

Our Lady Star of the Sea Catholic Nursery CARE & CONTROL POLICY

Mission Statement

- ◆ *Our Lady Star of the Sea Nursery is committed to the widest and fullest education of all children in a partnership between home, nursery, parish and the community.*
- ◆ *The nursery aims to create a happy, ordered environment where all members feel secure and valued.*
- ◆ *The nursery aims to be a positive force within the Catholic Church inspired by the life of Christ in the Gospel.*

Introduction

This policy has been prepared for the support of all nursery staff who come into contact with children and for volunteers working within the nursery, to explain the nursery's arrangements for care and control. Its contents are available to parents and carers. A statement about the Nursery's Behaviour policy is made to parents in the Nursery prospectus. We recommend it should be read in conjunction with other nursery policies relating to interaction between adults and children.

The responsible person for the implementation of the policy is the Nursery Manager. It will be reviewed every two years by the Nursery Manager and the Management Committee.

Purpose of policy

Good personal and professional relationships between the staff and the children are vital to ensuring **positive role modelling and the implementation of the Good Choices** in our nursery. It is recognised that the majority of children respond appropriately to the positive role modelling practised by staff. This ensures the well being and safety of all everyone in nursery. However, in exceptional circumstances, staff may need to take action in situations where the use of reasonable force may be required.

Every effort will be made to ensure that all staff in this nursery:

- (i) Clearly understand this policy and their responsibilities in the context of their duty of care in taking appropriate measures where reasonable force is necessary and
- (ii) Are provided with appropriate training to deal with these difficult situations.

The application of any form of physical control places staff in a vulnerable situation and can only be justified according to the circumstances described in this policy. Staff therefore have a responsibility to follow the policy and to seek alternative strategies wherever possible in order to prevent the need for physical intervention. Reasonable force should only be used as a last resort when all other behaviour management strategies have failed or when children, staff or property are at risk.

Definitions

(a) Physical Contact

Situations in which proper physical contact occurs between staff and children, e.g., in the care of children with learning disabilities, in PE or to comfort children.

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(b) Physical Intervention

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

(c) Physical Control/Restraint

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

Underpinning values

Everyone attending or working in this nursery has a right to:

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

Children attending this nursery and their parents have a right to:

- individual consideration of children's needs by the staff who have responsibility for their care and protection;
- expect staff to undertake their duties and responsibilities in accordance with the nursery's policies;
- be informed about nursery rules, relevant policies and the expected conduct of all children and staff working in nursery;
- be informed about the nursery's complaint procedure (in nursery prospectus – see Complaints Procedure).

The nursery will ensure that children understand the need for and respond to clearly defined limits which govern behaviour in the nursery. Parents should have committed themselves to ensure the good behaviour of their child and that he/she understands and follows the Nursery's Behaviour Policy.

Authorised staff

At Our Lady's only staff are authorised to use reasonable force to manage or control children. Authorisation is not given to volunteers or parents.

The Nursery Manager is responsible for making clear to whom such authorisation has been given, in what circumstances they may use force and for what duration of time this authorisation will last. The Nursery Manager will ensure that those authorised are aware of, and understand, what the authorisation entails. Those whom the Nursery Manager has not authorised will be told what steps to take in the case of an incident where control or restraint is needed, for example to contact an authorised member of staff.

Staff will not be authorised to use reasonable force unless they are familiar with this nursery's policy and have undertaken training.

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Training

Appropriate training for all staff will be made available and this will be the responsibility of the Nursery Manager. No member of staff will be expected to undertake the use of reasonable force without appropriate training. Prior to the provision of training, guidance will be given on action to be taken. Arrangements will be made clear as part of the induction of staff and training will be provided as part of ongoing staff professional development.

