



Including local arrangements in annexes for:

OAK TREE SCHOOL

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1: RATIONALE AND AIMS

Maiden Erlegh Trust has high expectations of the behaviour and attitudes of its pupils/students in all schools across the Trust. This includes whilst at school, on school trips/fixtures, and when representing the school and/or the Trust in any capacity, including walking to and from school, and on the internet.

How each school will respond when expectations are not met will vary according to individual school dynamics. School-specific approaches and information are annexed to this document.

This policy covers our shared values and principles, as well as confirming our approaches to any statutory situations.

Every member of The Trust and each school (pupils/students, staff, members of the School Advisory Board) has the right:

- To be able to work and learn to the best of their ability and without disruption.
- To work and learn in a healthy, safe, and pleasant environment.
- To experience success and fulfil their potential.
- To feel valued
- To feel supported
- To be treated with respect and good manners
- To be treated fairly

Every visitor has the right to feel welcomed and to be treated politely and with respect.

Every member of the public who meets pupils/students outside school has the right to be treated politely and with respect.

Every pupil/student is expected to do their very best to meet the Trust's high expectations, to take responsibility for, and accept the consequences of any mistakes or lapses in judgement, and to work constructively with any support put in place to help them to do so.

Every member of staff has a responsibility for upholding the school's culture and ethos, modelling positive conduct and communication, and ensuring that this policy is implemented. It is never someone else's job - the standards that you walk past are the standards you accept.

Parents and carers are expected to support the Trust and its schools in their work to maintain positive and safe environments, including in their application of this and other relevant policies.

Definitions

Conduct

Poor conduct undermines the culture and climate of schools, for example by damaging: the orderly running of the school, the safety and well-being of others, the working/learning environment, the Trust/school's reputation.

Behaviour for Learning

Pupils/students who display good behaviour for learning display a positive attitude e.g., they: listen and participate in lessons positively, manage and organise their learning well, welcome and respond positively to feedback, support others in their work and learning.

Unless specified, the term "behaviour" will refer both to conduct and behaviour for learning.

Bullying

This is any act carried out by a group or individual, repeatedly over time against a target who

cannot defend themselves, that intentionally causes harm, either physically or emotionally.

Harassment

This is unwanted behaviour which you find offensive, or which makes you feel intimidated or humiliated. You do not need to have previously objected to something for it to be unwanted.

Proof

When establishing the facts in relation to a behaviour incident the School/Trust will apply the civil standard of proof, i.e., 'on the balance of probabilities' (it is more likely than not that a fact is true) rather than the criminal standard of 'beyond reasonable doubt'.

The Maiden Erlegh Trust Code of Conduct applies to learners in all settings:

All pupils/students are expected to behave in a manner which promotes the best that they can be and the best interests of their school community and the Trust community.

They must:

Treat everyone in the school community with kindness and respect.

Move around the School and classrooms in a safe and responsible manner.

Respect the School environment and the property of others.

Be attentive and polite in lessons and contribute positively.

Work hard and do their best in class and on homework/independent study.

Attend school regularly and arrive at school and lessons on time.

Take responsibility for managing their own learning.

Listen to members of staff and follow all reasonable instructions.

Use digital/smart technology and the internet safely and positively.

Dress smartly and appropriately at all times, and ensure their appearance is in line with expectations.

2: CONDUCT AND BEHAVIOUR FOR LEARNING

Each school in the Trust will have a range of support strategies in place to prevent, support and respond to poor behaviour (including to prevent incidents escalating and thus to prevent the need for sanctions). We acknowledge that we must strike the right balance between prevention, support, and response.

Prevention

Expectations for behaviour are expressed in two main documents:

- The Maiden Erlegh Trust Code of Conduct for Students
- The Acceptable Use of Digital Technology Agreement (see school website Key Policies)

In addition, each school will have other documents outlining the roles and responsibilities of students, parents, and the school e.g.

- Anti-Bullying Policy
- Attendance Policy
- Behaviour for Learning/Classroom expectations

When pupils/students join a school, they and their parents receive a copy of the Code of Conduct. At the start of each academic year, all pupils/students are reminded of the behaviour expected of them in classrooms, around school, when representing their school and when using Information Technology. Copies of the Code of Conduct and the Acceptable Use of Digital Technology Agreement are also found on the school website.

It is each Headteacher's responsibility to ensure that these expectations are clear to all stakeholders (this will include education, publication on website, and reminders through bulletins and other ad-hoc communications).

Rewards

Each school will develop its own reward structure appropriate for its context. In doing so, schools will consult staff and pupils/students. See Annex 4.

Children will be rewarded not only for academic effort and performance but also for aspects related to their Character Education: their attitudes, skills, and behaviours – such as self-control, confidence, social skills, motivation, and resilience – that are thought to underpin success in school and beyond. They include the ability to respond to setbacks, work well with others, build relationships, manage emotions, and cope with difficult situations. There is growing evidence that these skills are important to children's later outcomes.

Support

Each school will develop its own menu of support, appropriate for its context. See Annex 3.

We will always consider if there is an unidentified need causing or exacerbating poor behaviour and thus if additional support is necessary.

Response

This policy's effectiveness is based on consistent, assertive, and positive school-wide behaviour management. All staff are responsible for managing behaviour, and the implementation of this policy, in each Trust school. The response to any poor behaviour aims to preserve the positive environment and dignity for everyone involved. We:

- see every child/young person as an individual worthy of respect and kindness
- do not punish the majority for the errors of a few
- praise more than we chastise
- praise in public and reprimand in private

- never make personal comments
- do not shout or sanction in anger

The person imposing any prevention/support strategies, or sanctions must inform the pupil/student and their parents in a timely way and explain the reasons for them.

Staff training

All staff are required to read and implement the Behaviour Policy before starting school and behaviour management strategies are covered with all members of staff at induction and refreshed during the year. In addition, all staff receive reminders of their school's local procedures in the relevant handbook.

Trainee teachers and NQTs received bespoke sessions on behaviour management, and we provide coaches and mentors for colleagues who need support in this area.

Whole school training sessions cover a range of professional development sessions linked to behaviour management e.g., on Behaviour for Learning, working with SEND pupils/students, de-escalation techniques. We also provide training on advanced specialist strategies such as physical intervention mental health first aid.

3: SANCTIONS AND CONSEQUENCES

The law allows schools to impose sanctions upon pupils/students for disciplinary reasons only. This includes breaches of the Behaviour Policy and in respect of those who fail to follow instructions. Sanctions can be imposed for misbehaviour in and out of school to such an extent as is reasonable.

When imposing a sanction, the following conditions must be satisfied:

- The sanction must be imposed by a member of staff authorised by the Headteacher.
- The decision to impose the sanction must be made on school premises or while the pupils/student is under the charge of the member of staff imposing the sanction.
- The imposition of the sanction must not breach any other legislation (for example, the Special Educational Need Code of Practice or the Equality Act 2010).
- The sanction must be reasonable and proportionate, taking into account the pupils/student's age, special educational needs, disability, or religious requirements

Having a Special Educational Need or Disability does not exempt a pupil/student from school consequences or sanctions, though this will be taken into account during the investigation and any potential sanction will be considered in accordance with the school's legal duties and responsibilities under the Equality Act 2010 and in line with the Special Educational Needs and Disability Code of Practice, and after all reasonable adjustments have been made where appropriate.

Possible Sanctions

The majority of incidents will be resolved immediately, with a pupil/student responding to a reminder of the expectations. If the pupil/student fails to respond positively and fails to modify their behaviour, one or more of the following sanctions may be imposed:

- A verbal reprimand
- Extra work or repeating unsatisfactory work until it meets the required standard
- The setting of written tasks as sanction
- Loss of privileges – for instance the loss of a responsibility or not being able to participate in a non-uniform day
- Detention including during break-time, lunchtime, after school or on INSET day.
- A same day disciplinary detention
- School based community service
- A report card

When a pupil/student, having been sanctioned in this way, either refuses to comply or fails to modify their conduct/behaviour for learning, or when a pupil's/student's behaviour has become more serious, they will be referred to a school leader who may impose one or more of the following sanctions:

- A longer disciplinary detention
- Multiple disciplinary detentions
- Multiple same day disciplinary detentions
- Extended days
- Withdrawal of free time at break, lunch, free period privileges in school
- A temporary or permanent ban from representing the school on trips, visits, or public activities
- A temporary or permanent ban from taking part in school social activities
- Withdrawal of an allocated place on a school trip, visit or other activity (forfeiting any monies paid for such activities)
- Imposed awareness and reflection work

- Confiscation of property (for which we reserve the right to search the pupil's/student's belongings)
- Department/phase withdrawal, when the pupil/student will work on their own in another classroom (this may be with another class)
- Alternative Learning Provision (ALP) in school (pupil/student is withdrawn from lessons for a day or more)
- A Fixed Term Transfer (FTT) – a supervised Alternative Learning Provision and/or modified timetable in another educational establishment within the Trust or at another local school
- A Suspension
- A Permanent Exclusion (PEX)

The Trust's approach to poor behaviour will endeavour to be positive and constructive at all times, with any form of alternative learning, suspension or exclusion being used as a last resort, or if a situation has arisen which demands strong and immediate action.

Parents will not be involved in either the process or decision to sanction a pupil/student who is not their child, even where their child was a victim of that pupil's/student's misbehaviour.

Parents wishing to complain about any disciplinary sanction imposed on their child are able to do so under the Trust's published Complaints Policy.

For all sanctions resulting in a pupil/student being withdrawn from their usual timetable as part of a formal sanction (not including the investigation period) due consideration will be given to a pupil's/student's needs, protected characteristic features, safeguarding issues, and prior record, before making a final decision. The decision-making process and its conclusions will be recorded on the Trust "Sanction Consideration Form" and filed with the evidence of the investigation.

See Annex 2 for school specific stages of response to poor conduct and/or behaviour for learning.

4: DETENTION

Schools have the power to impose detention (including outside school sessions) upon any pupil/student under the age of eighteen years as a disciplinary penalty. All detentions will be recorded electronically on the pupil's/student's file.

Permitted Day

The detention can be on a "permitted day", which is any school day, any Saturday or Sunday (excluding the Saturday and Sunday immediately before or after school holiday) or any inset day.

Notice

Parents are not legally entitled to notice of a detention imposed upon their child before it can take place, although a school will usually notify the parents of any detention imposed outside normal school sessions, except in relation to detentions which take place immediately after school.

Parental Consent

Parental consent to a detention is not required. If parents want to raise an objection to a detention, they may do so under the Trust's published Complaints Policy. In those circumstances, the detention may be postponed until after the complaint has been considered. This is not guaranteed, however.

Travelling Arrangements

In addition to the normal rules regarding the imposition of sanctions, a school will take into account whether suitable travelling arrangements can reasonably be made by the parents where the pupil/student is very young, does not live within walking distance of the school and is reliant on school transport or public transport which is only available at specific times. Whether making alternative travel arrangements is inconvenient to the parents is not a factor which a school will take into account.

Lunch Time Detentions

If a school imposes a detention at lunch time, the school will ensure that the pupil/student is allowed a reasonable amount of time to eat, drink and use the toilet facilities.

Failure to Attend Detention

If a pupil/student fails to attend a detention without a reasonable explanation, they will normally receive a more severe sanction.

5: ALTERNATIVES TO SUSPENSION AND EXCLUSION

Lesson Withdrawal

Lesson withdrawal is when the pupil/student is removed from a particular lesson for one or more lessons and placed elsewhere in the school, either on their own or with other pupils/students. This is a sanction for serious or persistent poor behaviour in a particular subject.

Alternative Learning Provision (ALP)

ALP is when a pupil/student is removed from his or her formal lessons for a limited period of time and placed elsewhere in the school and remains supervised. This is a sanction for serious or persistent poor behaviour. In such cases, provision will be made for the pupil/student to eat lunch and use the toilet facilities. The period of time a pupil/student may be sanctioned in this way is determined on a case-by-case basis. During this period, pupils/students will typically also undertake a programme of activities designed to enable them to reflect on their behaviour, its impact on them and others and how to reintegrate positively back into their school.

Modified Timetable (MTT)

A school may work with the parents and pupil/student to agree a modified timetable (usually for a fixed period of time) when the pupil's/student's day timings and/or timetable structure is adapted to improve engagement, provide time for therapeutic interventions, work experience, alternative courses etc. The MTT and its impact is reviewed regularly throughout the process

Fixed Term Transfer (FTT)

Schools within the Trust may impose a Fixed Term Transfer, whereby a pupil/student is required to attend an Alternative Learning Provision (ALP) at another school for a period of time determined on a case-by-case basis. This is a sanction for very serious or persistent school behaviour, usually as an alternative to suspension from school.

Direction to an alternative education establishment

A school's School Advisory Board may direct a pupil/student off-site for education to improve their behaviour (in line with Alternative Provision Statutory guidance for local authorities 2013). This would be for an agreed time and reviewed regularly throughout the placement.

Alternative and Off-Site Provision

This is when a pupil/student attends a different setting for part of the week with the intention of improving their engagement in school, helping them to manage their emotions, and raising their self-esteem. This would be for an agreed time and reviewed regularly throughout the placement. All of the settings used by Maiden Erlegh Trust schools are checked for compliance (eg Health and Safety, Insurance, Safeguarding Systems) and are regularly visited by a member of staff.

Managed Move

Schools within the Trust may suggest a managed move to another school with a view to it becoming a permanent placement. This is a structured and supported process allowing the pupil/student to make a fresh start, usually to avoid permanent exclusion. It is done only with the pupil/student's and the parents' consent and is reviewed regularly throughout the placement

6: SUSPENSION AND EXCLUSION

Any decision to send a pupil/student off-site (even at lunchtimes) is a suspension and will be dealt with formally in accordance with Department for Education's statutory guidance September 2023.

Only the Headteacher has the power to impose a suspension or permanent exclusion.

Our priority is to try to prevent pupils/students being suspended or excluded from school and whilst only ever used as a last resort, suspension or exclusion may be imposed for:

- Bringing a prohibited item into school
- Bringing a school or the Trust into disrepute
- Defiance of staff which jeopardises safety
- Discrimination on the grounds of membership of a protected group under the Equality Act
- Drug and alcohol related incidents (including legal highs, tobacco, and vaping)
- Failure to comply with the expectations of an internal isolation, ALP, or a Fixed Term Transfer
- Grooming for any purpose including sexual or criminal exploitation and radicalisation
- Malicious accusations
- Persistent and/or significant disruptive behaviour incompatible with the safe and efficient education of others
- Persistent or deliberate reckless or dangerous behaviour
- Physical assault of member of staff or visitor to a school/the Trust
- Physical assault of pupil/student
- Possession/use of a dangerous weapon (or implement/substance which could be construed as a dangerous weapon)
- Posting abusive, misleading, or illegal comments, images, or other content in emails or on social networking sites or blogs
- Refusal to Accept the Authority of the School
- Repeated bullying of any member of the school community
- Repeated harassment of any member of the school community
- Serious damage to property/vandalism/graffiti belonging to another pupil/student, a member of staff or visitor to a school/the Trust
- Sexual misconduct
- Significant or persistent breach of the Acceptable Use of Digital Technology Agreement
- Theft of property belonging to another pupil/student, member of staff or visitor to a school/the Trust
- Threatening or intimidating behaviour of any kind
- Verbal abuse of member of staff or visitor to a school/the Trust
- Violent disorder

This list is not exhaustive.

The Decision to Suspend/Exclude

Before taking the decision to suspend/exclude, the Headteacher will:

1. Conduct an investigation into the events leading up to the suspension/exclusion or delegate the investigation to another appropriate colleague.
2. The investigation will include:
 - Taking signed and dated witness statements from other pupils/students and members of staff.
 - If a witness is reluctant to sign a statement the interviewing staff member will produce a witness statement to confirm exactly what the witness said, and the witness will be given a chance to correct any mistakes.
 - In the event that a pupil/student refuses to make a statement this fact will be recorded formally by the interviewing member of staff.
 - Collecting any other relevant evidence possible (for example, photographs or CCTV footage)
 - Taking all reasonable steps to obtain a statement from the pupil/student at risk of suspension/exclusion.
3. The Headteacher will assess the evidence and information obtained during the course of the investigation and establish the facts (on a balance of probabilities).
4. He/she will ascertain whether there are any underlying causes for the behaviour (e.g., if the pupil/student has recently suffered a bereavement or has been subjected to bullying).
5. He/she will ascertain whether the pupil/student has a special educational need or disability or protected characteristic (as defined by the Equality Act 2010) and whether a reasonable adjustment should be made.
6. He/she will decide whether a suspension (and, if so, the length of the suspension) or whether a permanent exclusion is merited.
7. He/she will decide whether a suspension or permanent exclusion is lawful, rational, reasonable, fair, and proportionate.
8. A permanent exclusion will be imposed where there has been a serious breach, or persistent breaches, of this Behaviour Policy, and where allowing the pupil/student to remain in school would seriously harm the education or welfare of the pupil/student or others in the school.
9. The school reserves the right to impose (exceptionally) a further consecutive suspension or a permanent exclusion for the same misbehaviour where further evidence comes to light after the original suspension.

Procedure for issuing a Suspension or Permanent Exclusion

When the Headteacher has made a decision to suspend/exclude, the following procedure will be followed:

1. The parents will be contacted on the same day verbally (usually by telephone) or by email if that is not possible. They will be informed of the period of the suspension or permanent exclusion and the reasons for it.
2. The parents will receive a formal notification letter confirming the period of the suspension, the reasons for the suspension, and all other statutory information required by the Regulations and Guidance. Every effort will be made to give a copy of this to the parent or pupil/student at the time the suspension/exclusion is issued.
3. Work will be sent home for the pupil/student to complete during the first five days of the suspension/exclusion. Where the suspension is for a period of more than five days, the school will arrange for alternative educational provision from the sixth consecutive day. For permanent exclusions, the local authority will arrange for alternative educational provision from the sixth day of the exclusion.
4. For a suspension which results in the total number of days suspended in that term **not exceeding 5 days**, the parents will be invited in the notification letter to make representations about suspension which, if received, will be considered by the School Advisory Board and, in appropriate cases, a copy of their comments will be placed on the pupil's/student's record. The School Advisory Board will not, however, have the power to direct reinstatement, and the pupil/student will not be readmitted without a re-integration meeting with a senior member of staff (and possibly a member of the School Advisory Board).
5. For a suspension which results in the total number of days suspended in that term **exceeding 5 days but not exceeding 15 days**, the parents will be invited in the notification letter to make representations about the suspension which, if received, will result in the School Advisory Board Disciplinary Committee arranging a meeting **within 50 school days** to review the Headteacher's decision and decide whether to uphold the suspension or direct reinstatement, immediately or on a specified date. If the decision to suspend is upheld, the pupil/student will not be readmitted without a readmission meeting with a senior member of staff (and possibly a member of the School Advisory Board).
6. For a suspension which results in the total number of days suspended in that term **exceeding 15 days**, the parents will be invited in the notification letter to make representations about the suspension and, whether or not representations are received, the School Advisory Board Disciplinary Committee will arrange a meeting **within 15 school days** to review the Headteacher's decision and decide whether to uphold the suspension or direct reinstatement, immediately or on a specified date. If the decision to suspend is upheld, the pupil/student will not be readmitted without a readmission meeting with a senior member of staff (and possibly a member of the School Advisory Board).
7. For a **permanent exclusion**, the parents will be invited in the notification letter to make representations about the exclusion and, whether or not representations are received, the School Advisory Board Disciplinary Committee will arrange a meeting **within 15 school days** to review the Headteacher's decision and decide whether to uphold the exclusion or direct reinstatement, immediately or on a specified date.
8. For a suspension which results in the **loss of opportunity to take a national curriculum test or public examination**, the parents will be invited in the notification letter to make representations about the suspension and, whether or not representations are received, the School Advisory Board Disciplinary Committee will **take reasonably practicable steps to arrange a meeting before the test or examination is due to take place, and in any event within 15 school days** to review the Headteacher's decision and decide whether to uphold the suspension or direct reinstatement, immediately or on a specified date. If the decision to suspend is upheld, the pupil/student will not be readmitted without a readmission meeting with a senior member of staff (and possibly a member of the School Advisory Board).

The Pupil/Student's Involvement in Making Representations

Where representations are made by parents, the suspended/excluded pupil/student may also be involved by writing down anything that the pupil/student wants to say about the suspension/exclusion and attaching this to the parents' representations, which should be addressed to the Clerk to the School Advisory Board and either taken in to the School office, or sent by email to the Clerk to the Board of Trustees at trustees@maidenerleghtrust.org as soon as possible, and at least two days before the meeting, where relevant.

School Advisory Board Disciplinary Committee Meeting

School Advisory Board Disciplinary Committees are typically made up of three School Advisory Board members. Where availability is limited one member of the Committee may be a Trustee.

When a School Advisory Board Disciplinary Committee meeting is to take place, the parents are able to attend the meeting, and be accompanied by a representative (at their own expense) or a friend. The pupil/student may also attend if the parents so wish. The parents, pupil/student, representative or friend may make representations to the School Advisory Board at the meeting. The parents may also request that a representative of the local authority (and a representative of the local authority in the area in which the pupil/student lives, if this is a different area to the school) is invited to attend the meeting, as an observer only.

Where the School Advisory Board Disciplinary Committee direct that the pupil/student is to be reinstated, they will be reinstated by the Headteacher immediately or, if so directed, on the specified date, and the suspension/exclusion will be recorded as withdrawn on the pupil's/student's record.

Where the decision to suspend/exclude is upheld by the School Advisory Board Disciplinary Committee, the parents will be sent a notification letter informing them of this fact and the reasons for the decision, together with statutory information required under the Regulations and Guidance. In the case of permanent exclusions, this information will include full details of how the parents may ask for a review of the decision by an independent review panel.

Independent Review Panel

Independent Review Panels will be convened and run in accordance with Statutory Guidance: [Suspension and Permanent Exclusion from maintained schools, academies and pupil referral units in England, including pupil movement Guidance for maintained schools, academies, and pupil referral units in England September 2023](#)

Document Retention

Unless exceptional circumstances apply warranting a longer retention, a copy of the Permanent Exclusion file will be retained by the school for a period of one year after which time it will be confidentially disposed of.

Readmission

When a child returns to school following a suspension, there will be a readmission meeting involving key staff, the child and parents will also be invited. In the event that the parents are unable or choose not to attend, the readmission meeting will go ahead in their absence.

The purpose of this meeting is to:

- Take in any outstanding work set for the period of the sanction.
- Re-establish expectations for re-integration into the school community.
- Review any support strategies in place and agree any amendments/additions including behaviour plans and risk assessments if relevant.

If a child is unable /unwilling to commit to adhering to school rules and expectations, they will be readmitted to school, a risk assessment will be conducted, and mitigations may be put in place. They may face further suspensions or permanent exclusion in the event of further transgressions

of the behaviour policy.

All readmission meetings will be followed-up with parents in writing.

7: THE USE OF REASONABLE FORCE AND RESTRAINT

Government guidance sets out how reasonable force or restraint can be used in schools. Use of Reasonable Force in Schools 2013.

The term “reasonable force” means such force as is reasonable in the circumstances and covers a broad range of actions involving a degree of physical contact with a pupil/student which are used by most teachers and other members of staff in schools at some point during their careers. Force is usually used to control or restrain, ranging from guiding a pupil/student to safety by the arm, to more extreme circumstances such as breaking up a fight, or restraining a pupil/student to prevent violence or injury.

The term “reasonable in the circumstances” means using no more force than is needed and is proportionate to the consequences it is intended to prevent.

Members of staff will always try to avoid using reasonable force in a way which might cause injury but, in extreme cases, it may not always be possible to avoid injuring a pupil/student.

Reasonable force is generally used for two main purposes; to control pupils/students, or to restrain pupils/students. The term “control” means either passive physical contact (such as standing in between two pupils/students or blocking the path of a pupil/student), or active physical contact (such as guiding a pupil/student by the arm out of a classroom). The term “restrain” means to hold back physically or to bring a pupil/student under control.

The decision to physically intervene is down to the professional judgement of the member of staff concerned. There is a power, not a duty, to use force so members of staff have discretion whether to use it. However, teachers and other school staff have a duty of care towards their students/pupils, and it might be argued that failing to take action (including a failure to use reasonable force) may in some circumstances breach that duty.

Where a pupil/student is disabled or has special educational needs, reasonable adjustments will need to be made by the member of staff.

Where a serious incident has occurred, which involved the use of reasonable force, this will be notified to the pupil's/student's parents. In deciding whether an incident is serious, the school will consider the pupil's/student's behaviour and the level of risk involved, the degree of force used, the effect of the use of reasonable force on the pupil/student or the member of staff and the pupil's/student's age.

All members of staff (including volunteers and parents attending school trips where the Headteacher has put these people temporarily in charge of pupils/students) have the power to use reasonable force.

Examples of when reasonable force can be used include:

- To prevent a pupil/student from leaving an area to protect their safety or the safety of others at risk
- To stop a fight between students/pupils
- To prevent a pupil/student from harming themselves or others.
- To prevent a pupil/student from committing a criminal offence
- To prevent damage to property
- To conducting a search of a pupil/student without their consent for prohibited items

The above list is not exhaustive.

When using reasonable force would put a member of staff, or anyone else at risk, they should

take other reasonable action to minimise the risk and get help (including calling the police or paramedics, or for the help of parents, where necessary).

Parental consent is **not** required for members of staff to use reasonable force on pupils/students. Parents who are unhappy that reasonable force has been used on their child are able to submit a formal complaint to the relevant school under its published Complaints Policy, however it will be the responsibility the person making the complaint to prove that his/her allegations are true – it is not for the member of staff to show that he/she has acted reasonably.

Suspension must not be an automatic response when a member of staff has been accused of using excessive force.

Where a member of staff has acted within the law – that is, they have used reasonable force in order to prevent injury, damage to property or disorder – this will provide a defence to any criminal prosecution or other civil or public law action.

It is not illegal for members of staff to touch a pupil/student when this is appropriate, for example when comforting, congratulating, or praising a pupil/student, or demonstrating techniques in music or physical education.

Each school will keep a record of physical interventions. This will be reviewed on an annual basis.

In our SEN and Alternative Provision Schools, staff receive specialised training in the use of restraint.

All incidents of restraint will be recorded in CPOMS.

8: TYPES OF INCIDENT

Pupils'/students' behaviour outside the school gate (including on the internet)

When a school is made aware of pupils/students behaving inappropriately or in a way which is unsafe outside school, their parents will be informed, and advised as to how they can support their child in the community and/or online. There will be an expectation on parents to support the school in disciplinary matters.

Non-criminal poor behaviour and/or bullying which occurs off the school premises, and which is witnessed by a staff member or reported to the school, may also be considered as grounds for sanctions as outlined within this policy. In such cases, incidents will be reviewed, and sanctions imposed in the same way as if the incident had happened in school (including up to permanent exclusion).

Pupils/students may be disciplined for poor behaviour when the pupil/student is:

- Taking part in any school-organised or school-related activity or
- Travelling to or from school or
- Wearing school uniform or
- In some other way identifiable as a pupil/student at the school

Pupils/students may also be disciplined for poor behaviour at any time, whether or not the conditions above apply, that:

- Could have repercussions for the orderly running of the school or
- Poses a threat to another pupil/student or member of the public or
- Could adversely affect the reputation of the School or the Trust

Breaches of the Law

The school has the power to impose an appropriate disciplinary sanction on a pupil/student who has misbehaved in a way which could amount to a criminal offence (for example, theft, physical or sexual assault, criminal damage, possession or supply of prohibited substances, harassment, or public order offences). This applies to misbehaviour on the school's premises or outside school, and a sanction can be imposed even where the pupil/student was not identifiable as a pupil/student of the school at the time.

There may be occasions when the police decide to take no formal action against a pupil/student, but this does not always mean that the police have cleared the pupil/student of guilt – they may be satisfied that an offence was committed but have decided it was not in the public interest to take formal action. The school will therefore carry out its own investigation (applying the civil standard of proof 'on the balance of probability', rather than the criminal standard of 'beyond reasonable doubt') and may impose a sanction where it is fair, reasonable, and proportionate to do so.

The Trust and/or the relevant school will report any behaviour which may amount to a criminal offence to the police (and in most cases to Social Services) and co-operate fully with any subsequent police investigation or prosecution by providing all relevant information.

If a child is found in possession of a weapon (including a blade), a controlled substance, an acid or toxin, child or extreme pornography the Trust and/or relevant school will automatically report them to the police and in most cases to Social Services.

If the School is concerned of potential links to radicalisation, criminal exploitation, or gangs they will liaise with the appropriate agency.

Mobile telephones and electronic devices

When used at a time or in a way which is restricted, the mobile telephone/device will be considered a “prohibited item” banned by the Trust/school, and subject to the normal rules on searching, seizure, retention, or destruction.

A pupil’s/student’s mobile telephone/device may also be confiscated by the relevant school as a disciplinary sanction. In such cases, the mobile telephone/device will be retained until it can be collected by the pupil/student and/or parent after a period of time agreed by the school. This may be up to the end of the current term.

Any use of a mobile telephone/device must comply with the relevant school’s Acceptable Use of Digital Technology Agreement. Any unauthorised use of a mobile telephone will be considered to be in breach of this agreement.

Please see Annex 1 for local arrangements.

School uniform (code of dress in the Sixth Form)

Pupils/students are expected to wear the relevant school uniform/code of dress and abide by the school’s expectations of appearance and self-presentation including to and from school.

These are made clear on the website, and we expect parents to support our expectations. When there are valid reasons for a pupil/student not being able to comply for a short period of time, parents are expected to confirm the reasons for this in writing, and to rectify the situation in the shortest period of time possible.

Please see Annex 1 for local arrangements.

Malicious allegations

Malicious allegations against staff are very serious, and we reserve the right to impose any sanction up to and including a permanent exclusion on any pupil/student who is found to have made a malicious allegation.

In addition, where the pupil/student remains at the school, they are likely to be required to undertake some supportive and educational work. In some circumstances it may be appropriate for the child to take part in a process of restorative justice or mediation with the member of staff in order for all parties to be able to move forward. We would expect parents to support this.

Vandalism, Damage or Theft

In the event that a pupil/student is found to have caused damage as a result of wilful or reckless behaviour we reserve the right to ask the parent/carer for a contribution towards the cost of replacement/repair. This applies to damage to the school building and its contents as well as property belonging to another pupil/student, a member of staff, or a visitor. The same applies in the event that a pupil/student is found to have stolen property.

Students who are intoxicated

Any student who is believed to be intoxicated will be sent home and this will be recorded as a formal suspension from school. If a student is unwell, medical attention will be sought or recommended.

9: THE POWER TO SEARCH

Any decision to search a pupil/student will be dealt with in accordance with Department for Education's guidance: [Searching, screening and confiscation July 2022](#):

A school can search any pupil/student or their possessions for any item with the pupil's/student's consent. If a member of staff asks a pupil/student to empty their pockets or bag, and they do so, this will be deemed to have consented to being searched. If a pupil/student refuses to be searched, they will be deemed to be in breach of the Behaviour Policy and could be suspended from school.

The school can require pupils/students to undergo screening by a walk-through or hand-held metal detector (arch or wand) even if they do not suspect them of having a weapon and without the consent of the pupils/students. In accordance with the guidance, if a pupil/student refuses to be screened in this way they may be sent home and their absence recorded as Unauthorised.

'Possessions' means any goods over which the pupil has or appears to have control – this includes desks, lockers, and bags.

Prohibited Items

A school's Headteacher and members of staff authorised by the Headteacher have the right to search a pupil/student or their possessions, without consent, if they have reasonable grounds for suspecting that the pupil/student may be in possession of a "prohibited item". If a member of staff suspects that a pupil/student is in possession of a "prohibited item" and the pupil/student refuses to empty their pockets or bag, the school can impose an appropriate sanction for this refusal.

A school's Headteacher and members of staff authorised by the Headteacher have the right to use such force as is reasonable, given the circumstances, when conducting a search for a 'prohibited item'.

The "prohibited items" are:

- Abusive or racially inflammatory images or texts
- Acids or toxins
- Alcohol
- Any article that the member of staff reasonably suspects has been, or is likely to be, used to commit an offence, or to cause personal injury to, or damage to the property of, any person (including the pupil/student themselves).
- Any item which may be being used, or have been used to coerce, groom, bribe or intimidate others
- E-cigarette or vaping items
- E-scooters
- Fireworks
- Controlled substances (including illegal or prescription drugs and associated paraphernalia)
- Knives/blades or weapons
- Laser pens or similar
- Legal highs
- Literature or images considered to be purporting extremist views
- Mobile telephones/electronic devices when used in a way that contravenes the school rules
- Pornographic images
- Replica or toy weapons
- Stolen items
- Tobacco products, lighters/matches, and cigarette papers

Banned Items

A school and/or the Trust reserves the right to ban other items if their use or dissemination becomes disruptive or unsafe to stakeholders, or if they are considered offensive. Headteachers and authorised staff can search for items banned by the school as identified in the local school rules as an item which may be searched for. Force cannot be used to search for items banned under the school rules.

Authorised Members of Staff

Searches will only be conducted by members of staff authorised by the Trust and/or Headteacher of a school. In each school, the following members of staff are authorised to conduct searches:

- All members of the Senior Leadership Team
- All members of the Inclusion/Behaviour Team
- Special Educational Needs Co-ordinator
- Designated Safeguarding Lead
- Pastoral middle leaders
- Phase leaders
- Family Support Advisor
- The Trust Designated Safeguarding Lead
- The Executive Director of Education
- The Chief Executive Officer
- Any other member of staff authorised by the Headteacher

Searches

In almost all cases, the member of staff conducting the search must be the same sex as the pupil/student being searched; and the search will be conducted in the presence of another member of staff acting as a witness. If possible, they will also be the same sex as the pupil/student.

In rare cases, however, where there are reasonable grounds to believe that there is a risk of serious harm to the pupil/student or another person if the search is not conducted immediately and there is not sufficient time to summon another member of staff, the search may be carried out by a member of staff who is the opposite sex of the pupil/student and without a witness present.

Members of staff can refuse to conduct a search, even where they are authorised to do so by the Headteacher, and the Headteacher cannot compel any member of staff to conduct a search other than a member of the school's security staff. Where a member of the school's security staff conducts a search, it should be witnessed by a permanent member of staff other than security staff at the school. Members of staff will receive training on conducting searches, as appropriate.

There is no requirement for parents to be notified in advance of a search, and parental consent is not required.

A strip search is a search involving the removal of more than outer clothing. Strip searches on school premises can only be carried out by police officers under the Police and Criminal Evidence Act 1984 (PACE) Code A and in accordance with the Police and Criminal Evidence Act 1984 (PACE) Code C. While the decision to undertake the strip search itself and its conduct are police matters, school staff retain a duty of care to the pupil(s) involved and should advocate for pupil wellbeing at all times.

Where a pupil/student fails to cooperate with a search for any item (including items prohibited by the school), this will be regarded as defiance and a disciplinary sanction imposed, in addition to any disciplinary sanction for other misbehaviour leading to the search.

All members of staff conducting a search of a pupil/student will have due regard to the

pupil's/student's expectations of privacy during the search. The pupil/student may be asked to remove outer clothing but will not be asked to expose their underwear. Outer clothing also includes hats, footwear, gloves, and scarves, as well as trousers when worn over other trousers/jogging bottoms.

The school will notify the pupil's/student's parents when a "prohibited item" or a "banned" item has been found.

Confiscation of Items Found

A school can seize, retain, or destroy any 'prohibited item' found following a search. A school can also seize any item found in any circumstances which is considered to be harmful or detrimental to the school and/or Trust, or any item which is evidence in relation to a criminal offence. In addition, a school can confiscate, retain, or dispose of any item belonging to a pupil/student as a disciplinary sanction for misconduct by the pupil/student, where reasonable to do so.

Where the member of staff is not sure whether a substance found is illegal or not, but has reason to believe that it may be an illegal substance, it will be treated as an illegal substance.

In determining whether there is a "good reason" not to hand items over to the police, or for not erasing data or files from electronic devices, the member of staff will take into account all relevant circumstances and use their professional judgement, including considering the value of a stolen item, and whether an item can be safely disposed of by the school.

Abusive or racially inflammatory images or texts	These will either be handed to the police or destroyed. If the image or text is electronic, it will be deleted from the device and from the cloud if it is not to be handed over to the police, before retaining or disposing of the device, or returning it to the pupil/student who owns it.
Acids or toxins	Where acids or toxins are found, these will either be handed to the police or destroyed.
Alcohol	Where alcohol is found, the school will seize and dispose of it. Alcohol will not be returned to the pupil/student, their parents, or any other person.
Any item which may be being used, or have been used to coerce, groom, bribe or intimidate others	Any item falling into this category will be seized and handed to the police.
Any article that the member of staff reasonably suspects has been, or is likely to be, used to commit an offence, or to cause personal injury to, or damage to the property of, any person (including the student/pupil themselves).	Any item falling into this category may be delivered to the police or returned to the owner. It may also be retained or disposed of.
E-cigarette or vaping items	Where these items are found, the school will seize these and dispose of them. They will not be returned to the pupil/student, their parents, or any other person.
E-scooters	Where these are found, they will be retained by the school and returned only to a parent.
Mobile telephones/electronic	Where mobile telephones or electronic devices are seized, the Headteacher or authorised member of staff may search the device if

devices when used in a way that contravenes the school rules	they reasonably suspect that there is data or a file on the device which has been, or could be, used to cause harm, to disrupt teaching, to break the school rules or to commission a crime. They can delete the data/file including from the cloud if it is not to be handed over to the police, before retaining or disposing of the device, or returning it to the pupil/student who owns it.
Fireworks/caps	Where fireworks are found, the school will seize these and dispose of them. They will not be returned to the pupil/student, their parents, or any other person.
Controlled substances (including illegal or prescription drugs and associated paraphernalia)	Where controlled drugs are found, the school will seize these and hand them over to the police as evidence as soon as possible and co-operate fully with any subsequent investigation or prosecution. Where there is a good reason for doing so, the school may dispose of the controlled drugs instead of handing them over to the police.
Knives/blades or weapons	Where knives/blades or weapons are found, the school will seize these and hand them over to the police as evidence as soon as possible and co-operate fully with any subsequent investigation or prosecution.
Laser pens or similar	Where these items are found, the school will seize these and dispose of them. They will not be returned to the pupil/student, their parents, or any other person
Legal highs	Where other substances are found which are not believed to be controlled drugs but are believed to be harmful or detrimental to good order and discipline (for example "legal highs" or acid), the school will dispose of them. They will not be returned to the pupil/student, their parents, or any other person.
Literature or images considered to be purporting extremist views	These will either be handed to the police or destroyed. If the image or text is electronic it will be deleted from the device and from the cloud if it is not to be handed over to the police, before retaining or disposing of the device, or returning it to the pupil/student who owns it.
Pornographic images	Where pornographic videos or images are found, the school will seize these and dispose of them. Electronic imagery Images will be permanently deleted from the device and from cloud storage. Where the pornography is extreme or involves children, the school will hand the video/images over to the police and co-operate fully with any subsequent investigation or prosecution. They will not be returned to the pupil/student, their parents, or any other person.
Replica or toy weapons	These will either be handed to the police or destroyed. They will not be returned to the pupil/student, their parents, or any other person.
Stolen items	Where items which are believed to be stolen are found, the school will seize these and hand them over to the police as evidence as soon as possible and support any subsequent investigation or prosecution. Where there is a good reason for doing so (for example, where there is no criminal investigation), the school may return the stolen items to their rightful owner instead of handing them over to the police.
Tobacco products, lighters/matches, and cigarette papers	Where these items are found, the school will seize these and dispose of them. They will not be returned to the pupil/student, their parents, or any other person.

Liability for Confiscated Items

Members of staff who have seized a "prohibited item" have a defence to any proceedings brought against the School or Trust or themselves in relation to the loss of, or damage to, any item which they have confiscated in accordance with the procedure outlined in this Behaviour Policy. Whilst the School will ensure that reasonable care is taken of seized items, the school will not accept any liability for the loss of, or damage to, any items which have been confiscated in accordance with the procedure outlined in this Behaviour Policy.

10: MONITORING

School level rewards, support strategies and sanctions (including all detentions) are recorded centrally as are all attendance records.

As part of each school's half termly reviews of its school improvement plan review and school evaluation, senior leaders scrutinise a range of data relating to behaviour and attitudes (including suspensions/exclusions) to determine how effective strategies are and the impact they are having. Where necessary, strategies are adapted, and interventions put in place.

The relevant Trust leaders review information relating to behaviour across all schools in the Trust, as well as any particular strengths, and strategies for further improvement, presenting this to the relevant Trust Committee. Where necessary, the Trust Committee can direct schools to undertake further work in respect of behaviour.

ANNEX 1: Trust code of conduct for pupils and students

All pupils/students are expected to behave in a manner which promotes the best that they can be and the best interests of their school community and the Trust community. They must:

- Treat everyone in the school community with kindness and respect.
- Move around the School and classrooms in a safe and responsible manner.
- Respect the School environment and the property of others.
- Be attentive and polite in lessons and contribute positively.
- Work hard and do their best in class and on homework/independent study.
- Attend school regularly and arrive at school and lessons on time.
- Take responsibility for managing their own learning.
- Listen to members of staff and follow all reasonable instructions.
- Use digital/smart technology and the internet safely and positively.
- Dress smartly and appropriately at all times, and ensure their appearance is in line with expectations.

ANNEX 2: Oak Tree school specific arrangements

Expectations and Sanctions with regard to:

Mobile phones

- Oak Tree students are allowed to bring their mobile phones to school. They are allowed to use these at break and lunchtimes, in the hall, common room or outside. Students are not permitted to use mobile phones during lessons; during lessons, mobile phones must be on 'silent' and put away in student bags or pockets. Students are not allowed to play music on their phones unless wearing earphones at break or lunchtime. Students must not photograph, video or audio record other students or staff. Students must not access inappropriate websites or social media channels using their mobile phones whilst on the school site. Students are encouraged at all times to keep themselves 'cyber safe'. The school does not accept responsibility for any loss of, theft of or damage to a student's mobile phone.

Uniform/dress code

- Oak Tree School has a uniform which should be worn by all students. This comprises sweatshirt with logo, polo shirt and black trousers/shoes or trainers without logo/design. Any student who has difficulty with complying with the school uniform requirements owing to sensory issues should speak in the first instance to a member of SLT with their parents. Financial support can be requested for purchasing school uniform.

Attendance and punctuality

- Please see Oak Tree School Attendance Policy for expectations on attendance and information about how we support and tackle poor attendance.

ANNEX 3: Oak Tree school examples of behaviour and school responses

Challenging behaviour from pupils who are able to understand and change their actions and consequences:

The school staff are aware that pupils displaying challenging behaviour are frequently communicating a need, in an inappropriate manner which may be harmful to themselves and to others. Keeping in mind the school's ethos of positive behaviour support and the importance of having a multi-disciplinary approach, staff also have a duty to ensure that the school remains a safe learning environment.

LIST OF EXAMPLE NEGATIVE BEHAVIOURS AND HOW STAFF SUPPORT STUDENTS WITH THEIR BEHAVIOUR	
<p>Bullying or harassment or any descriptions (of any student, including if linked to a protected group)</p> <p>Fighting</p> <p>Theft</p> <p>Smoking or being in possession of tobacco</p> <p>Truancy from school</p> <p>Reckless behaviour</p> <p>Breach of Acceptable Use of Digital Technology Agreement</p> <p>Bringing a prohibited item into school</p> <p>Bringing the school or the Trust into disrepute</p> <p>Bullying or harassment (of any member of the school community)</p> <p>Damage to property belonging to another pupil/student, a member of staff or visitor to a school/the Trust</p> <p>Defiance of staff which puts the safety of staff and/or pupils/students in jeopardy</p> <p>Drug and alcohol related incidents (including legal highs, tobacco and vaping)</p> <p>Grooming for any purpose including sexual or criminal exploitation and radicalisation;</p> <p>Persistent and/or significant disruptive behaviour incompatible with the safe and efficient education of others</p> <p>Physical assault upon another pupil/student, member of staff or visitor to a school/the Trust</p> <p>Possession/use of a dangerous weapon (or implement/substance which could be construed as a dangerous weapon)</p> <p>Posting abusive, misleading or illegal comments, images or other content in emails or on social networking sites or blogs</p> <p>Significant or persistent breach of the Acceptable Use of Digital Technology Agreement</p> <p>Sexual misconduct</p> <p>Theft of property belonging to another pupil/student, member of staff or visitor to a school/the Trust</p> <p>Threatening or intimidating behaviour of any kind</p> <p>Malicious accusations</p> <p>Verbal abuse of another pupil/student, member of staff or visitor to a school/the Trust</p> <p>Violent disorder</p> <p>Persistent or deliberate reckless or dangerous behaviour</p>	<p>Oak Tree School staff are trained in 'Therapeutic Schools' methods of supporting positive behaviour. Staff always aim in the first instance to support student behaviour with a positive and therapeutic approach, looking with the student at the reasons for behaviours and supporting students to find socially acceptable methods for managing their emotions and reactions to different triggers.</p> <p>All students at Oak Tree School have social, emotional and mental health difficulties. Staff always try to distinguish between intentional anti-social behaviour and behaviour arising from acute anxiety, learning, social, emotional, or sensory needs, which impacts on or prevents students making the right decisions.</p> <p>Positive behaviour is encouraged by:</p> <ul style="list-style-type: none"> • Visibility and reinforcement of the school's expected behaviours • Staff modelling expected behaviours • SEMH-friendly teaching and learning techniques • Direct teaching of expected behaviours • Environmental modifications • Therapeutic support for group and individuals • Deployment of staff to support student anxiety and behaviour • The use of visual timetables • Rehearsal of expected behaviours and clear expectations • Liaison with parents • Rewarding expected behaviour • The use of consequences for unexpected behaviour <p>In the event of a negative behaviour incident, staff and student statements will be taken and the incident will be entered on Behaviour Watch.</p> <p>Statements will be passed to SLT by end of day.</p>

	<p>Investigation by SLT; all staff concerned will be asked to examine what led to the behaviour being displayed by the student.</p> <p>Any consequence will be shared with the student; examples include withdrawal of free time, contacting parents, fixed term exclusion, contacting external agencies in the case of criminal behaviour.</p> <p>In the case of allegations of bullying, which is taken very seriously, a thorough investigation will be carried out and both parties will be expected to reflect and supported wherever possible to build or rebuild respectful relationships with one another.</p> <p>Serious incidents may occasionally result in permanent exclusion, if it is felt that the student is no longer safe to attend Oak Tree School.</p>
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These examples are indicative and not exhaustive. Consequences for negative or inappropriate behaviours are carefully considered and take into account the individual's circumstances, mitigating factors and social, emotional and mental health needs or other learning difficulties.

Staff are aware that the focus is not to dwell on low level negative behavioural incidents but to move forward to promote a positive behavioural environment. However, if the student is not responding appropriately to this one of more of the sanctions may be imposed depending on the children's needs and situation:

General sanctions:

- Ignore and praise closest good behaviour.
- Give the child a non-verbal sign to stop.
- Make reference to the rules.
- Give the pupil a verbal private warning.
- Give the pupil a public warning.
- The pupil will be last out at break time.
- The pupil may be required to continue working for a part of their break time.
- The pupil is referred to the Head Teacher.

Further sanctions:

Staff are trained to understand that children with ASD may struggle to regulate their emotions. In light of this they often do not require an immediate behavioural sanction but may need occupational therapy support during this time. In light of this, further sanctions are not required, instead each class are provided with occupational therapy strategies during this time to assist the child to co- regulate.

Staff are also aware of the challenges in language processing that children with ASD experience and therefore must ensure that they are giving time to allow the students who are presenting negative behaviour to process the request to change. We provide the children with three warnings or reminders across the key stages. These may also be presented visually to help support the children considering challenges in language processing through a traffic light system or class charts. On the third warning or reminder pupils understand they will receive a sanction. This is often agreed with the pupil, parents and those who come into contact with the pupil. Examples of sanctions are:

- Extra work or repeating unsatisfactory work until it meets the required standard.
- The setting of written tasks as punishments, such as writing lines or an essay.

- Loss of privileges – not being able to participate in a trip, or an activity for example non-uniform day.
- Detention including during break-time, lunchtime, after school and at weekends.
- A same day disciplinary detention.
- School based community service or imposition of a task – such as picking up litter or weeding school grounds; tidying a classroom; helping clear up the dining hall after mealtimes.
- Regular reporting including early morning reporting; scheduled uniform and other behaviour checks; or being placed “on report” for behaviour monitoring.
- In more extreme cases schools may use suspension or permanent exclusion.

ANNEX 4: Oak Tree School rewards

Oak Tree School staff aim to reward all students with praise and encouragement whenever possible. Staff support students to learn socially acceptable ways of interacting with others which will lead to success in adult life. Students are sometimes rewarded with activity choices or special trips.

General Rewards:

- Individual praise and encouragement
- Break time in a different place/different equipment
- Time with a member of staff with a specialism e.g. football or creative arts
- Extra play time agreed with teacher.
- Appropriate positive written comments on work.
- Awarding of stickers and appropriate privileges.
- Public commendations for good behaviour and work in class i.e. assembly
- Positive communication with parents to share success i.e. by sending photocopied work home. Use of home schoolbook/emails.
- Teachers will, where possible, reward the pupils with opportunities for curriculum choices.
- Positive calls home.

Individual Reward Systems:

Pupils have individual reward systems which are differentiated according to age; from visual tokens to ticks on a chart, to verbal agreements. Pupils are supported through individual rewards organised by the class team, with the support of the multi-disciplinary team. These frequently include 'I am working towards...' visual aids. Choosing time for younger students and free time for older students is an effective structured way of supporting individuals with autism who may have a very personal range of interests for positive behaviour.

Key stage 4 and 5 students are encouraged to earn age-appropriate privileges such as breaks off site, if this is appropriate and agreed with parents.

School rewards:

It is important to note that the class teacher differentiates the reward system according to the child's needs. Some children require an immediate reward in response to an action to understand and relate an action to an immediate result. Each class has a reward trip at the end of each half term. According to the understanding of each class the children gain a certain amount of points to work towards a reward trip of their choice. Throughout the school children will also be given a star of the week which will be nominated by the teacher for an exceptional piece of work or outstanding behaviour. For this the child will receive a badge or sticker and a star of the week card will be sent home to share with the parents. Throughout the school children are provided with 'golden time' on a Friday. This is often an hour to praise the children for exhibiting positive behaviour throughout the week where they can gain an activity of their choice. The teacher often reiterates why they received the reward during golden time identifying a particular behaviour they have exhibited in the week.

Early Years Foundation Stage/KS1: Children often require clear visual support when first entering the school. Providing a visual to identify what they will be 'working towards' as a reward aims to support the children to present positive behaviour.

Key Stage 2: Pupils in Key Stage 2 follow a token system which identify both behaviour and good work. If the child has collected a certain number of tokens by the end of the day they will gain a reward. The time period to gain the reward is differentiated according to the needs of each child.

Keys Stage 3, 4 and 5: Pupils in these key stages often design their own reward around their interests. This may include weekly trips to their favourite shop, watching a favourite film, free time at the end of each day. Some students work on a report card and gain points for each lesson in relation to attainment and behaviour with a required number of points to gain a reward. However, some students have a 'token jar' where they collect tokens for attainment or behaviour as a class team and this is added up to achieve an overall class required reward.

Home support:

Class teams often work with parents to ensure there is a consistent behaviour approach between home and school. This can be in the form of home visits, visual supports, short, structured rewards.

There is also behaviour training for parents to help them to understand the function of behaviour and implement strategies to support this.

ANNEX 5: Guidance

Behaviour support plans

Each student has an individualised Behaviour Support Plans (Appendix) which is kept in their Pupil File, an electronic copy of which may also be kept in the Class File. All staff are made aware of the strategies used and have access to the plans.

- The Positive Behaviour Support Plans clearly state agreements about how to manage challenging and inappropriate behaviours which are identified using Decision Making Matrix and the CPI Crisis Development Model SM. Behaviour level is set against most appropriate staff's attitudes and responses. Guidance about specific support structures (e.g. individual workstations), rewards and choices (e.g. choosing time or personal organisation checklist), specific medical needs, requirements for possible time out of class and physical intervention, where applicable, is also stated.
- The Behaviour Support Plans (Appendix III) document is discussed and reviewed with the parent/s or carer/s of each student at parent's evenings or at other appropriate times if unable to discuss at parent's evenings.
- When supporting a student in stopping behaviour staff always give the student a choice by linking the expectation with the action and the consequence. Staff will refer to the Verbal Escalation Continuum SM which identifies forms of verbal escalations at different behaviour.

Levels

- A. Staff address pupils using their preferred name in a professional, calm and nurturing manner.
- B. For example, '(Pupil's preferred name) stop. Your behaviour is unsafe / The rule is "no hitting"'. Staff will then use pupil's preferred mode of communication to provide them with choices. One choice will be educationally, socially, and physically advantageous to the pupils/pupil with an individually positive outcome – a choice that promotes self-regulation and facilitates behaviour for learning. The other choice will be a choice which is unacceptable educationally, socially and or physically with an outcome which is less desirable to the pupil.
- C. If further clarity for the student is required (e.g. if student is experiencing upset and information processing is reduced), staff use pupil's preferred mode of communication to reinforce the message e.g. Makaton sign language, British Sign Language (BSL), PECS, visuals, cued articulation, or other forms of AAC e.g. an app.
- D. If a pupil refuses to choose, staff will say "If you do not make a choice staff will make the choice for you".
- E. The tone of voice used by staff when offering choices will be neutral and assertive.
- F. Staff will deploy appropriate verbal de-escalation techniques to manage defensive behaviour (Crisis Prevention Institute, 2022):
 - I. Release (Verbal and emotional outburst: screaming, swearing, high energy output.) – Allow venting. If possible, remove the audience or the person. Give directives that are non-threatening. Use an understanding, reasonable approach.
 - II. Intimidation (The individual is verbally and/or non-verbally threatening staff in some manner.) – Seek assistance. Take all threats seriously. Wait for colleagues to arrive

- III. Refusal (An unwillingness to cooperate or follow instructions: a verbal “no,” further questioning, walking away.) – Limit setting. Redirect the person’s focus and attention to the desired outcome.
- IV. Questioning: for information (A rational question seeking a rational response.) – Give a rational response.
- V. Questioning: challenging (Questioning authority; attempting to draw staff into a power struggle.) – Downplay the challenge. Stick to the topic.
- VI. Tension reduction (Decrease in physical and emotional energy.) – Establish Therapeutic Rapport. Re-establish the relationship.
 - If a pupil makes a choice which is not in their interest, a consequence takes place, such as losing out on play time or special choosing time in class. In some instances, a natural consequence may occur (i.e. pupil’s favourite toy gets damaged and becomes unusable after they have thrown it). When that happens there may be no need for additional consequence.

After this has taken place, a staff will seek to re-establish the relationship. This encourages good behaviour from an objective, non-judgemental point of view where there is an objective space for pupils to develop an understanding of right and wrong:

- A. Behaviour “A” (e.g. taking turns) works because (people feel they are liked, and that they have a contribution to make to the team).
- B. Behaviour “B” (e.g. not taking turns) does not work (people feel as if they are not liked and that they are not part of a team.) Staff can then elaborate further by stating i.e.: “In a team we must use empathy. What does empathy mean?”
- C. How does “Behaviour A” make you feel and how does “Behaviour B” make you feel?
- D. How do you think “Behaviour B” makes others (or a specific individual) feel and how do you think “Behaviour B” makes others feel (or a specific individual)?
- Where appropriate, pupils will have daily sessions on developing a range of self-regulatory and relaxation techniques to be used within everyday stressful situations (e.g. queuing in a supermarket). If the behaviour of students reveals a raise in anxiety levels within school the students are supported by being offered the opportunity of practicing their individual calming techniques outside of class in order to lower their anxiety, refocus the student’s attention and reduce the use of anxious, defensive or risk behaviour.

ANNEX 6: Primary prevention inventions

A Health Promotion or Public Health Model is a model which can be used to eliminate or minimise restrictive practices by addressing three levels of need for people who present behaviours that challenge services or who put themselves or others at risk of harm. The health promotion model has three stages: primary prevention, secondary prevention, and tertiary intervention.

Primary prevention is often part of an organisational approach – the foundations and may include formalised models e.g. physical/sensory, communication and psychological. Primary prevention may also include therapeutic interventions. Fundamentally, primary prevention is based on person-centred approaches.

Examples of Primary Prevention:

- Delivering services that focus on person-centred, trauma-sensitive care and support
- Ensuring that the number of staff deployed and their level of competence corresponds to the needs of the pupils and the likelihood that physical interventions will need to be used.
- Providing positive and rewarding social environments
- The pupil to staff ratio and the school environment being laid out in such a way as to restrict opportunities for individualised activities which may provoke violence or aggression.
- The effective use of Behaviour Support Plans (Appendix III) which state pre-planned strategies which are responsive to individual needs and include current information on risk assessment.
- Giving a structure to the day and providing meaningful occupation and activities
- Addressing health inequalities
- Improving levels of independence
- Enhancing quality of life
- Improving communication skills
- Helping people manage their own conditions by enhancing coping skills or adapting their environment
- Creating opportunities for pupils to engage in meaningful activities which include opportunities for choice and a sense of achievement.
- Ongoing internal and external staff training to develop expertise in working with children who present challenging behaviour.
- Helping people to exercise and sleep well
- A whole school programme of personal development lessons which include focussing on relationships and caring for others. These will run throughout the school and are based on a variety of materials. These lessons will be differentiated according to age and need.
- In class visual signposting needs to include the following, adapted to the needs of the class group:

- a. Timetable
 - b. Individual workstations (if applicable)
 - c. Individual supports (social stories, visuals to reduce inappropriate behaviours)
 - d. Rewards (points, tokens, individual and class initiatives)
 - e. Reminders of reward/consequence systems (strikes, traffic lights)
 - f. Learning board (breakdown of each lesson including objectives, activities required to complete lessons, behaviour required to complete tasks); differentiated through symbols where necessary.
 - g. Class rules
- Effective classroom management displayed by all members of staff. Teacher to ensure that class staff are aware of all planning and where it is kept in the classroom. Effective visual labels to ensure that the learning environment is clearly signposted and accessible to all pupils.
 - All lesson plans should demonstrate differentiation. A broad and varied curriculum will by necessity support a Behaviour Management policy in that if a pupil's individual needs are being met problems are less likely to arise within the classroom.
 - All pupils will have an up-to-date Behaviour Support Plans (Appendix III). Strategies/interventions will be discussed and agreed by the class team led by the class teacher during team meetings. The class team will call on other professionals for input and advice on these strategies where necessary – referrals to school therapists, psychologist or outside agencies will be made via Clinical Referrals and discussed weekly. The team will work on consistent use and re-evaluation of strategies used with individual pupils.
 - Individual information that is relevant to the whole school will be shared at debriefing meetings to ensure a consistent approach when dealing with a particular pupil.
 - Enhancing the environment – ensuring the classroom generates an enthusiasm for learning. Secondary prevention focuses on early intervention and aims to minimise escalation in behaviour which may lead to the use of restrictive practices.

Examples of Secondary Prevention:

- An assessment of the presenting behaviour so that a targeted approach can be used which may include the removal of immediate triggers.
- Making reasonable changes to the environment.
- Self-regulation techniques such as relaxation, breathing exercises, mindfulness and meditation techniques
- Diffusion and de-escalation to prevent events from building up.
- Effective verbal and non-verbal approaches such as limit setting and distraction techniques
- Reinforcement of alternative positive behaviours

- The use of appropriate medication either to address underlying psychiatric symptoms or to help alleviate anxiety (this also includes supporting referrals to external agencies).
- Non-referral based direct input from PCT
- Tertiary Interventions are reactive strategies aimed at addressing the needs of individuals where primary and secondary prevention has failed in order to help the individual to regain control. Tertiary strategies can be non-restrictive or restrictive. It is important to recognise that tertiary approaches are risk management responses and not designed or intended to achieve any long-term or lasting behavioural change.

ANNEX 7: Physical restraints - context

Different forms of physical intervention are summarized in the table below. It shows the difference between restrictive forms of intervention, which are designed to prevent movement or mobility or to disengage from dangerous or harmful physical contact, and non-restrictive methods.

Restrictive physical interventions involve the use of force to control a person's behaviour and can be employed using bodily contact, mechanical devices, or changes to a person's environment. All of the interventions taught within the Safety Intervention programme are based on the concept that a team approach is used in order to maximise the Care, Welfare, Safety, and Security of everyone when aggressive or violent individuals are held using physical interventions.

	Bodily contact	Mechanical	Environmental Change
Non-restrictive	Manual guidance to assist a person walking.	Use of a protective helmet to prevent self-injury	Removal of the cause of distress, for example adjusting temperature, light or background noise
Restrictive	Holding of a person's hands to prevent them hitting someone	Use of splints to prevent self-injury	Forcible seclusion or the use of locked doors.

The guidance from 'A New Strategy for Learning Disability for the 21st Century' put forward by the DFES and DH (2002) defines restrictive physical interventions as involving: 'the use of force to restrict movement or mobility or the use of force to disengage from dangerous or harmful physical contact initiated by pupils or service users.'

Wherever possible, a minimum of two staff are involved in the use of physical interventions in order to capitalise on staff knowledge, skills, experiences, and communication skills. This also ensures that vulnerable people (who are often subject to physical interventions) are safeguarded from the potential misuse or abuse of such approaches.

This policy sets out guidance for trained staff at Oak Tree School in using restrictive and non-restrictive physical intervention techniques as part of wider 'Promoting Good Behaviour' policy. This may be used to support pupils with autistic spectrum disorder in managing their own thoughts, feelings and actions.

The staff at Oak Tree School utilize specifically taught restrictive physical intervention techniques as infrequently as possible. Physical Intervention is always a last resort – that is, where the risks of not using force seem to be greater than the risks of using force. This policy draws on core Head Teachers set out in the Human Rights Act (1998) and The United Nations Conventions of the Rights of the Child (ratified 1991). It is based on the presumption that every adult and child is entitled to:

- Respect for their private life
- The right not to be subjected to inhuman or degrading treatment
- The right to liberty and security, and

- The right not to be discriminated against in his/her enjoyment of those rights.

When physical intervention techniques are used, everything possible is done to prevent injury and maintain the person's sense of dignity and increase the ability of the individual to manage their thoughts, feelings and actions. The policy of restrictive physical intervention is part of the broader strategy to address the needs of children with ASD who display challenging behaviour which is why this policy is part of the 'Promoting Good Behaviour Policy'.

The guidance put forward by the DFES & DH (2002) state that "the use of force is likely to be legally defensible when it is required to prevent: self-harming; injury to other children, service-users, staff or teachers; damage to property; an offence being committed; and in school settings, to prevent a pupil engaging in extreme behaviour prejudicial to the maintenance of good order and discipline at school or among any of its pupils' (DfEE Circular 10/98 "Section 550A of the Education Act 1996).

Section 93 of the Education and Inspections Act 2006 enables school staff to use reasonable force to prevent a pupil from:

- Committing a criminal offence (or, for a pupil under the age of criminal responsibility, what would be an offence for an older pupil).
- Causing personal injury or damage to property.
- Prejudicing the maintenance of good order and discipline at the school or among any pupils receiving education at the school, whether during a teaching session or otherwise.

The law requires that force should only be used when other approaches have been tried and that all practical methods to de-escalate the situation have been employed. It is only used as a last resort. All staff within the school are trusted to use their professional judgement and the degree of force must be reasonable in relation to the risk posed. Any restrictive intervention should employ the minimum degree of force needed to achieve these outcomes.

Oak Tree School is set up to teach pupils to be responsible for their actions, emotions, and their learning. Everything we do is related to our Mission Statement and Aims. We aim for our pupils to learn strategies for management of their own behaviour. In achieving this we will carry out what is necessary to support them through upsets and develop their problem solving and self-management skills. Everyone can be taught more effective thinking skills through clear, consistent language and communication. When this is achieved through a no blame culture, pupil's self-esteem and confidence grows, and their anxiety is lowered. If the Promoting Good Behaviour Strategies do not succeed with a pupil over time and there are increases in challenging behaviours requiring a consistent increase in Physical Intervention this could lead to a multidisciplinary meeting (BIM – Behaviour Intervention Meeting) to examine all pupil plans and to take further expert advice on strategies used. If this does not improve a situation, then an early review is called for to assess whether the school is meeting the pupils needs and whether another placement should be sought where the child's needs could be met more effectively. The school is committed to working with parents to prevent this occurring. Working together with parents and having the parents use the school's language and behaviour management strategies in the home is always the most powerful behaviour management structure around a pupil. This is why parents working together with the school is so vital.

Pupils with ASD present a pattern of difficulty in understanding what is expected of them, focussing attention on tasks, and sharing attention with others. This may show up as non-compliance or difficulty with adult requests to sit, look, listen, and focus on learning tasks. To achieve the following, particularly, with younger pupils, physical shaping is used to achieve the required action from the pupil. This is holding for learning. Staff may also deploy hand-over-hand approach or gestural prompts to maximise pupil's learning opportunities.

In order to set a pupil up to succeed it is necessary to use specific holding in areas of the curriculum which require physical contact to feed in appropriate movement experiences e.g. relaxation (during yoga) and sitting in learning situations.

As far as practically possible, staff who come into contact with such pupils should be made aware of the relevant profile of those individuals through the Behaviour Support Plans (Appendix III), particularly:

- Situations that may provoke difficult behaviour, preventive strategies and what de-escalation techniques are most likely to work
- What is most likely to trigger a violent reaction, including relevant information relating to any previous incident requiring use of force;
- If physical intervention is likely to be needed, any specific strategies and techniques that have been agreed by staff, parents and the pupil concerned; and
- The agreed ways to support the pupil and member of staff following an incident.
- Information from parents may be as valuable as information held by the school. Some of this information may be sensitive. Schools should seek express (preferably written) consent from the parent to inform appropriate staff. However, where consent is unreasonably withheld the information may still be made available to staff who need it if it is in the best interests of the pupil concerned. The importance of providing such information will be a factor in decisions about giving temporary authorization to parent volunteers and others to supervise pupils.
- Designate which members of staff should be called if an incident involving a particular pupil occurs. This does not necessarily mean waiting for them to arrive before taking action if the need for action is urgent. However, they should always be involved in post-incident follow-up.
- The use of restrictive physical interventions at Oak Tree School is minimised by the adoption of primary and secondary preventative strategies.

Through primary and secondary prevention, Oak Tree School creates and maintains an environment which meets human needs, they are:

- Security – a safe territory and an environment which allows us to develop fully.
- Attention (to give and receive it)
- Sense of Autonomy and control
- Being emotionally connected to others
- Being part of a wide community
- Sense of status with social groupings
- Sense of competence and achievement
- Meaning and purpose – which come from being stretched in what we do (create) and think. (Griffen et al, 2004)

Where there is clear documented evidence that particular sequences of behaviour rapidly escalate into serious violence, the use of restrictive physical intervention at an early stage in the sequence may, potentially, be justified if it is clear that:

- Primary prevention has not been effective, and
- The risks associated with not using a restrictive physical intervention are greater than the risks of using a restrictive physical intervention, and
- Other appropriate methods, which do not involve restrictive physical interventions, have been tried without success.

Planned physical interventions are those where incidents are foreseeable and restrictive physical intervention strategies will be used as outlined in pupils Behaviour Support Plans (Appendix III) S.

Each pupil/student has an individual Behaviour Support Plans (Appendix III) which is arrived at by careful individual analysis of patterns of behaviour and risk assessment. Staff work together with parents to ensure that everyone is in agreement with the terms of the plan. The plan is detailed and states the behaviours the pupil exhibits, the action taken by staff and the language used by staff, for management of that behaviour, by all staff.

There is also other information about how the pupil will be supported in the management of their behaviour:

- About me – an informal narrative about the pupil, their likes and dislikes in order to build a rapport and allow staff to develop a secure attachment.
- Triggers – known precipitating factors, which allows an informed approach in de-escalation of challenging behaviours, may include specific phobias
- Safety Intervention – specific types of intervention proven most successful in responding to risk behaviour
- Medical / Other needs – allergies, intolerances, epilepsy and other medical or health related
- Considerations
- Offsite – addition needs presenting in an offsite context i.e. 2:1, wristband etc
- The Behaviour Support Plans (Appendix III) is agreed by all staff involved with the pupil, the Headteacher (Behaviour and Attitude) and by the pupil's parents.

ANNEX 8: Physical restraints – circumstance and levels

The key conclusions of the 2014 Department of Health guidance on Positive and Proactive Care: reducing the need for restrictive interventions, are that:

- Restrictive physical intervention can be employed to achieve a number of different outcomes:
 - To break away or disengage from dangerous or harmful physical contact initiated by a service user;
 - To separate the person from a 'trigger', for example, removing one pupil who responds to another with physical aggression; and
 - To protect a child from a dangerous situation – for example the hazards of a busy road.
 - Restrictive physical interventions should always be designed to achieve outcomes that reflect the best interests of the child whose behaviour is of immediate concern.

The decision to use a restrictive physical intervention must take account of the circumstances and be based upon an assessment of the risks associated with the intervention compared with the risks of not employing a restrictive physical intervention. The scale and nature of any physical intervention must be proportionate to both the behaviour of the individual to be controlled, and the nature of the harm they cause. The minimum force necessary should be used, applied for the shortest period of time, and the techniques deployed should be those with which the staff involved are familiar and able to use safely and are described in the child's support plan. Staff will take a number of considerations into account when deploying restrictive physical interventions:

- Safety
- Vulnerability
- Gender
- Cultural/social background
- Previous experience or trauma

The use of seclusion (where a person is forced to spend time on their own against their will) is a form of physical intervention and should only be considered in exceptional circumstances. The right to liberty is protected by criminal and civil law and seclusion outside the Mental Health Act should always be proportionate to the risk presented by the pupil. It is an offence to lock a person in a room without a court order except in an emergency, for example where the use of a locked room is a temporary measure while seeking assistance.

Guidance on the Use of Restrictive Physical Interventions for Pupils with Severe Behavioural Difficulties (Circ LEA/0264/2003) Oak Tree School uses withdrawal from the classroom.

Where staff decide to use physical intervention, they must use the minimum force necessary. In doing so, they should consider that there are at least three levels of physical control which they should use flexibly, depending on the circumstances:

Physical proximity:

Control by the use of physical presence involving no actual contact, such as emphasising verbal instructions and standing in front of or obstructing a doorway to prevent exit. Do not underestimate your authority. At its simplest level, your presence in a room, a look or gesture, can send out

powerful signals to young people to help them keep behaviours within acceptable limits. Such action can also provide opportunities to express concern and remonstrate with young people.

Touching or holding:

Touching or holding can help to encourage, discourage, or persuade young people to comply. An example would be laying hands on shoulders to gain a young person's attention or taking a young person by the hand or arm to lead them away from a situation.

Restrictive physical intervention:

Physical restraint is defined as "the positive application of force with the intention of overpowering the child". This occurs when it is deemed necessary to hold a young person, probably against their will, with the intention of restricting their movement. Such action should only be used as a last resort where other physical interventions have already failed, or that you reasonably believe would fail.

ANNEX 9: Physical restraint – safety interventions

Model used: CPI: Safety Interventions In-house instructors. Training delivered on regular basis.

Staff are also trained to understand that any holding of a pupil who is in a state of extreme upset is NOT a punishment. Staff are trained that if there is any thought of punishment in their mind whilst holding a pupil, they should not be carrying out such action. It is essential staff remain calm when pupils exhibit any level of upset.

All staff are trained in safe manual handling techniques both for themselves and for pupils. It is sometimes necessary for staff to wear neoprene arm protectors when working with small pupils who exhibit severe biting behaviour or simple gloves (fingerless gloves) in response to scratching. This is to protect staff and pupils from coming into contact from one another's bodily fluids. In addition, it protects staff from potential injury and causes them to feel more confident about being effective in promoting pupils learning until such behaviours decrease.

All staff are trained on a regular basis to use physical interventions using approved trainers who ensure that strategies are personalised and reviewed regularly. Each pupil has a Behaviour Support Plans (Appendix III) as discussed earlier and this details the probable use of Physical Intervention with that particular pupil.

The restrictive physical interventions set out in this policy are explained on a progressive basis. The scale and nature of any physical intervention must be proportionate to both the behaviour of the individual to be controlled, and the nature of the harm they might cause to themselves or others.

The concept of reasonable force must be used when applying any restrictive physical intervention strategies and must be determined with reference to all the circumstances, including:

- The seriousness of the incident.
- The relative risks arising from using a physical intervention compared with using other strategies.
- The age, cultural background, gender, stature and medical history of the child or service user concerned.
- The approach to risk assessment and risk management employed.

The minimum necessary force should be used, and the techniques deployed should be those with which the staff involved are familiar and able to use safely and are described in the students Behaviour Support Plans (Appendix III).

Within the use of the stated restrictive physical intervention strategies staff are aware of the need to gradually increase or decrease the levels of force used in response to the student's behaviour.

If the pupil looks as if they may be ill, or they say that they will be sick any restrictive physical intervention technique being used MUST be released.