



# Care and Control Policy (including Safer Working Practices)

**Date Policy due to be reviewed:** July 2023

**Committee Responsible for Policy:** Full Governing Body Committee

## Introduction

Safeguarding and promoting the welfare of children is everyone's responsibility. Staff at Hillcrest School work positively with all pupils, build relationships of trust and understanding and respect their rights and dignity. All staff recognise they have a duty of care towards the children and young people they look after, their colleagues and others. All staff acknowledge they are accountable for the way in which they exercise authority and safeguarding children and their failure to do so may be regarded as professional misconduct. As a school, these principles continue to underpin our remote learning work during any periods of closure and part-closure as a result of the Covid-19 pandemic.

This policy reflects the guidance outlined in the 'Guidance for safer working practices for those working with children and young people in educational settings' (May 2019), the addendum published by the 'Safer Recruitment Consortium' (February 2022), DFE updated guidance on remote education provision (January 2021) and 'Keeping Children Safe in Education' (September 2022).

## Section 1- Underpinning Values

The welfare and best interests of the child is always paramount. Everyone attending or working in this school has a right to:

- recognition of their unique identity;
- be treated with respect and dignity;
- learn and work in a safe environment;
- be protected from harm, violence, assault and acts of verbal abuse, including online.

Pupils attending Hillcrest and their parents have a right to:

- individual consideration of pupil needs by the staff who have responsibility for their care and protection;
- expect staff to undertake their duties and responsibilities in accordance with the school's policies;
- be informed about school rules, relevant policies and the expected conduct of all pupils and staff working in school;
- be informed about the school's complaints procedure.

All members of staff, including volunteers, trainee teachers and supply teachers, apply the principles below in their daily practice, including all forms of online communication with stakeholders:

- staff are responsible for their own actions and behaviour;
- staff engaging with students and/or parents have a responsibility to model professional and safe practice at all times, including online;
- staff should always maintain appropriate personal boundaries;
- staff should avoid any conduct which could lead any reasonable person to question their motivation and intentions;
- staff should always ensure the voice of the child is listened to in every aspect of school life, particularly in terms of safeguarding;
- staff should discuss and/or take advice promptly from the DSL/Headteacher if they have acted in a way which may give rise to concern;
- staff should apply the same professional standards regardless of culture, disability, gender, language, racial origin, religious belief or sexual orientation;
- staff should be aware of and understand the school's Child Protection policy, arrangements for managing allegations against staff, staff code of conduct and whistle blowing procedures;
- staff should work in an open and transparent way, including self-reporting if their conduct or behaviour falls short of the principles outlined in this policy; and
- staff conduct and professional behaviour is integral to the whole school approach to safeguarding.

The Children Act 1989 makes clear that in any decision involving a child the paramount consideration must be the child's welfare. Paramount means it should be the first thing people think about and it should take precedence over all other considerations. For that reason, staff carefully consider what is in the best interest of the child, both in the short term and the longer term.

All members of staff at Hillcrest are in a position of trust and recognise the relationship they have with pupils is one in which they have a position of power and influence. They understand their responsibility to ensure that an unequal balance of power is not used for personal advantage or gratification.

All members of staff are aware that breaches of the law and other professional guidelines could result in disciplinary action being taken against them, criminal action and/or other proceedings including barring by the Disclosure and Barring Service (DBS) from working in regulated activity, or for acts of serious misconduct prohibition from teaching by the Teaching Regulation Agency (TRA).

The Childcare (Disqualifications) Regulations 2018 set out grounds for disqualification under the Childcare Act 2006. For example, an individual will be disqualified where they have committed a relevant offence against a child; been subject to a specified order relating to the care of a child; committed certain serious sexual or physical offences against an adult; been included on the DBS children's barred list; been made subject to a disqualification order by the court.

As part of this process, staff have a responsibility to inform the Headteacher of any name changes that they have not previously declared. In addition, staff should inform the Headteacher of any cautions, convictions or relevant orders accrued during their employment, and/or if they are charged with a criminal offence.

## **Section 2 – Physical Contact, Intervention and Restraint**

### ***Physical Contact***

There may be times when it is entirely appropriate and proper for staff to have physical contact with children, ie – comforting a distressed child. However, not all children feel comfortable about physical contact. This should be recognised by staff and, where possible, staff should seek the pupil's permission before initiating contact and be sensitive to any signs that they may feel uncomfortable. Any physical contact should be in response to the student's needs at that time, of limited duration and appropriate to their age, stage of development, gender, ethnicity and background. Physical contact should never be secretive. Staff should always tell another colleague when and how they have offered comfort to a distressed pupil. If a member of staff feels their actions have been misinterpreted by the pupil or others observing the physical contact, they should report the situation to the Headteacher immediately.

In certain curriculum areas, such as PE, Drama or music, staff may need to initiate some form of physical contact with pupils, for example, to demonstrate technique in the use of a piece of equipment, adjust posture or support the pupil to perform an activity safely or prevent injury. In such cases, physical contact should take place in a safe and open environment, the extent of the contact should be made clear and undertaken with the permission of the pupil and should be relevant to their age, level of understanding, gender and ethnicity. If a member of staff feels their actions have been misinterpreted by the pupil or others observing the physical contact, they should report the situation to the Headteacher immediately.

Additionally, pupils with SEND may require more physical contact to assist their everyday learning. The arrangements should be understood and agreed by all concerned, justified in terms of the pupil's needs, and consistently applied, i.e. – EHC plans, SEND profiles, Pastoral Support plans.

***In terms of all forms of physical contact, all staff should:***

- consider alternatives, where it is anticipated that a pupil or another colleague might misinterpret any such contact, perhaps involving another member of staff, or a less vulnerable pupil in the demonstration;
- be aware of cultural and religious issues that may need to be considered prior to initiating physical contact;
- consider the pupil's previous history (i.e.- suffered previous abuse or neglect) as physical contact, even if well intended, may trigger adverse emotional response;
- recognise that some SEND, or vulnerable pupils may seek out inappropriate physical contact; and
- always explain to a pupil the reason why contact is necessary and what form that contact will take.

### ***Physical intervention***

In exceptional circumstances, staff may need to act in the best interest of the child and the use of physical intervention may be required to achieve this.

Every effort will be made at Hillcrest School to ensure that all staff:

- Understand their responsibilities in the context of their duty of care
- Understand that the paramount consideration is the welfare of the individual child
- Understand that 'reasonable' force means that it is necessary and proportionate
- Are provided with appropriate training to manage risk and this training is maintained at an appropriate level.

The policy for physical intervention is based upon the following principles:

- Physical intervention should be used only as a last resort when other appropriate strategies have failed.
- Any physical contact should be only the minimum required.
- Physical intervention must be used in ways that maintain the safety and dignity of all concerned.
- Incidents must be recorded and reported to the Headteacher
- Parents / Carers will be informed of each incident

### ***The Legal Framework***

The Education Act, 1997, added a section to the 1996 Act to clarify when teachers may use physical force to restrain a pupil. Restraint occurs when a member of staff uses physical force intentionally to restrict a pupil's movement against his or her will. It is to be used only in exceptional circumstances. Section 93 of the Education & Inspections Act 2006 allows 'teachers and other persons who are authorised by the Head Teacher who have control or charge of pupils to use such force as is reasonable in several circumstances'. This policy has been written with DFE 'Use of reasonable force' advice for Headteachers, staff and governing bodies, July 2013. This guidance states that schools can use reasonable force to:

- remove disruptive children from the classroom where they have refused to follow and instruction to do so;
- prevent a pupil behaving in a way that disrupts a school event, trip or a 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, parent, visitor or another pupil, or to stop a fight on the school site and/or in the immediate community;
- prevent a pupil from committing a criminal offence; and
- restrain a pupil at risk of self-harm and/or harming themselves through physical outbursts.

This policy has also been reviewed in line with guidance outlined in 'Positive environments where children can flourish', March 2018.

## ***Definitions***

### Physical Contact

Situations in which proper physical contact occurs between staff and pupils, eg, in the care of pupils with learning disabilities; in games/PE; to comfort pupils. This will involve the use of reasonable force when there is an immediate risk to pupils, staff or property. All such incidents must be recorded.

### Physical Intervention

This may be used to divert a pupil from a destructive or disruptive action, for example guiding or leading a pupil by the hand, arm or shoulder with little or no force.

### Physical Control/Restraint

This will involve the use of 'reasonable force' when there is an immediate risk to pupils, staff or property. All such incidents must be recorded.

There is no legal definition of "reasonable force", so it is not possible to set out comprehensively when it is reasonable to use force; or the degree of force that may reasonably be used. It will always depend on all the circumstances of the case.

The DFE guidance (2013) on the 'Use of Reasonable Force' and 'Keeping Children Safe in Education' (September 2022) defines and explains these terms in the following way:

- 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 pupil needs to be restrained to prevent violence or injury.
- 'Reasonable in the circumstances' means using no more force than is needed' (KCSIE)
- As mentioned before, schools generally use force to control pupils and to restrain them. Control means either 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.
- 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.
- A pupil absconding from school should not be restrained unless there is evidence that he or she is at serious risk. Members of staff are not obliged to restrain a pupil if it is against their better judgement. It may be more appropriate to summon help.

**All members of staff who can use reasonable force have a legal power to use it. 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 pupils on a school organised visit.**

It is good policy that physical restraint is used only:

- Rarely
- As a last resort
- Where another course of action would be likely to fail
- When staff have good grounds for believing that immediate action is necessary

Physical Restraint must not be used to:

- Punish
- Gain pupil compliance with staff instructions
- Cause or threaten hurt
- Inflict pain
- Oppress, threaten, intimidate or bully

### ***Our Approach***

Hillcrest School aims to avoid the need for physical intervention and regard this as a last resort in a minority of situations and always aim to deal with behaviour using a positive approach and therefore this policy should be read in connection with our Behaviour Policy.

It is not possible to define every circumstance in which physical restraint would be necessary or appropriate and staff will have to exercise their own professional judgement in situations which arise within the above categories. Staff should always act within the School's policy on behaviour and discipline, particularly in dealing with disruptive behaviour and once again it is stressed that physical intervention is only to be used when all other strategies have failed to have the desired effect on a pupil's behaviour.

Staff should be aware that when they are responsible for children during the school day, or during other supervised activities, they are acting in loco parentis and have a 'Duty of Care' to all children they are in charge of. They must, therefore, take reasonable action to ensure the safety and wellbeing of all pupils. This being said staff are not expected to place themselves in situations where they are likely to suffer injury as a result of their intervention.

As a school, we will consider the risk of using physical restraint or isolation for pupils with SEND given the additional vulnerability of pupils in this cohort. As part of our proactive planning (i.e. – risk assessments and physical intervention plan) and behaviour support, we aim to reduce the occurrence of risky behaviour and the need to use restraint.

### ***Use of physical restraint or intervention***

Although physical restraint is permissible, it does not mean that it is the best or only way to manage a concern or situation. Physical restraint should be applied as an act of care and control with the intention of re-establishing verbal control as soon as possible and, at the same time, allowing the pupil to regain self-control. It should never take a form which could be regarded as punishment. Staff are only authorised to use reasonable force in applying physical restraint i.e. only applying force necessary to stop or prevent danger should be used, in accordance with the guidelines below. In all circumstances, staff must endeavour to respect the pupil's rights and dignity, and alternative methods should be used as appropriate with physical intervention or restraint a last resort.

In the exceptional circumstances when physical restraint or intervention becomes necessary:

#### **DO**

- Tell the pupil what you are doing and why
- Use the minimum force necessary

- Involve another member of staff if possible
- Tell the pupil what s/he must do for you to remove the restraint (this may need frequent repetition)
- Use simple and clear language
- Hold limbs above a major joint if possible e.g. above the elbow
- Relax your restraint in response to the pupil's compliance

## **DON'T**

- Act in temper (involve another staff member if you fear loss of control)
- Involve yourself in a prolonged verbal exchange with the pupil
- Involve other pupils in the restraint
- Touch or hold the pupil in a way that could be viewed as sexually inappropriate conduct
- Twist or force limbs back against a joint
- Bend fingers or pull hair
- Hold the pupil in a way which will restrict blood flow or breathing e.g. around the neck
- Slap, punch, kick or trip up the pupil
- Touch a pupil in a way which may be considered indecent
- Use physical restraint or intervention as a punishment

**Staff will need to make an instant risk assessment of the situation based on the considerations stated previously in the policy. The intervention should be proportionate to the circumstances, particularly if a situation and/or the response has escalated.**

### ***Types of restraint which may be appropriate***

- Physical contact with a young person designed to control the young person's movements that pose a danger (e.g. holding the arms by the side of the body). Standing by the side of a student is likely to minimise the risk to the adult and student.
- Obstructing is when a staff member may use their physical presence to obstruct a situation. Obstructing must be used in the general context of trying to engage the pupil in distraction about his/her behaviour, its implications and discontinued if the pupil physically challenges it (when a decision needs to be made as to whether some other form of permitted intervention is still justified).
- Holding - To be used to discourage unwanted behaviour. This should involve no more than a hand placed on an arm or shoulder of a pupil by one or both hands and/or possibly the flat of the hand against a pupil's back to guide him/her to some other place. This may be necessary to avoid external danger (e.g. holding a pupil's hand when crossing a road), to divert a pupil from destructive or disruptive behaviour or to discourage destructive or disruptive behaviour. The holding of a pupil's arms or legs to prevent/ restrict striking / kicking.
- "Holding" is distinguished from "physical restraint" largely by the manageable degree of force applied. Holding is intended to discourage. Physical restraint is intended to prevent.
- Pupils should not be placed or held face down on the floor.

When following out these forms of restraint the following guidance may be adopted:

- It is easier if one member of staff takes the lead and direction. Only one member of staff should do the talking at any one time.
- With two people present, where possible, approach the pupil face-on and take an arm each. They should now move to the pupil's side, reducing their space for movement.
- Beware of kicks, knees, head butts, bites etc. Staff should lean slightly away from pupil. If the pupil starts to spit, they should be told to stop, if they persist, staff can hold the pupils face forward, using the L shaped palm method.
- Staff should take hold just above the wrist, on the long bones, front of the shoulder and upper arm. Check positions of hold constantly and communicate with each other and the pupil. Reassure the pupil that you will relinquish control when the pupil has gained sufficient composure and self-control.
- Try not to move the pupil long distances. The greater the distance = higher potential for injury for all.
- If sitting, aim for a well-padded office chair with no arms. Staff should consider this before intervention.
- It may be necessary to lower the pupil to a kneeling position on the floor, follow the same processes.
- Arms should never be to the side or across the back.

### ***Risk Assessments***

If we become aware that a pupil is likely to behave in a disruptive way that may require the use of reasonable force, we will plan how to respond if the situation arises. Such planning will address:

- Strategies to be used prior to intervention
- Ways of avoiding 'triggers' if these are known
- Involvement of parents to ensure that they are clear about the specific action the school might need to take
- Briefing of staff to ensure they know exactly what action they should be taking (this may identify a need for training or guidance)
- Identification of additional support that can be summoned if appropriate
- The school's duty of care to all pupils and staff.

### ***Training and Support***

- The provisions of the Education and Inspection Act 2006 apply to all members of staff who are authorised to have care and control of children.
- Training for all staff will be made available and is the responsibility of the DSL. No member of staff will be expected to undertake the use of reasonable force without appropriate training. Prior to any practical training theoretical aspects of effective behaviour management will have been delivered and arrangements will be made clear as part of the induction of staff and training will be provided as part of on-going continued professional development for staff.
- In addition, procedures will be put in place to ensure that appropriate support is provided for staff. Where staff have been involved in an incident they will be given time to recover and have access to support such as counselling and debriefing.



- We will also ensure that following an incident pupil / staff relationships are rebuilt and healed to ensure that a positive learning environment is maintained.
- Physical techniques are not used in isolation and the school is committed to ensuring that following an incident, learning opportunities are created for the pupil that allow them to 'own' and take responsibility for their behaviour at a level appropriate to their stage of development. In addition, we will endeavour to provide the pupil with targeted support in school and/or externally to help them to manage and regulate their behaviour to avoid such incidents in the future.

### ***What should be done after an incident of restraint?***

- The Headteacher or senior member of staff should be informed immediately, and a Physical Intervention Report must be drawn up in liaison with involved colleagues and the pupil given the opportunity to discuss the incident and have their input recorded. (see appendix 1)
- All sections of this report should be completed so that any patterns of behaviour can be identified and addressed. In the event of any future complaint or allegation this record will provide essential and accurate information. A copy should be filed in the child's appropriate file and a central copy will be kept by the Headteacher.
- Incident Reports need to be monitored and evaluated to identify incident patterns or trends developing.
- Although we are not legally required to do so, the Headteacher, Deputy Headteacher or a senior member of staff will then decide when and how to inform parents. If this action is agreed, ideally this will happen as soon as possible after an incident, normally on the same day, to inform them of the actions that were taken and why, and to provide them with an opportunity to discuss it.
- Further action should be considered in accordance with school policies on positive behaviour and health and safety.
- If the pupil's behaviour is part of an ongoing pattern it may be necessary to address the situation through the development of an appropriate individual support plan, which may include a risk assessment, an anger management programme, involvement of external agencies or other strategies agreed by the pastoral team.

### ***Complaints and Allegations***

A clear physical intervention and restraint policy, adhered to by all staff and shared with parents, should help to avoid complaints from parents. It is unlikely to prevent all complaints, however, and a dispute about the use of force by a member of staff might lead to an investigation under the Complaints Policy or Disciplinary policy as required. If following preliminary investigations, it is deemed necessary the Headteacher will contact the LADO in line with the school's child protection policy. Suspension is not an automatic response when a member of staff has been accused of excessive force. The Headteacher, after consultation with the LADO, will consider the following:

- Were the actions taken by the member of staff reasonable in the circumstances?
- Were the actions necessary? Was there another course of action that could have been considered?
- Were the actions proportionate to the circumstances?
- Were the actions taken in the best interest of the pupil?

### Section 3 – Confidentiality

The storing and processing of personal information is governed by the General Data Protection Regulations 2017 and the Data Protection Act 2018.

Staff have access to special category data about pupils and their families which will be kept confidential at all times and only shared when it is permissible to do so and is in the interest of the pupil.

Staff should never use confidential or personal information about a pupil and her family for their own or others advantage. Information should never be used to intimidate, humiliate, or embarrass a pupil or her family.

Staff should always seek advice from a senior member of staff or the designated safeguarding lead if they are in any doubt about sharing information they hold, or which has been requested of them.

### Section 4 – Standards of behaviour

All members of staff have a responsibility to maintain public confidence in their ability to safeguard the welfare and best interests of pupils. They should adopt high standards of personal conduct at all times, including online, and recognise that their behaviour, either in or out of school, could compromise their position within the school or bring the school into disrepute. The same principles apply to staff behaviour when engaging with stakeholders online.

In line with 'Keeping Children Safe in Education' (September 2022), staff should avoid behaviour that may be deemed as a 'low-level' concern (behaviour towards a child does not meet the threshold of harm). **This means that staff should not:**

- Make, or encourage others to make sexual remarks to, or about, a pupil;
- Use inappropriate language to or in the presence of pupils, including sexualised, intimidating or offensive language;
- Downplay certain behaviours, for example, dismissing sexual harassment as 'just banter'
- Be over friendly with pupils;
- Have or be 'perceived' to have favourite pupils;
- Taking photographs of children on their personal mobile phone;
- Discuss their personal or sexual relationships with or in the presence of pupils;
- Enter into or encourage inappropriate discussions which may offend or harm others;
- Undermine the fundamental British Values;
- Express any prejudicial views;
- Attempt to influence or impose their personal values, political views, attitudes or beliefs on pupils; and
- Make (or encourage others to make) unprofessional personal comments which scapegoat, demean, discriminate or humiliate, or might be interpreted as such.

Staff should always dress in an appropriate and professional manner. This applies to online teaching/meetings or when working with small groups of students on site. Staff should, at all times, wear clothing which promotes a positive image, is not likely to be viewed as offensive, revealing or sexually provocative and is not considered discriminatory or politicised.

### Section 5 – Remote Learning

As outlined in the updated guidance from the Safer Recruitment Consortium (February 2022) and updated DFE guidance on remote provision (January 2021), staff should only contact students

through approved platform or school email accounts. This ensures appropriate filtering and monitoring software is enabled during periods of remote learning, as well as ensuring online tools are in line with privacy and GDPR requirements.

