Church School

Ysgol Pant Pastynog

Safe Use and Reduction of Restrictive Practices Policy 2026-27

Adopted by the Body – **30 September 2026**

Signed - M Pierce Chair of Governors

This policy has been created by educational professionals across the region. It has been developed from the Welsh Government Document 'Reducing Restrictive practices framework' April 2022 https://gov.wales/sites/default/files/publications/2021-07/reducing-restrictive-practices-framework.pdf

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Glossary

- **Person centred**: When we use the term person centred this also means child centred for children.

- **Person or people:** When we use the terms person or people this includes all children and young people (up to the age of 18 years).

- **Restrictive practices**: 'Restrictive practices are a wide range of activities that stop individuals from doing things that they want to do, or encourages them to do things that they don't want to do. They can be very obvious or very subtle.'

- This term covers a wide range of activities that restrict people. In relation to school settings it includes:

    - **environmental restraint** - Limiting a learner to a particular environment: excluding a learner from an area to which they want to go;

        - Restricting access to an outside courtyard or sitting room;

        - Preventing a learner from leaving the building.

    - **physical restraint** - Physical restraint means restraint involving direct physical contact. Physical restraint means direct physical contact that prevents or significantly restricts a student 's freedom of movement

    - **seclusion or enforced isolation** seclusion is best defined as the isolation of a learner from others for the purpose of managing behavioural disturbance

- **Challenging behaviour/behaviour which challenges:**

'Behaviour can be described as challenging when it is of such an intensity, frequency or duration as to threaten the quality of life and/or the physical safety of the individual or others and is likely to lead to responses that are restrictive, aversive or result in exclusion.' (Royal College of Psychiatrists, British Psychological Society and Royal College of Speech and Language Therapists, 2007).

- **Personal Plan**: In this policy the term 'personal plan' references a range of plans dependent on the system of physical intervention used e.g. Behaviour Support Plan, Individual support plan, Individual Response Strategy,

- **Practitioners:** For the purposes of this policy the term practitioners includes all people who are paid to work with people in schools and education settings. Whilst this also includes Trainee Teachers, Volunteers and Students, these groups would not be involved in the specific role of carrying out physical restraint

Introduction

This policy has been developed to align with the LA policy for schools and education settings. ‘A regional policy to promote measures and practice that will lead to the safe use and reduction of restrictive practices in schools and Education settings’ 2022

It outlines conditions for the use of restrictive practices. This policy has been agreed by Senior leadership, Governing bodies/Management committees and reflects up to date statutory requirements placed on schools through legislation and guidance.

This policy

- *references human rights and legal policy relevant to the sector andsetting;*
- *ensures that definitions of restrictive practices are easily available and embedded through; workforce development mechanisms, organisational messages and policy;*
- *has clear protocols and governance guidelines for the use of restrictive practices as a last and justifiable resort, and for monitoring of people during and after use, including the requirements for medical checks;*
- *makes clear that it is never acceptable to use coercion and other forms of social and psychological restraint;*
- *contain guidance about risk assessments, which must be undertaken before using any restrictive practice. The risks to the individual should be considered in advance, and any restrictive practice, which increases the risk to the individual, should not be used. The individual’s environment should be risk assessed to ensure that there is nothing within it that wouldcause risk during the use of restrictive practices;*
- *provide clear guidance for recording information following the use of any restrictive practice in relation to what is to be recorded when, by whom, and the purpose of the recording;*
- *make clear that any use of a restrictive practice should be recorded even ifits use is prescribed in a personal plan;*
- *outline the process for the collection of this data from all their services. It should be available to external organisations on request;*
- *provide guidance for seeking consent for use of restrictive practices as alast and justifiable resort to prevent harm to an individual or others.*

Purpose

To establish the legal requirements and responsibilities of the school and clarify our approach to the use of reasonable force and restrictive physical intervention for all staff, pupils, governors, parents/carers, external agencies and the wider community.

To enable staff to manage incidents with confidence and consistency, ensuring their response complements the overall approach to the values and the ethos of the school, whilst ensuring the best interests of those involved.
To reinforce and safeguard the health and safety of the whole school community and others who use the school.

This policy is intended to promote safe practice and measures that will lead to the reduction of restrictive practices.