Strategies for dealing with challenging behaviour

Staff consistently use positive strategies to encourage acceptable behaviour and good order. Every effort will be made to resolve conflicts positively and without harm to children, staff, property, buildings or the environment. Where unacceptable behaviour threatens good order and provokes intervention, some or all of the following approaches will be taken according to the circumstances of the incident:

- **Verbal acknowledgement** of unacceptable behaviour with request for the child to refrain; (this includes negotiation, care and concern)
- **Further verbal reprimand** stating:
 - that this is the second request for compliance;
 - an explanation of why observed behaviour is unacceptable;
 - an explanation of what will happen if the unacceptable behaviour continues
- **Warning of intention to intervene physically** and that this will cease when the child complies. If possible summon assistance.
- **Physical intervention.** Reasonable force using the minimum degree of force to prevent a child harming him or herself, others or property.

Escalating situations

In escalating circumstances reasonable force may be used to prevent a child from doing, or continuing to do any of the following:

- engaging in any behaviour prejudicial to maintaining good order and a safe environment at nursery, or amongst peers.
- self-injuring or placing him or herself at risk;
- injuring others;
- causing damage to property, including that of the child himself or herself;
- committing a criminal offence (even if the child is below the age of criminal responsibility).

Types of incidents

These incidents fall into three broad categories:

- (a) where action is necessary in self-defence or because there is an imminent risk of injury;
- (b) where there is a developing risk of injury, or significant damage to property;
- (c) where a child is behaving in a way that is compromising good order or discipline;

Examples of situations which fall within one of the first two categories are:

- a child attacks a member of staff, or another child;
- children are fighting;

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- a child is engaged in, or is on the verge of committing, deliberate damage or vandalism to property;
- a child is causing, or at risk of causing, injury or damage by accident, by rough play, or by misuse of materials or objects;
- a child tries to leave nursery.

Examples of situations which fall into the third category are:

- a child persistently refuses to obey a request;
- a child is behaving in a way that is seriously disruptive or dangerous

Acceptable measures of physical intervention

The use of any degree of force can only be deemed reasonable if:

- (a) it is warranted by the particular circumstances of the incident;
- (b) it is delivered in accordance with the seriousness of the incident and the consequences which it is desired to prevent;
- (c) it is carried out as the minimum to achieve the desired result;
- (d) the age, understanding and gender of the child are taken into account;
- (e) it is likely to achieve the desired result.

Wherever possible assistance should be sought from another member of staff before intervening.

Physical intervention uses the minimum degree of force necessary for the shortest period of time to prevent a child from harming himself, herself, others or property.

This form of physical intervention may involve staff:

- physically interposing themselves between children;
- blocking a child's path;
- escorting a child;
- shepherding a child away.

In extreme circumstances, trained staff may need to use more restrictive holds. Any such measures will be most effective in the context of the overall ethos of the nursery, the way in which staff exercise their responsibilities and the behaviour management strategies used.

Wherever reasonable force is used, staff must keep talking to the child.

Recording

Where physical intervention has been used to manage a child, a record of the incident **may** need to be kept. Where physical control or restraint has been used a record of the incident **will** be kept. This record should be made in a nursery incident book which will include

- name of child
- date, time and place of incident
- a brief description of the incident and actions taken.

The Incident Book report will be completed as soon as possible after the incident, normally prior to staff going off duty and be signed by all staff involved and the Nursery Manager.

In addition, specific details of the use of reasonable force will be recorded on which will include:

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- how the incident developed;
- attempts made to calm the situation;
- names of any staff or children who witnessed the incident;
- the outcome of the incident including any injuries sustained, by any child or member of staff;
- any damage to property which has resulted;
- whether/how parents have been informed;
- and, after investigation, a summary of actions taken.

Staff may find it helpful to seek advice from a senior colleague or representative of their professional association/union when compiling a report. They should also keep a copy of the report.

After the review of the incident, copies of will be placed on the child's file and in the nursery's general file on the use of reasonable force.

Where staff have been involved in an incident involving reasonable force they should have access to counselling and support. Within the nursery, this will be made available through the Nursery Supervisor.

Action after an incident

The Nursery Manager will ensure that each incident is reviewed and investigated further as required. If further action is required in relation to a member of staff or a child, this will be pursued through the appropriate procedure:

Child Protection Procedure (this may involve investigations by Police and/or Social Services)

Staff Facing Allegations of Abuse Procedure

Staff Disciplinary Procedure

Nursery Behaviour Policy

The member of staff will be kept informed of any action taken.