As part of any remote learning provision, the senior leadership team and curriculum managers will consider whether there are alternatives to live learning lessons, i.e. – using audio only, pre-recorded lessons, existing online resources

Remote live lessons should be timetabled and occur within operating times agreed by the Headteacher. A senior member of staff, DSL and/or Curriculum Learning Manager will be able to drop into any virtual lesson at any time. Registers of any live lessons should be taken, including those who arrived late or left early and clear notes should be made of any problems or issues that occurred and how these were resolved. One to one tutoring is not encouraged but if it does happen it should be authorised by the Headteacher and a parent or another member of staff must also participate in the one-to-one meeting.

Staff engaging in remote learning, whether live or pre-recorded, should display the same standards of dress and conduct that they would do in the real world. Staff have a responsibility to model safe and professional practice at all times. In addition, pupils should be appropriately dressed if the lesson is delivered live. They should ensure that they use a neutral area where nothing personal or inappropriate can be seen or heard in the background. Staff and pupils should be in living/communal areas in their homes – not their bedrooms.

Any resources or videos used, either during live or pre-recorded learning, must be age appropriate as the pupil may not have support immediately on hand at home if they feel distressed about the content.

Teachers should not contact students outside the operating times defined by the Headteacher, take or record images of pupils for their personal use or record virtual lessons or meetings using personal equipment (unless agreed and risk assessed by the Headteacher). If a teacher wishes to record a lesson, they should secure permission from the Headteacher and gain parent/pupil consent in regard to the retention and storage of the recording. If a teacher is concerned that a pupil or parent is recording the lesson or one-to-one meeting, without their prior knowledge or consent, they should either end the lesson immediately or block the pupil/parent from the lesson.

Arranging to meet with pupils away from the school premises is not permitted unless the necessity for this is clear and approval is obtained from the Headteacher, parent/carer and pupil.

## **Section 6 – Lone working**

Staff working in a one to one situation with pupils, including visiting staff from external organisations, can be more vulnerable to allegations or complaints.

This means that staff should:

- Only work one to one with a pupil when absolutely necessary and with the knowledge and consent of senior leaders and parents/carers;
- Ensure that wherever possible there is visual access and/or an open door;
- Avoid putting 'engaged' or equivalent signs on the door as such signs may create an opportunity for secrecy of the interpretation of secrecy; and
- Always report any situation where a pupil becomes distressed or angry when working in a one to one situation.

Arranging to meet with pupils away from the school site is not permitted unless the necessity for this is clear and approval is obtained from the DSL/Headteacher, the pupil and their parents/carers.

The same expectations apply to staff working one to one with a pupil on a virtual platform. Staff should ensure prior to any online learning, there are clear expectations of behaviours and conduct of all parties that have been agreed in advance. Staff should report any issues immediately to the Headteacher.

## **Section 7 – Sexual Contact**

Any sexual behaviour, including online, by a member of staff with or towards a pupil is unacceptable. It is a criminal offence for a member of staff in a position of trust to engage in sexual activity with or in the presence of a pupil under 18 years of age.

Pupils are protected by the same laws as adults in relation to non-consensual sexual behaviour. Sexual activity involves physical contact including penetrative and non-penetrative acts. It also includes non-contact activities, such as inciting or causing pupils to engage in or watch sexual activity or the production of pornographic material.

This means that staff should:

- Avoid any form of touch or comment which is, or may be considered to be, indecent;
- Avoid any form of communication with a pupil that could be interpreted as sexually suggestive, provocative or give rise to speculation, i.e. – verbal comments, letters, notes, by email or on social media, phone calls, texts, physical contact;
- Not make sexual remarks to or about a pupil;
- Not discuss sexual matters with or in the presence of pupils other than within the agreed curriculum content or as part of their recognised role in school; and
- Not have any form of sexual contact with a pupil in the school setting.

However, there are occasions when a pupil may become strongly attracted to a member of staff and develop a 'crush' or infatuation. Staff should make every effort to ensure their own behaviour does not appear to encourage this and be aware that such infatuations may carry a risk of their words and actions being misinterpreted.

Any member of staff who receives a report, overhears something, or notices any sign that a pupil has become infatuated with either themselves or another colleague, should report this to the Headteacher immediately. In this way appropriate early intervention can be taken which can prevent escalation and avoid hurt, embarrassment or distress for those concerned.

## **Section 8 – Photography, videos and other images/media**

Many educational activities, both in and out of school, involve recording images. These may be taken for displays, publicity, to celebrate achievement and to provide records of evidence of the activity.

This means that staff should:

- Only take photographs / record videos of pupils on school equipment;
- Avoid making images or recording videos in a one to one situation;
- Only publish images of a pupil where they and their parent/carer has given written consent to do so;
- Only take images where the pupil is happy for them to do so;
- Avoid naming the pupil (or as a minimum use first names only) if their image is used for publicity purposes or displayed in school;
- Store images in the designated secure place on the school network;
- Only retain images when there is clear and agreed purpose for doing so; and
- Be able to justify images of pupils in their personal possession.

This means staff should not:

- Take images of pupils for their personal use;
- Display or distribute images of pupils unless they have consent from the pupil and their parent/carer;
- Take images or record videos of pupils on their own personal equipment (unless receiving prior permissions to do so by the Headteacher);
- Take images of pupils in a state of undress or semi-undress;
- Take images of children which could be considered as indecent or sexual;
- Take images of a pupil's injury following a disclosure of abuse; and
- Make audio recording of a pupil's disclosure.

Staff should take extreme care to ensure pupils are not exposed, through any medium, to inappropriate or indecent images. There are no circumstances that will ever justify adults making, downloading, possessing or distributing indecent images or pseudo-images of children. Accessing these images, whether through the school's or personal equipment, on or off the school site, or making, storing or disseminating such material is illegal.

If indecent images or pseudo-images of children are discovered on the school's equipment or concerns are raised that a member of staff has such images on a personal device in or out of school, the Headteacher will immediately contact the Designated Officer (LADO). If the images are of children known to the school, the DSL will make an immediate referral to Children's Social Care.

In the event of any indecent images of children or unsuitable material being discovered on a device, the equipment will not be tampered with in any way. It will be secured and isolated from the school network. The Headteacher will not attempt to investigate the matter or evaluate the material themselves as this may lead to a contamination of evidence and a possibility that they will be at risk of prosecution themselves.

## **Section 9 – Social Contact outside of the workplace**

Staff should recognise that some types of social contact with pupils or their families could be perceived as harmful or exerting inappropriate influence on children, and may bring the school into disrepute, i.e. – attending a political protest event.

If a pupil or parent seeks to establish social contact, or if this occurs coincidentally, the member of staff should exercise his/her professional judgement. This also applies to social contacts made through outside agencies of the staff member's own family. Under such circumstances the member of staff should advise a member of the senior leadership team of any regular social contact they have with a pupil and/or their family, any relationship with a parent that extends beyond the usual parent/professional relationship and any requests or arrangements where parents wish to use their services outside school, i.e. – babysitting, tutoring.

## **Section 10 – Communication (including the use of technology)**

In order to make the best use of the many educational and social benefits of new and emerging technologies, pupils need opportunities to explore the digital world.

Staff should always ensure that they establish safe and responsible on-line behaviours. Communication with children both in the 'real' world and through web based and telecommunication interactions should always take place within explicit professional boundaries. This includes the use of computers, tablets, phones, texts, email, instant messages, social media sites such as Facebook and Twitter, chat-rooms, forums, blogs, websites, gaming sites, digital cameras, videos, webcams and other hand-held devices. In addition, staff should only use equipment and internet services provided by the school if any contact does need to be made with a pupil and/or their parent.

Staff should not give their personal contact details to pupils for example, passwords, e-mail address, home or mobile phones numbers, details of web-based identities. If pupils locate these by any other means and attempt to contact with the staff member, he/she should not respond and report the matter immediately to the DSL/Headteacher.

## **Section 11 – Gifts and Rewards**

Our Behaviour policy clearly outlines the school procedures regarding the giving of gifts or rewards to pupils and the receiving of gifts from them or their parents/carers. It is very clear that staff should only give gifts to pupils as part of our agreed behaviour system and not based on favouritism.

The school recognises there are occasions when pupils or parents wish to pass small tokens of appreciation to staff (i.e. – at Christmas/Eid) or as a thank you. However, it is unacceptable for staff to receive gifts on a regular basis or of any significant value. Similarly, it is inadvisable for staff to give such personal gifts to pupils or their families as this could be interpreted as a gesture to either bribe or groom. For example, it might be perceived that a ‘favour’ of some kind is expected in return.

Staff must ensure that any gifts received or given to pupils and/or their parents/carers are declared and reported to their Line Manager.

## **Section 12 – Home Visits (see appendix 2)**

All work with pupils and their families usually takes place on the school site. However, there are occasions where it is necessary to make one-off or regular home visits.

As outlined in appendix 2, prior to any home visit we ensure risk assessments are in place to safeguarding both staff and pupils, who can be more vulnerable in these situations. Consideration is given to any circumstances which might render the staff member becoming more vulnerable to an allegation being made, i.e. – hostility, child protection concerns, complaints, grievances. In the unlikely event that there is little or no information available, two members of staff will complete the home visit.

Specific thought is given to visits outside school hours and to homes in remote or secluded locations.

This means that staff should:

- Agree the purpose for any home visit with the Headteacher or DSL;
- Adhere to agreed risk management and health and safety guidance, i.e. – observe social distancing at all times and wear appropriate facial coverings and gloves, as outlined by the MAP;
- Avoid unannounced visits wherever possible – try to secure agreement in advance from parent/carer and pupil;
- Always make detailed records of the visit including times of arrival and departure;
- Never enter a home without the parents/carers consent, other than in an emergency;
- Never enter a home, other than in an emergency, if the parent/carer is absent;
- Ensure they have access to a mobile phone and an emergency contact prior to the visit;
- Have a clear understanding of the actions that should be taken if it is believed that a child or parent is at immediate risk of harm, including when to contact emergency services and/or partner agencies;
- Ensure children are seen in open and observable spaces, ie – living rooms; and
- Reports the outcomes of the visit to the DSL/Headteacher on return to school, making particular reference to any possible complaints parents/carers may make as a result of the visit.

## **Section 13 – Transporting pupils**

In certain situations, staff or volunteers may be required or offer to transport pupils as part of their work. However, staff should never offer to transport pupils outside of their normal working hours, other than in an emergency or where not doing so would mean the pupil may be at risk of harm.