The policy seeks to ensure that where restrictive practices are used, as a last and justifiable resort, to prevent harm to the individual or others, that this is informed by person centred planning, within the context of the setting and in a way which safeguards the individual, those whom they interact with, and those who provide support to them.

In order to achieve the aims of this policy, Ysgol Pant Pastynog focuses on:

The promotion of human rights

Preventing the necessity for restrictive practice through the development of reduction strategies.

Working with individuals through **person centred planning** to meet individual needs, in a way that actively reduces the likelihood of situations arising where restrictive practices are used as a last and justifiable resort.

Having measures in place so that when situations arise where restrictive practice are used as a last and justifiable resort, to prevent harm to theindividual or others, there is prior planning and training in place to secure the safety of all concerned.

Principles

In the use of restrictive practices, all members of our school community share common principles and expectations informed by an approach that actively promotes human rights as set out in the United Nations Convention on the Rights of the Child (UNCRC); and the United Nations Convention on the Rights of Persons with Disabilities.(UNCRPD)

The use of restrictive practices should be in line with the principles described in the *Human Rights Policy on Restraint* produced by the Equality and Human Rights Commission.

'*Human rights are the basic rights and freedoms that belong to every person inthe world. They are based on core principles such as dignity, fairness, equality, respect and autonomy. Human rights are relevant to day-to-day life. They protect the freedom of people to control their own life, to take part effectively in decisions made about*

them which impact upon their rights, and to receive fair and equal services'.

The use of all restrictive practices including restraint should be in line with *The EHRC publication a 'Human Rights Policy for restraint: principles for lawful use of physical, chemical, mechanical and coercive restrictive interventions' (2019).* This contains important information on different forms of restraint and their lawful use as a last and justifiable resort in line with practice informed by a human rights approach.

We recognise that restrictive practices may have an impact on the well-being of those people subject to these practices, as well as those who implement and witness them. This may include physical harm, trauma or re-traumatisation.

All school staff members have a legal power to use reasonable force to prevent pupils committing a criminal offence, injuring themselves or others, damaging property, and to maintain good order and discipline amongst pupils. **Three members of staff have attended TIMIAN training: Meirion Edwards, Teleri Roberts, and Eleanor Jones.**

The focus should be on preventing, as far as possible, the need for the use of reasonable force on pupils, by creating a calm, orderly and supportive school climate that lessens the risk and threat of violence of any kind. The use of force should only be a last and justifiable resort and schools should minimise the possibility of force being needed. However, this may not always be possible and in such circumstances staff need to be aware of sensitivities associated with any form of physical contact with pupils

Schools should never seek to inhibit the ability of staff to use reasonable force by adopting a 'no contact' policy. The power to use reasonable force helps ensure pupil, staff and school safety and the risk with a no-contact policy is that it might place a member of staff in breach of their duty of care towards a pupil, or prevent them taking an action needed to prevent a pupil causing injury to others.
Under no circumstances, should any individual ever be restrained in a face down position. In all situations, behaviour and action must be reasonable and proportionate with regard to action, force and duration. It must also be intended to protect and safeguard individuals either from themselves or others.

Leadership

The reduction of restrictive practices can only be properly implemented and maintained through a whole organisational approach, supported through strong leadership. Messages about reduction should be clear at all levels, throughout all organisational systems and policies and staff development programmes.

Leaders at all levels must provide opportunities for staff and children and young people to reflect, assess and identify any learning and/or support needs.

The SLT of the school will be watchful for signs of restrictive cultures developing. We will facilitate regular discussion about restrictive practices and create a non-blaming environment where practice can be discussed and questioned.

The school leadership and governing body has a duty of care towards and

recognises that workplace stress can have an adverse impact on the quality of practice. Appropriate measures to support the wellbeing of staff is in place through the school Wellbeing Policy

Advocacy

This policy seeks to promote a rights based approach to practice with children and young people. This means involving people in decisions about the support and services they receive and the outcomes they want to achieve. It also means planning to meet needs in a person centred way that promotes wellbeing and the opportunities for children and young people to realise their rights.

