

<b>POLICY TITLE</b>	<b>Kindergarten Physical Intervention Policy</b>
<b>Policy Area</b>	Safeguarding
<b>Author</b>	DS
<b>Relevant Statutory Regulations</b>	The Statutory Framework for the Early Years Foundation Stage 2017 September 1998 (section 550 of the Education Act 1996)
<b>Senior Team Lead</b>	Head of School
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<b>Reviewed by</b>	Sarah Thorne

## Introduction

The Statutory Framework for the Early Years Foundation Stage 2017 states:

3.52 Providers are responsible for managing children's behaviour in an appropriate way. Providers must not give corporal punishment to a child.

3.53 Providers must not threaten corporal punishment and must not use or threaten any punishment which could adversely affect a child's well-being.

The use of physical or corporal punishment is an offence under regulations made under the Childcare Act 2006 and may lead to prosecution.

Physical punishment also includes shaking, which will be considered unacceptable.

All Kindergarten staff aim to help children take responsibility for their own behaviour. This can be done through a combination of approaches, which include:

- Working closely with parents/carers.
- Creating a consistent daily and weekly rhythm.
- Positive role modelling.
- Planning a range of interesting and challenging activities.
- Setting and enforcing appropriate boundaries and expectations.
- Providing positive feedback.

There are rare occasions when a child's behaviour presents particular challenges, which may require physical intervention. This policy should be read in conjunction with the TLAS Kindergarten Positive Behaviour Policy.

Legislation that came into force in September 1998 (section 550 of the Education Act 1996) together with national guidance establishes the powers of teachers and other staff who have lawful control or charge of pupils to use reasonable force in order to prevent children committing a crime, causing injury or damage, or causing disruption.

## Types of Intervention

**Physical Restraint** is defined as the "positive application of force with the intention of overpowering the child" This is in circumstances where it will be in order to maintain his/her safety or the safety of other individual(s). The proper use of restraint requires skill, judgement and non-harmful methods of control.

**Reasonable Force** – there is not a definition in the Act of reasonable force, only a description of the circumstances where it might be used in school. The degree and duration of force should be in proportion to the need of the circumstances and should be the minimum necessary to achieve the desired result of restoring safety.

**There are two main types of physical intervention:**

- **Positive handling.**  
The positive use of touch is a normal part of human interaction; it may be appropriate in a range of situations:
  - Giving guidance to children

- Providing emotional support
- Physical care (first aid or toileting)

All staff will exercise appropriate care when using touch, please see First Aid and Nappy/Clothes Changing and Toileting Policies.

- **Restrictive physical intervention.**

This is when a member of staff uses physical force intentionally to restrict a child's movement against his/her will.

**Principles for the use of restrictive physical intervention:**

Restrictive physical interventions will only be used in extreme circumstances. We will do all that we can in order to avoid using restrictive physical behaviour. There are rare situations that create an immediate need for this type of intervention. Restrictive physical behaviour will only be used when staff believe its use is in the child's best interests and safety, or that of other children or adults or there is a risk of significant damage to property.

All staff have a duty of care towards the children. When children are in danger of hurting themselves, others or of causing significant damage to property, we have a responsibility to intervene. If appropriate, staff will divert a child or instruct them verbally to "stop." If this is not successful and the staff member judges it necessary, they will use restrictive physical intervention.

When physical intervention is used it is used within the principles of reasonable minimal force. The amount of force used will be in proportion to the circumstances.

**Circumstances when restrictive physical intervention may be used:**

Restrictive physical intervention can be justified when:

- A child is injuring themselves or others, or about to do so.
- A child is damaging property, or about to do so.

Duty of care means that staff might use restrictive physical intervention if, for example, a child was trying to leave the designated outdoor area or leave the group whilst on a walk. The aim in using restrictive physical intervention is to restore safety, both for the child and those around.

**Who can use restrictive physical intervention?**

Where possible a member of staff who knows the child best will be involved in using the restrictive physical intervention as this person is also most likely to be able to use other effective methods to keep this child safe. In an emergency, anyone can use restrictive physical intervention as long as the policy is followed.

If we know of a child whose behaviour means that there is a probable need to use restrictive physical intervention, the school will work closely with the parents to write an appropriate behaviour plan and share it with the parents.

**Types of restrictive physical intervention which may be used:**

- Aim for side by side contact with the child.
- Aim for no gap between the adult's and child's body.
- Beware of head positioning of the child to avoid head butts.
- Hold children by "long" bones: avoid joints
- Ensure there is no restriction in the child's ability to breathe.
- Avoid lifting children.
- Aim to guide children by the shoulders or a hand in the small of the back.

**Planning:**

In an emergency staff will do their best within their duty of care and use minimal force. After an emergency we will review what happened and evaluate how we responded.

**Recording and reporting:**

Any use of physical intervention will be recorded on an incident form and this completed within 24 hours of the incident. Parents / carers of the child will be notified of an incident when they collect the child or earlier if necessary. Incidents will be recorded in the child's individual file.

**Monitoring:**

Monitoring the use of restrictive physical intervention will help identify trends and therefore help develop our ability to meet the needs of the children without using restrictive physical intervention.

**Complaints:**

Any parent concerns should be dealt with through the usual channels following The London Acorn School Complaints Policy.

**Related Policies:**

TLAS Complaints Policy

TLAS Kindergarten Positive Behaviour Policy

TLAS Kindergarten First Aid Policy

TLAS Kindergarten Nappy/Clothes Changing and Toileting Policy

This policy will be reviewed annually. Those involved will be: The Head teacher and the Deputy Designated Safeguarding Lead.