This means that staff should:

- Plan and agree arrangements in advance with all parties involved, i.e. – secure permission from the parent/carer and a member of the senior leadership team in school;
- Agree the route and expected time of the journey;
- Consider any specific needs or vulnerability of the pupil, i.e. – history of allegations against others, erratic behavioural patterns;
- Have an appropriate licence and insurance to drive the vehicle;
- Ensure they are fit to drive the vehicle and free from any drugs, alcohol or medicine which may impair their judgement and/or ability to drive;
- Ensure the pupil wears a seatbelt at all times during the journey; and
- Report back to the relevant senior manager that pupil has been returned home safely and inform the senior manager of any incidents during the journey, i.e. – pupil becoming distressed, accidents, response from parents/carers, etc

Wherever possible and practicable it is advisable that transport is undertaken other than in private vehicles and with at least one adult additional to the driver acting as an escort.

## **Section 14 – Intimate Care**

Arrangements for intimate care should be open and transparent at all times. Pupils should be encouraged to act as independently as possible and to undertake as much of their own personal care as is possible and practicable. When assistance is required, this should be normally be undertaken by one designated member of staff, however, they should try to ensure another appropriate adult is in the vicinity who is aware of the task to be undertaken and that, where possible, they are visible and/or audible.

Arrangements for this level of care should be formally recorded in an ‘intimate care plan’ and approved by the SENDCO/DSL and Headteacher. Plans should be reviewed and updated regularly to reflect changes to the pupil’s needs and staffing, even if any changes are temporary, ie – staff shortages or changes to staff rotas. The views of the pupil and parents should be taken into account when formulating and reviewing the plan.

A signed record should be kept of all intimate care tasks undertaken by designated member(s) of staff. Designated staff should consult with colleagues (SENDCO/DSL) where any variation from agreed procedures is necessary and record the justification for any variations on the care plan.

Intimate care should not be carried out by an adult that the student does not know. Anyone undertaking intimate care is in regulated activity and must have been checked against the DBS barred list, even if the activity only happens once.

## **Section 15 – Reporting concerns**

All members of staff should follow the guidance outlined in our ‘Child Protection and Safeguarding’ policy if they have a concern about a pupil’s well-being or a pupil discloses information to them either in school or via any form of online communication.

Whistleblowing is the mechanism by which staff can voice their concerns, made in good faith, without fear or repercussions. As a result of annual training, staff are fully aware that it is their individual responsibility to bring matters of concern to the attention of the Headteacher and/or relevant external agencies, no matter how small, and even if no more than causing a sense of unease or a ‘nagging doubt’, and that to not do so may result in charges of serious neglect on their part where the welfare

of children may be at risk. This will allow the school to address unprofessional behaviour and supporting the individual member of staff to correct it at an early stage and help to identify any weaknesses in the school's safeguarding system.

If a member of staff believes that an action by them or a colleague could be misinterpreted, or if an action is observed which is possibly or definitely inappropriate, the incident and circumstances should be immediately reported to the Headteacher. If following preliminary investigations, it is deemed necessary the Headteacher will contact the LADO in line with the school's child protection policy.

If a member of staff has any of the above concerns about the conduct of the Headteacher, they should report the concerns immediately to the Chair of Governors.

During any periods of school closure or part-closure, staff should continue to follow normal routes for whistleblowing even if the routes are impeded by the absence/illness of the Headteacher or Chair of Governors.

### **Section 16 – Supply staff**

If a concern is raised or allegation made about the conduct and behaviour of a supply teacher, the Headteacher will notify the relevant supply agency immediately to share details about the concern and/or allegation. The school will, under the direction of the agency, lead in investigating the allegation by taking statements from students, staff and other potential witnesses. The Headteacher will share this collated information with the agency to allow them to complete their own investigation into the concern/allegation.

### **Section 17 – Monitoring**

It is our intention to inform all staff, pupils, parents and governors about these procedures and the context in which they apply. We will review this policy annually.

This policy should be read in conjunction with the following policies:

- Behaviour Policy
- Online Safety Policy
- Child Protection and Safeguarding Policy
- Whistleblowing Policy

Name of person responsible – Steven Connor-Hemming

Date of review – July 2022

Date of next review – July 2023



## Appendix 1 – Physical Intervention Report

<b>Hillcrest School: Physical Intervention Report</b>	
<b>Staff Name:</b>	<b>Date of Incident:</b>
<b>Full name(s) of Pupil (s) involved:</b>	<b>Specific location of Incident:</b>
<b>Full names of staff witnesses:</b>	<b>Time of Incident:</b>
<b>Full names of student witnesses:</b>	<b>Names of other witnesses, i.e. – visitors / parents:</b>

<p><b>Justification for physical intervention (tick)</b></p> <p>To prevent self-harm <input type="checkbox"/></p> <p>To prevent harm to other children <input type="checkbox"/></p> <p>To prevent harm to adults <input type="checkbox"/></p> <p>To prevent damage to property <input type="checkbox"/></p> <p>To prevent loss of learning <input type="checkbox"/></p>	<p><b>Explain predicted harm prevented by intervention</b></p>
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<p><b>Triggers – what factors led to the situation occurring?</b></p>
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<p><b>Primary de-escalation techniques used (state in order they were used)</b></p>
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<b>Verbal advice and support</b>		<b>Offering services of other staff</b>	
<b>Calm talking</b>		<b>Informing of consequences</b>	
<b>Distractions</b>		<b>Taking non-threatening body position</b>	
<b>Reassurance</b>		<b>Step away</b>	
<b>Humour</b>		<b>Clear instruction/warning</b>	
<b>Negotiation</b>		<b>Attempt made to get support from others</b>	
<b>Offering advice and options</b>		<b>Diversion</b>	
<p><b>Any additional information on de-escalation techniques used:</b></p>			

**Describe the nature of the force used, i.e. – degree, type of hold and length of time:**

**Describe how the student responded during the incident – What did he/she say and do? What did you say during the incident?**

**Describe the actions and comments of any of person present during the incident:**

**Provide details of any injuries or marks to the skin on the student, yourself and anyone else who was involved in the incident:**

**Did anyone involved in the incident require first aid treatment? If so, who?**

**Provide details on any damage to school or personal property during the incident:**

**Provide details on any other relevant information:**

**Signed:**

**Date:**

**Incident reported to:**

**Time:**

**To be completed by the Headteacher**

<p><b>Summary of any injuries sustained by the pupil(s) and staff:</b></p>              <p><b>Name of First Aider and time of First Aid check:</b></p>	<p><b>Confirmation witness statements obtained <input type="checkbox"/></b></p> <p><b>Summary of witness statements:</b></p>              
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<p><b>Date and time parent / carer was informed of the incident:</b></p>              <p><b>Outline of parent / carer response:</b></p>	<p><b>Details of pupil interview / statement:</b></p>              
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<p><b>Pupil Voice – Summary of pupil’s feelings about the incident:</b></p>              
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**Actions to be taken by Headteacher**

Management	Tick	Comments
Reparation		
Police Involvement		
Internal Exclusion for Pupil		
SENCO – Behaviour Profile		
Meeting with member of staff		
Internal Disciplinary action		
Referral to Governors		
Mediation meeting		
Meeting with parents / carers		
Other		

**Headteacher:**

**Date:**

## **Appendix 2 – Policy for Home Visits**

### **Aim:**

The aim of the Home Visit Policy is to ensure good working practice and to provide guidelines in reducing risks to designated members of staff when undertaking home visits.

- To ensure that designated staff follows the correct procedure prior, during and after a home visit is carried out.
- Designated staff follows Health and Safety procedures in notifying school of a home visit and expected return time.
- The required information has been acquired prior to the home visit to carry out a risk assessment.

### **Purpose of Home Visiting:**

Home visiting is a valuable link with parent/carers to develop positive relationships between the home and school in their own environment. Each visit to the home needs to have a purpose.

- Establish, develop & maintain a healthy partnership between parent/carers, school and students.
- Students who refuse to come to school
- Parent/carers who refuse to send their child/children to school
- Work in partnership with parent/carers and their child/children on specific issues that may relate to either their underachievement or educational progress.
- Where there are concerns with regards to attendance or behaviour.
- When a student is being educated at home. (exclusion or ill)
- When all other means of contact with the home or parent/carer have been unsuccessful

### **Prior to a home visit, the member of staff should:**

- Notify the Headteacher/DSL to confirm who you are visiting and the purpose of the visit.
- Record the visit details of who you are visiting and leave the information with Headteacher /DSL and main reception.
- Telephone to make certain that an adult is present if the child is at home. Visits should be by prior agreement. (However, there may be instances where this is not applicable)
- Check that your mobile phone is fully charged, and school numbers are stored in contacts.
- Ensure the school identity badge is worn on and during all home visits.
- Ensure car registration and mobile contact number is given to the Headteacher/DSL and main reception.

### **During the visit**

- Introduce yourself, have identification available and explain again the purpose of the visit.
- Carry your identification - do not use a necklace lanyard.
- Be professional; give professional advice and information rather than personal opinions.
- Be sympathetic but remain neutral. Don't get personally involved.
- Be discrete but assertive about the direction of the conversation
- Cultural sensitivity and awareness should be observed during home visits

### **After the Visit**

- Telephone the school after the visit to confirm the visit has been completed and confirm the time you will leave the home to return to school.

- Report back to the school; if possible, give written feedback to the appropriate staff in line with school policy. If a Child Protection concern arises from the visit this must be discussed with the DSL.
- At school do not discuss individual home visits in the staff room or with staff who are not involved with those particular children (i.e. be professional, do not gossip at school)

### **Difficulties and Boundaries**

- Joint visits should be carried out if a colleague has concerns regarding visiting alone.
- Incidents of abuse on a colleague during a home visit should be recorded and discussed with Headteacher.
- All staff should have access to debrief in the event of a difficult home visit.

When staff carry out a home visit they often gather confidential information such as marital difficulties, alcohol abuse, financial information, etc. This information should be classified as confidential information and must be kept separately from other reports that may be given to the College Leader or Attendance Clerk.

If an incident does occur the visitor should record all details as soon as possible after the incident, before precise recollection of events falls from their memory.

If an accusation of abuse is made against the visit/visitor advice should be sought from the Headteacher as soon as possible.