One of the implications of this for good practice is the need to plan with, and for children and young people, so that measures are in place to limit the use of restrictive practices. The approach to involve the significant people in their lives in planning should be meaningful and appropriate to the age, capacity and communication needs.

This means providing additional support for some children and young people through an advocate to ensure that their views are heard.

The Social Services and Well-being (Wales) Act 2014 provides children and young people with the entitlement to an active offer of advocacy from a statutory Independent Professional Advocate (IPA). This entitlement applies when they become looked after or become the subject of child protection enquiries leading to an Initial Child Protection Conference. The 'active offer' ismade directly to the child by the Advocacy Service.

As a setting in Denbighshire this is provided through SNAPCymru.

The benefit of Person Centred Practice

- *improve quality of life* so that children and young people have less need to use behaviours that challenge.
- *use tools to understand what the individual's behaviour means.*
- Use interventions which respect the dignity of the individual and support the reduction of restrictive practices.
- Anyone at risk of restrictive practices should have guidelines which contain a range of proactive strategies so that they have access to the type of support that they need; and also reactive strategies, designed to deal with behaviours that challenge when they occur, including minimising risk
    - **Proactive strategies** include environmental changes, to make the environment more suitable for the individual, and teaching new skills or behaviours, so that behaviours that challenge become less likely.
    - **Reactive strategies** include person-specific alternatives to the use of

restrictions, for example, distraction, de-escalation, active listening, or withdrawal. These strategies form a useful part of the proactive approach to forward planning for individual support.

It is always unlawful to use force as a punishment. This is because it would fall within the definition of corporal punishment, abolished by Section 548 of the Education Act 1996.

To be effective and successful we have a school wide approach. This may include adapting the individual's whole environment to meet needs better as well as making sure they are able to develop new skills and have more opportunities

We will seek guidance from a medical practitioner to ensure there are no health reasons that would elevate the risk of using certain restraints.

The SLT supports these approaches and will monitor and review these in order to ensure that they are being carried out as intended.

Welsh language provision is built into our planning and delivery and Welsh language services are offered to Welsh speakers without them having to request it.

This policy will be reviewed in line with any changes in legislation policy relevant to schools and education settings. setting(s) and groups of people using services.

Education and Inspections Act 2006

Although Section 93 the Education and Inspections Act 2006 specifically refers to "force" this covers the broad range of strategies that involve a degree of physical power to prevent pupils from hurting themselves or others, damaging property or causing disorder. The range stretches from leading a pupil to safety by the hand or arm, through to extreme circumstances where a pupil needs to be restrained to prevent violence or injury to themselves or others, and enables school staff to use such force as is reasonable in the circumstances to prevent a pupil from doing, or continuing to do, any of the following:

- committing any offence (or, for a pupil under the age of criminal responsibility, what would be an offence for an older pupil);
- causing personal injury to, or damage to the property of, any person (including the pupil himself);
- 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 staff to which this power applies are defined in section 95 of the Act. They are:

- any teacher who works at the school, and any other person whom the head has authorised to have control or charge of pupils.

This includes:

i) support staff whose job normally includes supervising pupils such as teaching assistants, learning support assistants, learning mentors and lunchtime supervisors.

ii) does not include prefects.

Those exercising the power to use force must also take proper account of any particular Additional Learning Needs (ALN) and/or disability that a pupil might have. Under the Equality Act 2010 schools have key duties:

- not to treat a disabled pupil less favourably, because of his/her disability, than a non-disabled pupil;
- not to treat a disabled pupil unfavourably because of a reason related to their disability, without justification;
- not to apply a provision, criterion or practice that puts or would put a disabled pupil at a particular disadvantage compared with a non-disabled pupil, without justification; and to take reasonable steps to avoid putting a disabled pupil at a substantial disadvantage in comparison with a non-disabled pupil (known as the reasonable adjustments duty).

Restrictive practices

The term restrictive practices can apply to a number of different acts. Restrictive practice does not necessarily require the use of force, it can also include acts of interference, for example putting a table across a doorway.

The best way to avoid restrictive practices is to work preventatively and meet needs before crisis arises. However, there may be rare occasions when it is necessary to use restrictive practices to prevent harm to an individual or others.

Any use of restrictive practice has a potential to interfere with a person's fundamental human rights and everyone has an obligation to respect human rights. At **Ysgol Pant Pastynog** we ensure that restrictive practices are used as a last and justifiable resort, within this policy to supports human rights.

Restrictive practices are only used within the appropriate legal policies, and through training we ensure that we are aware of and operate within the parameters of the legislation and guidance relevant to our learners. All acts of restrictive practice must be lawful, proportionate and the least restrictive option available.

It is never lawful to use restraint to humiliate, degrade or punish people.

The circumstances of some children and young people make them particularly vulnerable to violations of their human rights. This maybe the result of their age, capacity or because of discrimination related to their protected characteristics as defined by the Equality Act 2010.

Children are vulnerable by virtue of their age, they are developing physically and psychologically, which makes them particularly vulnerable to trauma and harm, as a result of restrictive practices.

People who have past trauma, who experience communication barriers, or who have other differences, may find certain restrictive practices particularly distressing and may find some situations particularly challenging and harmful.

Planning, reviewing and reporting

Restrictive practices must be part of an overall person centred approach, tailored specifically to the individual for whom it is being used, in particular for individuals who are at greater risk due to age, frailty, health problems, trauma history or other risk factors.

Any intended use of restrictive practices as a last and justifiable resort should be in the individual's behaviour support guidelines within their individual plan and will be reviewed regularly. It should be clear within the behaviour support guidelines why that intervention is most appropriate for them

Any use of a restrictive practice that is not in the individual's personal plan will trigger an immediate review.

There are guidelines in the individual's personal plan of how the use of the restrictive practices will be reduced in the future.

Decisions about the use of restrictive practices should take into account anycultural or religious factors for individuals.

Restrictive practices should be used within the context of an overall therapeutic relationship and never used as punishment.

Children and young people are at particular risk physically and psychologically and the principles for upholding children's rights should be followed.

Restrictive practices should never be used to compensate for staff shortagesor other resource difficulties.

Following any occurrences of restrictive practices being used, the relevant people/bodies should be informed, in line with the personal plan. Family members/unpaid carers should be informed unless the personal plan indicates otherwise.

Documentation for planning, recording and reporting

The documents used by **Ysgol Pant Pastynog** can be found in the appendices of the policy.

Seclusion

There will be occasions when our pupils need to access areas away from noise or other people. It is important that staff make themselves familiar with the quieter areas which are provided, which could include outdoor space.

Sometimes practices that are referred to as time out, chill out or isolation, including the use of sensory tents, meet the definition of seclusion if the child or young person is put in a room and not able to leave of their own free will.

The use of 'Time Out' can be an effective de-escalation strategy in positive behaviour management. This can be a planned or unplanned strategy, and can take place in a number of varying environments e.g. garden, library, playground, time out room.

If a pupil goes with a staff member to a quiet room away from an incident, the staff member must remain with the pupil in the quiet room or area until such time as the pupil is calm and orderly. Depending on the circumstances, it may be more beneficial for pupils to be accompanied by a staff member who is well known to them. Once the pupil is calm and safe, the staff member may leave the pupil unaccompanied, although not unmonitored, in the room but the door must not be locked.

When electing to use '**Time Out'** as a strategy, the following points need to be considered:

i. the '**Time Out'** environment - the child's whereabouts must always be known to a supervising adult, although this supervision can be done from a distance, depending on individual pupil circumstances and professional judgement

ii. the duration of '**Time Out'** must be carefully considered and monitored to ensure that the child does not become unduly distressed

iii. its overall use must be carefully monitored.

All quiet rooms or areas must have sufficient daylight, access and exit points and not be within a confined space that could cause the pupil to feel trapped or scared and therefore increase any anxiety, aggression or violence which may have been evident in the original incident.

The use of quiet rooms should also be consistent with the school's policies on safeguarding and health and safety. Proper records must be maintained of the use of such rooms and any form of physical restraint that has been employed.

In no circumstance should a child be placed in a locked room as a 'Time Out' intervention.

Guidance from circular 0097/2013 should be heeded when using 'Time out'.

- 'The Courts may consider it an offence/breach of a child's human rights to lock a child in a room except in an emergency when, for example, the use of a locked room is a temporary measure while seeking assistance. In such a circumstance the child should always be supervised by an adult. Placing pupils in a room which they cannot leave of their own volition should not be used as a punishment in any instances. '(0097/2013)

Restrictive practice considerations

The Exercise of Professional Judgement

Professional judgement is key to deciding upon the most appropriate course of action to ensure safer outcomes for individuals and others in situations that pose a risk of serious harm. Where the potential exists for the use of restrictive physical intervention, a number of important factors have to be balanced. These factors include:

- knowledge of the individual and their history
- knowledge of the impact and effects of restrictive physical intervention techniques and methods
- ensuring the welfare and safety of all those involved
- ensuring professional transparency and accountability
- ensuring that all actions are appropriate and acceptable within recognised professional practice, civil law and criminal law.

Circumstances When Physical Intervention Might Be Appropriate?

Some examples of situations where physical intervention might be used are:

- To prevent a pupil from attacking a member of staff, or another pupil,
- To prevent a pupil causing serious, deliberate damage to property;
- To prevent a pupil causing injury or damage by accident, by rough play, or by misuse of dangerous material or objects;
- To ensure that a pupil leaves a classroom where the pupil persistently refuses to follow an instruction to do so;
- To prevent a pupil behaving in a way that seriously disrupts a lesson; or
- To prevent a pupil behaving in a way that seriously disrupts a school sporting event or school visit.

The focus should be on preventing, as far as possible the need for the use of force on pupils, by creating a calm, orderly and supportive school climate that lessens the risk and threat of violence of any kind. The use of force should only be a last resort, schools should minimise the possibility of force being needed. However, this may not always be possible and in such circumstances staff need to be aware of sensitivities associated with any form of physical contact with pupils.

Strategies other than force to be considered:

Examples

- The use of a range of de-escalation strategies, especially those which have been identified as effective through an pupil's Individual Reactive Strategy (where one exists)
- Providing the disruptive pupil with a choice of locations to exit to
- Giving clear directions
- Change of face – calling a staff member who is known to have a positive relationship with the pupil

- Allowing 'take-up' time thus allowing a 'face-saving' opportunity
- Removing the audience, i.e. requesting that other pupils leave the room

Restraint should only ever be used within the principles of least restrictive and last and justifiable resort. That is the least restrictive method with the least amount of force (proportional to the risk) for the minimum amount of time. They should only be used if absolutely necessary (if there is a genuine belief that harm is likely to occur to the individual or others if it is not used, and if other less restrictive methods have been tried and have failed). Restraints that cause pain intentionally should never be used.

Procedures and practical considerations during specific incidents

Wherever practicable staff are expected to:

- Use a calm and measured approach
- Tell the pupil to stop, remind them of consequences, tell them what will happen if she/he does not stop
- Seek assistance from other colleagues at as early a stage as possible
- Staff who become aware that another member of staff is intervening physically with a pupil have a responsibility to provide a presence, and to offer support and assistance should this be required
- Try to defuse the situation verbally and prevent escalation
- Try to remove the pupil from the peer audience
- Attempt to communicate with the pupil throughout the incident
- In as calm a manner as possible, explain that the reason for intervention is to keep the pupil and others safe
- Make it clear that intervention will stop as soon as the pupil calms and the risk assessment indicates it is no longer necessary
- If it is not possible to control the extreme pupil without risk of injury to yourself or other, remove the other pupils who may be at risk and summon assistance.

If is good practice to:

- Give the impression you are in control
- Give the impression you have not lost your temper or are not acting out of anger or frustration
- Give the impression you are not trying to punish the pupil
- Call for assistance

Duty of Care

When dealing with situations requiring protective action, duty of care does not imply that the needs of one individual automatically override the safety needs of others (including staff members) placed at risk. Threatening or reckless behaviour needs to be managed to minimise harm to all concerned. Any action that involves the restriction

of choice and movement must be commensurate with a professional duty of care and proportionate to the level of risk presented.

The professional's duty of care extends to ensuring that an individual is monitored and cared for throughout any incident. Autonomy, commensurate with their age and understanding, is returned to them as soon as it is safe to do so. The expectations placed upon staff using reasonable force or restrictive physical intervention should not contravene health and safety requirements by placing themselves or others in unnecessary risk.