In the case of any action concerning a member of staff, he/she will be advised to seek advice from his/her professional association/union

Complaints

The availability of a clear policy about reasonable force and early involvement of parents should reduce the likelihood of complaints but may not eliminate them.

Any complaints about staff will be dealt with under the Nursery's Complaints about Staff Procedure.

The Management Committee will be informed of complaints but other committee members will not be involved as a complaint may require further action on their part.

Monitoring of incidents

Whenever a member of staff has occasion to use reasonable force, this will always be recorded and documented. Monitoring of incidents will help to ensure that staff are following the correct procedures and will alert the Nursery Manager to the needs of any child(ren) whose behaviour can only be contained by the use of reasonable force

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This process will also address patterns of incidents and evaluate trends which may be emerging.

NOTE FOR PARENTS ON THE USE OF REASONABLE FORCE IN NURSERY

If staff in our nursery become aware of, or have a need to become involved in situations where a child may be at risk of hurting themselves or others; or if the behaviour of a child seriously disrupts good order in the nursery or causes damage to property, staff may need to take steps to intervene physically. In such circumstances staff will follow the nursery's policy for dealing with such situations. Any parent wishing to view this policy may do so on request.

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RECORD OF THE USE OF REASONABLE FORCE

This report should normally be completed as soon as practically possible after the incident.

Name of Child:	Group
Date and Time of Incident: <u>am/pm</u>	Place:
Reporting Staff:	
Staff Witnesses:	Child Witnesses:
Reason why Reasonable Force was thought necessary:	
Was the child concerned liable to injury? Yes / No	Were staff liable to injury? Yes / No
Were other children liable to injury? Yes / No	Was property about to be damaged? Yes/ No
Was good order prejudiced? Yes / No	
Other reasons:	
Concise details of how the incident began, nature of the child's behaviour, the use of techniques other than physical control to defuse the situation, and measures taken to avoid harm to the child:	
Description of physical intervention/control/restraint used, including the degree of force used, how that was applied, and for how long.	
1.3 Record of any injuries to children/staff	
Record of any damage to property	

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Measures taken to ensure that the pupil was calmed after the incident

Signature:

Time: **am/pm**

Date:

Report passed to

Designation

ACTION TAKEN BY NURSERY SUPERVISOR / DEPUTY SUPERVISOR / OTHER

Name:

Designation:

Incident Book Completed Yes / No

Signed by Nursery Supervisor Yes / No

Parents Informed Yes / No

Incident discussed with child: Yes / No
Time _____ Date

Other Professionals informed Yes / No

Head to initial action

Name:

Designation:

Date Informed:

2.4 Action Log (any other actions taken/follow up from other professionals etc.)**Date:**

Summary of Actions/Reports

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GOOD PRACTICE

TECHNIQUES should, only be used where there is an ethos anticipating and defusing trouble whenever possible.

ACCOUNT is taken of the young person's age, gender and state of development.

RELIANCE is not made on threatening or inflicting pain.

HOLDS do not apply pressure that work against the joints.

SEATED POSITIONS are used. Children are not routinely taken to the floor.

MOVEMENT is minimised, particularly the risk of losing one's balance.

TALKING with the young person is encouraged as you are restraining them.

APPROACHES should be made from the side and not face to face.

PHASING techniques should be used allowing you to phase up or down the hold as the young person regains control.

BREAKAWAY is an option at any time enabling staff not to be tempted at any time to escalate the hold using desperate or inappropriate techniques.

PROFESSIONAL DECISIONS need to be made. Staff have to make judgements within the policy of the establishment about whether or not to use reasonable force.

POST INCIDENT follow up is vital. Staff must report what has happened, go over it with a senior member of staff and take steps to rebuild their relationship with the child. In addition, provision should be made to offer staff appropriate support.

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Signature of Chair of Committee members: _____ Date:

Signature of Nursery Supervisor: _____ Date: