching, hitting, kicking, biting and poking
- striking another adult / pupil with an object

Responding to difficult behaviour

Evidence suggests that pupils do better where they have strong relationships with staff. It is these staff who will be able to support them at the times of most difficulty. Therefore, developing good relationships with all pupils is a vital precursor to managing behaviour and supporting emotional wellbeing. Positive relationships are a protective factor in helping pupils become resilient.

It is important to remember that some behaviour, which may be deemed 'difficult', may be characteristic of a particular need and particularly prevalent in pupils with learning disabilities or autistic spectrum disorders. These could include rocking, repetitive vocalisations, ritualistic hand movements and self-stimulation (un-social behaviour). For these pupils, it will be necessary to adopt a proactive approach to supporting them with these behaviours and to raise awareness of the behaviour with other staff and explain why it is happening. This should be done using the [One Plan](#) framework and accessing external support if appropriate.

The Behaviour Policy should be sufficient for the majority of pupils. There will, however, always be a minority of pupils in any school whose needs are such that they lead to difficult behaviour. Schools should seek to understand this behaviour and meet the needs of these pupils. All responses to difficult behaviour should be consistent, respectful, calm and logical.

Responding to harmful behaviour

Most pupils do not display harmful behaviour, however, when such incidents occur, they are deemed serious and can cause a great deal of stress for those involved. Best practice expects that the [One Plan](#) framework will be used to prevent harmful behaviour; assess, plan, do and review. This will ensure that effective 'adult response plans' are in place for those children requiring them. The key to the success of any plan is that it is fully discussed, understood and implemented consistently by all staff, pupils and parents / carers.

The school Behaviour Policy should set out systems to respond to harmful behaviour. This may include when staff should call for assistance and other supportive and helpful responses, such as those detailed below.

When faced with potentially harmful behaviour, a 'script' may prove useful in de-escalating it. The pupil should be spoken to calmly, assertively and respectfully at all time. Simple de-escalation phrases are recommended: for example;

1. **Name** (*Use the pupil's name*)
2. **I can see there's something wrong** (*acknowledge their right to their feelings*)
3. **I'm here to help** (*tell them why you are here*)
4. **Talk and I'll listen** (*it may be possible for staff to find out how the situation has developed, or how it may be resolved*).
5. **Come with me and we can.....**(*give them an 'out' to withdraw from the situation*)

During this period, the pupil should be given physical space and time to recover and respond to requests. Where de-escalation has not been possible and difficult or harmful behaviour continues, they should be guided / supported from the classroom to a place of safety, with the assistance of another member of staff. Where this is not possible, an alternative is for the rest of the class to be removed from a potentially dangerous or harmful situation. Staff should always stay with the pupil, but at a safe distance (this is usually at least an extended arm's length away from them). At this point, it is important not to raise the stress of the pupil further. Staff should maintain an open stance, actively guiding them to a place of safety, rather than blocking them or backing them into a corner, as this could escalate the situation.

As part of safeguarding, following any serious harmful (or potentially harmful) incident, a risk assessment should be completed to inform planning and future practice.

The use of consequences

'Consequences' can be a useful response to particular behaviours. Evidence suggests that punishments and sanctions alone have limited long-term effects, so it is important for the pupil to see a logical link between their behaviour and the response. Consequences should have a clear link to the incident and help the pupil to learn how to behave more appropriately should a similar situation occur, tailoring this to the needs of the individual.

It is helpful to view consequences as protective and / or educational.

Protective consequences: required to protect the rights of others

- Increased staff ratio
- Change of school day / timetable
- Arrangements for access to outside space
- Pupil escorted in social situations
- Differentiated teaching space
- Appropriate use of exclusion (using the time to reflect, amend plans and identify other appropriate interventions to support the pupil upon return)

Best practice suggests that all protective consequences should run alongside educational consequences, as there is the risk that long-term behavioural change will be limited without this.

Educational consequences: required to support through teaching, encourage and motivate the pupil to behave differently next time

- Ensure the pupil completes the task they have disrupted
- Rehearse / model situations through intentional teaching of prosocial behaviour
- Ensure the pupil assists with repairs where they have caused damage (when possible and practical)
- Intentionally provide educational opportunities for the pupil to learn about the impact of certain actions and behaviours
- Provide the pupil with an opportunity to 'put things right' through a process of reflecting, repairing and restoring relationships (the Restorative Justice approach is one that could be used)

Reflect, repair and restore

There is strong evidence that restorative processes where reflections and learning take place are successful in supporting wellbeing and long-term behaviour change. During any incident the pupil's behaviour may be influenced by a strong feeling of anger, frustration, or disappointment. It must be remembered that the pupil will not be ready to engage in anything until they have calmed sufficiently. Equally, the impact of the incident on the staff and others involved should also be recognised.

Once it is considered the pupil is ready for the restorative process, this can take place and should involve all relevant persons (for example, key staff, parents, other pupils). The purpose of reflect, repair and restore is to re-visit the experience with the pupil when they are calm, relaxed and receptive to being reflective about the incident.

The discussion, *once the situation has been sufficiently calmed* may be as follows:

1. Explore what happened (tell the story)
2. Explore what people were thinking and feeling at the time
3. Explore who has been affected and how
4. Explore how relationships can be repaired
5. Summarise what has been learnt so there can be different responses next time

Some examples of restorative questions within this discussion may be:

- What would you like to happen next?
- How can we make things better for you and others affected?
- If everything was going to be alright, what would need to happen?
- How can you help to put this right?
- How can we make it OK for you next time something happens?

To be effective, the reflect, repair and restore process should be adjusted according to the age, understanding and other needs of the pupil.

Use of physical contact

There are occasions when staff will have cause to have physical contact with pupils for a variety of reasons, this may include:

- to comfort a pupil in distress (*appropriate to their age and individual specific needs identified through a risk assessment*);
- to direct a pupil;
- for curricular reasons (*for example in PE, Music, Drama etc*);
- in an emergency, to avert danger to the pupil or others;

The guidance produced by the Department for Education (July 2013) [Use of reasonable force - Advice for headteachers, staff and governing bodies \(DfE, 2016\)](#) states that:

*“Schools **should not** have a ‘no contact’ policy. There is a real risk that such a policy might place a member of staff in breach of their duty of care towards a pupil, or prevent them taking action needed to prevent a pupil causing harm.”*

In all situations where physical contact between staff and pupils takes place, staff must consider the following:

- the pupil’s age and level of understanding;
- the pupil’s individual needs and history;
- the location where the contact takes place (ideally it should not take place in private without others present).

When might you use physical contact?

Schools may choose to use touch with children for a variety of reasons but, in general terms, they would normally do so for comfort, reward or guidance. It should be acknowledged that some children will not want to be touched. This should be respected.

How might you use physical contact?

Hugging

A sideways on hug, with the adult putting their hands on the pupil's shoulders is the safest way to do this as both hands of the adult can be seen. Hugging can be used either standing or seated. This discourages 'front on' cuddling and placing the adult's hands on the shoulders limits the ability of the pupil to turn themselves into them.

Hand-Holding

It is natural that young children sometimes enjoy being able to hold hands with adults around them. This is perfectly acceptable when the hand holding is compliant. However, if the handholding is being used by an adult as a method of control to move pupils, this can become a restraint.

Therefore, the best practice is the use of the 'offering an arm'. This is done by the adult holding their arm out, and the pupil is encouraged to wrap their hand around the adult's lower arm. The adult's other hand can then be placed over the pupil's for a little extra security if it is required.

In summary, it is generally deemed appropriate to touch others on the upper arm and shoulders.

Lap-Sitting

There are clearly potential issues with this and, as such, lap-sitting should be discouraged, so neither staff nor pupils are vulnerable. Pupils should be taught to seek comfort / attention through other means. If a pupil attempts to sit on an adult's lap there should be immediate active guidance to a more appropriate seating position alongside the adult.

Use of reasonable force and restrictive physical intervention (restraint)

Keeping Children Safe in Education (DfE, 2019) states: "*When using reasonable force in response to risks presented by incidents involving children with SEN or disabilities or with medical conditions, schools and colleges should in considering the risks carefully recognise the additional vulnerability of these groups. They should also consider their duties under the Equality Act 2010 in relation to making reasonable adjustments, non-discrimination and their [Public Sector Equality Duty](#). By planning positive and proactive behaviour support, for*

instance through drawing up individual behaviour plans for more vulnerable children, and agreeing them with parents and carers, schools and colleges can reduce the occurrence of challenging behaviour and the need to use reasonable force”.

The guidance produced by the Department for Education (July 2013) “Use of Reasonable Force” is helpful and the following section is directly from this guidance. *Within this, in italics, is additional information from the Essex authors.*

What is reasonable force?

- The term ‘reasonable force’ covers the broad range of actions used by most teachers at some point in their career that involve a degree of physical contact with pupils.
- 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 student needs to be restrained to prevent violence or injury.

**This must not involve gripping as it could result in harm to the child. Staff will need training if this is a regular occurrence*

- ‘Reasonable in the circumstances’ means using no more force than is needed.
- Control means either passive physical contact, such as standing between pupils, redirecting a pupil's path, or active physical contact such as escorting a child by the arm or arms out of a classroom. This should never involve pulling or dragging.
- Restraint means to hold back physically or to bring a pupil under control. It is typically used in more extreme circumstances, for example when two pupils are fighting and refuse to separate without physical intervention.
- School 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 the pupil.*

**Staff should receive training specific to the identified needs of their school which will significantly reduce the likelihood of this happening*

Who can use reasonable force?

- All members of school staff have a legal power to use reasonable force
- This power applies to any member of staff at the school. It can also apply to people whom the headteacher has temporarily put in charge of pupils such as unpaid volunteers or parents accompanying students on a school organised visit.

When can reasonable force be used?

- Reasonable force can be used to prevent pupils from harming themselves or others, from damaging property, or from causing disorder.
- In a school, force is used for two main purposes – to control pupils or to restrain them.
- The decision on whether or not to physically intervene is down to the professional judgement of the staff member concerned and should always depend on the individual circumstances.

Schools can use reasonable force to:

This list is not exhaustive and provides examples of where reasonable can and cannot be used – this is also taken from DfE guidance

- 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; and
- restrain a pupil at risk of harming themselves through physical outbursts.

Reasonable force should only be used to avoid harm to the child or other and where all other strategies have been considered or attempted

Key messages

Schools cannot use force as a punishment; - “it is **always** unlawful to use force as a punishment” (Use of Reasonable Force - DfE, 2013)

It must be emphasised that the vast majority of pupil misbehaviour can be managed without any use of force or restraint. All behaviour can be seen as communication.

Schools should consider whether the behaviour under review gives cause to suspect that a child is suffering, or is likely to suffer, significant harm. Where this may be the case, school staff should follow the schools’ safeguarding policy. They should also consider whether continuing disruptive behaviour might be the result of unmet

educational or other needs (Behaviour and Discipline in Schools – DfE, 2016)

All members of staff have a 'Duty of Care' towards the children in their care. Therefore, if a child is likely to be at risk from harm in an emergency situation, action must be taken and this may include a physical intervention

The action taken will be dependent on the level of risk and the assessment that is made at that moment in time.

Where children show dangerous or harmful behaviour, identified through a risk assessment, then restrictive physical intervention may be considered as a strategy to manage harm. The necessity to use this should reduce over time. If incidents do not decrease, it is not a successful strategy and risk management plan reviews need to take place regularly (at least termly).

The following principles must be borne in mind when considering any use of physical restraint:

- Physical intervention carries the possibility of being interpreted as an assault;
- Physical intervention may carry the risk of injury to the child or to the adult involved;
- Any consideration of the use of restraint or containment should only occur, as a last resort, where no other intervention is feasible or effective; and
- The intention of any physical intervention must be clear

In short, staff should only intervene physically to restrain or contain a child:

- Where there is a clear danger to the child or others (including adults);
- Where all other interventions have failed or are not feasible;
- With the clear intention of removing the child from danger; and
- With the minimum force required to ensure the child's safety

It is recommended that identified members of staff are appropriately trained in de-escalation techniques and the use of restraint. The Local Authority currently promotes the 'Steps' approach. This consists of:

'Step-On' - focus on de-escalation, analysis and planning around behaviour and non-restrictive physical intervention.

'Step-up' - focus on clearly audited need for restraint and appropriate training in line with this.

Seclusion / isolation

The DfE has not updated its [Behaviour and Discipline in Schools](#) since 2016. This document allows for schools to adopt a policy which provides for disruptive pupils to be placed in an area away from other pupils for a limited period, in what are often referred to as seclusion or isolation rooms. It says that “if a school uses seclusion or isolation rooms as a disciplinary penalty this should be made clear in their behaviour policy. As with all other disciplinary penalties, schools must act reasonably in all the circumstances when using such rooms. Any use of isolation that prevents a child from leaving a room of their own free will should only be considered in exceptional circumstances. The school must also ensure the health and safety of pupils and any requirements in relation to safeguarding and pupil welfare”

This is a high profile and problematic issue for schools and it is vital they get it right as it can leave them vulnerable to allegations against members of staff and raises concerns about safeguarding. The language around isolation / withdrawal and seclusion is often misinterpreted – helpful ways of understanding these terms in the context of this guidance are set out here:

Seclusion: when a pupil is *forced* to spend time *alone* and *against their will* (for example, they are prevented from leaving a room of their own free will (including locking a door, holding a door closed, a handle or exit button placed out of reach of pupil). Seclusion **must not** be a planned response to behaviour and can only be considered in **exceptional** or **emergency circumstance** (as concluded by the Child C versus Local Authority court case - *Royal Courts of Justice 16th June 2011*)

Withdrawal: the removal of a pupil from a place of stress to a safe place, where they can be supported and monitored until they are ready to re-engage with learning – the child may need the choice of some time alone to ‘recover’, according to their needs

Isolation: the removal of a pupil from their peer group. Schools use this in a range of ways, often in what are referred to as ‘internal exclusion’, ‘reflection’ ‘isolation’ or ‘inclusion’ rooms / booths

Schools must at all times consider the well-being and mental health of all pupils and staff. They **must always act ‘reasonably’ and ‘proportionately’**.

Managing allegations against members of staff / volunteers

In Essex, every school must work in accordance with statutory guidance and the Essex in respect of allegations against an adult working with children in a paid or voluntary capacity. Essex [SET Procedures \(ESCB, 2019\)](#) require that, where an allegation against a member of staff is received, the Headteacher, senior named person or the Chair of Governors must inform the duty Local Authority Designated Officer (LADO) in the Children’s Workforce Allegations Management Team on **03330 139 797** within one working day. However, wherever possible, contact with the LADO should be made immediately as they will then advise on how to proceed and whether the matter requires Police involvement. This will include advice on speaking to pupils, parents and HR. **The school should not carry out any investigation before speaking to the LADO.**

Essex data shows that in 2016-17, 45% of allegations against the workforce in schools involved allegations of physical abuse, which was very much in line with previous years. This was the most frequently recorded abuse type for schools, so it is essential all staff members are made aware of the boundaries of appropriate behaviour and conduct. This should form part of staff induction and should be outlined in the Staff Handbook / Code of Conduct. Many allegations against members of school staff involve situations of 'door-blocking', bag / jumper grabbing (particularly where hair has been caught in a hood) and staff should be aware of their behaviour towards pupils at all times.

Communication to parents / carers

Where it has been deemed necessary to use a restrictive physical intervention, the detail of this should be accurately recorded and the incident communicated to parents (see *appendices on page 14*). Parents should be informed of the incident initially by phone and it should then be followed up in writing (this process should be set out in the school Behaviour Policy). Where it is necessary to exclude a pupil for the incident, there is separate guidance on exclusion and supporting model paperwork for schools to use to ensure they meet statutory requirements relating to this.

Further Guidance

- i) [Keeping Children Safe in Education \(DfE, 2018\)](#)
- ii) [Use of Reasonable Force \(DfE, 2013\)](#)
- iii) [Behaviour and Discipline in Schools \(DfE, 2016\)](#)
- iv) [Exclusion from maintained schools, academies and PRUs in England \(DfE, 2017\)](#)
- v) [SET Procedures \(ESCB, 2018\)](#)
- vi) [Searching, screening and confiscation \(DfE, 2018\)](#)
- vii) [Positive environments where children can flourish \(Ofsted, 2018\)](#)
- viii) [Creating a Culture: how school leaders can optimise behaviour \(DfE, 2017\)](#)
- ix) [Essex Special Schools Education Trust - Essex Steps Training](#)
- x) [Guidance for schools on the use of reduced educational provision \(Essex LA, 2016\)](#)

Note: in January 2018, the Department of Health closed a consultation on its draft guidance for reducing the need for restraint and restrictive intervention for children and young people with learning disabilities, autistic spectrum disorder and mental health needs (this was specifically for maintained special schools, special academies and special free school and non-maintained special schools)

This Essex guidance will be updated with any information from the final version, if it is relevant to the advice given here

Acknowledgements:

This guidance has been produced by a multi-agency group involving the Specialist Education Service (Safeguarding), Education Psychology Service and Essex Special Schools Education Trust. In addition, schools and other partners have been consulted and have contributed to the document.

Appendix A – template for recording incidents



Record of incident requiring physical intervention

Pupil Name:	
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Location of Incident:	
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D.O.B:	
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Date and time of Incident:	
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Reporting Member of Staff:	
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Justification for physical intervention: <i>(tick all that apply)</i>	Predicted harm prevented by physical intervention: <i>(e.g. bruising to peers, lacerations, destruction of computer, 20 mins of geography lost for 15 pupils etc.)</i>
To prevent harm to self <input type="checkbox"/>	
To prevent harm to other children <input type="checkbox"/>	
To prevent harm to adults <input type="checkbox"/>	
To prevent damage to property <input type="checkbox"/>	
To prevent loss of learning (see plan) <input type="checkbox"/>	

Incident Form / Book Completed	Y/N
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Name(s) of any staff witness:	Name(s) of any pupil witness:

Medical Treatment / Injuries	Y/N
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Damage to Property	Y/N
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Unresolved harm / details of damage to property (costs and details of harm to property and people including medical intervention:

Triggers:

Additional factors:

Management:	Comments:
How was the incident resolved?	
What were the consequences? Protective and Educational	
Has student reparation / de-brief taken place?	Y/N
Has a staff de-brief taken place?	Y/N
Has the Risk Management Plan been reviewed or updated?	Y/N
Was there Police involvement?	Y/N
Has there been Internal Exclusion / FTEX / PEX?	Y/N

Primary de-escalation techniques used (please state order in which they were used)

Verbal advice and support		Offering services of other staff	
Calm talking		Informing of consequences	
Distraction		Taking non threatening body position	
Reassurance		De-escalation script	
Humour		Clear instruction / warning	
Negotiation		Withdrawal from activity	
Offering choices and options		Diversion	

Number	Description of how technique was employed
1	
2	
3	
4	
5	

Restraint techniques including sequence of techniques, time and staff involved:
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Time	Technique	Shape	Staff name

Duration of restraint:	Duration of whole incident:
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Is there any physical mark or harm caused by the use of the physical intervention?	Y/N	Details:
Has the pupil indicated that this was caused by the use of the physical intervention?	Y/N	Actions: <ul style="list-style-type: none"> •

Has the incident been reported to the Children Safeguarding Team (Local Authority Designated Officer)	Y/N	Details:
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Incident reporting and monitoring	
Incident reported to: Head Teacher by:	
Parents / Carer informed by:	@
Student wellbeing verified by:	@
Staff wellbeing verified by:	@
Incident form completed by:	@

Verification of account of incident:		
Staff name	Staff signature	Date

Reporting staff name:	Signature:
Headteacher:	Signature:
Written confirmation to parent sent:	

Appendix B – letter to inform parents of an incident

Dear *(parent / carer)*

Further to our earlier telephone conversation, I am writing to confirm our discussion about the incident in school today. As discussed, it was deemed necessary to use a physical intervention with *(pupil)*. You will be aware that such an intervention is used in our school only as a last resort, where other interventions and de-escalation techniques have not been effective in reducing the harmful behaviour. As shared with you, it was felt by staff involved that, on this occasion, it was absolutely a necessary and appropriate response to *(pupil's)* behaviour at the time in order to keep them and everyone else safe.

As I explained, the detail of this incident is available in school and forms part of *(pupil's)* records. If you would like to discuss this matter further, please feel free to contact me and I would be happy to meet with you.

Or..

It is important that we continue to work together, going forward. I would like to invite you to a meeting to *write / review* a risk management plan for *(pupil)* and I can share more detail about the recent incident with you

Yours sincerely