Post incident review and support

The use of restraint and other restrictive practices can trigger traumatic memories for children and young people, and care should be taken to find out what support they need after an incident that has involved a restrictive practice.

It is equally likely that employees who work in challenging services will findsome aspects of their work very stressful and will experience restrictive practices as traumatic.

An individualised approach is needed in both cases, as both personal and organisational factors will influence the level of distress that people experience.

The provision of the right post incident support is likely to have a positive influence on restrictive practice reduction initiatives through its role in the repair of trusting relationships and re-establishment of feelings of safety. However, it needs to be implemented well and alongside other strategies aspart of a whole organisational approach to reduction:

Post incident support: attention to physical and emotional wellbeing of the individuals involved

Post incident review: to learn from the incident and reflect on practice.

Children Looked After

Any child Looked After should have relevant information around the possible use of reasonable force or restrictive physical intervention made available to them, and their carers, as well as information about the complaints system and the support available from an advocate.

If reasonable force or a restrictive physical intervention has been used, it should be discussed during any statutory review process when considering if a placement is able to meet a child's needs and this discussion should be reflected in the child's care plan. There should be a clear written record of these events in the social work file in accordance with the authority's recording procedures.

Staff development

The school accesses value based training and ongoing support in developing skills to work within this policy. In **Ysgol Pant Pastynog** staff undertake the training provided through **Denbighshire** County Council. In **Denbighshire**, schools can

access **Timian Training**.

The training involves:

- examining attitudes and attributions to behaviours that are described as challenging.
- Understanding the meaning of behaviours that are described as 'challenging' and reflection on the attitudes and presumptions that impact on the way practitioners understand behaviours;
- human rights and how they relate to the use of restrictive practices;
- Person centred practices and individual rights which are key to planning how we support our learners
- understanding of trauma and trauma informed care;
- Raising awareness of the trauma that can be experienced both by people who are subject to restrictive practices and those who carry out restrictive practices.
- The legal position
- proactive interventions that improve well-being and prevent the use of restrictive practices;
- Restrictive intervention techniques

The training content also refers to the safeguarding and whistleblowing policies so people understand how to respond if they believe someone's rights are being infringed and they are being put at risk.

The training school staff undertake assures children and young people of a consistent response to behaviour support and the use of restrictive practices.

Recording the use of restrictive practices and using data to improve practice

Senior leaders have knowledge of the range and extent of restrictive practices that are used within the school through the recording and review of data based on the incidents of such practice.

Good data collection practice is an essential element in any plan to reduce restrictive practices and supports transparency.

In **Ysgol Pant Pastynog** data is collated from the restrictive intervention log and significant incident forms

Data collected includes:

- Number of incidents

- Frequency and length of individual restrictive measures

- This data is reviewed to look for patterns including but not exclusive to:
  - By gender
  - Age
  - Protected characteristics

- Any data collected should have a clear purpose and be undertaken inline with UK-General Data Protection Regulations.

- As part of our plan to reduce restrictive practice **Ysgol Pant Pastynog** the information we record includes:

a. The type of restrictive practice used;

b. The reason(s) for the use of restrictive practice;

c. Where and when the restrictive practice was used;

d. The length of the restrictive practice;

e. The known impact on the individual, including any injuries, and any risks to their physical or mental wellbeing;

f. The protected characteristics of the individual (including age, gender, sex, disability, broken down by impairment type, and race);

g. The outcome of any incident review, including any measures that will be taken to avoid or minimise restrictive practices and the risk of harm in future;

h. The individuals involvement in the review;

i. A record to confirm that the relevant family members and carers have been informed and when this happened.

Safeguarding

- School staff understand their safeguarding responsibilities and are familiar with the organisation's safeguarding policy and procedures.
  - *Safeguarding issues must be reported to social services or the police in line with requirements set out in the Wales Safeguarding Procedures and relevant guidance:*

- *Working Together to Safeguard People Volume 1: Introduction and Overview* https://gov.wales/safeguarding-people-introduction

- *Working Together to Safeguard People Volume 5: Handling Individual Cases to Protect Children at Risk* https://gov.wales/safeguarding-children-risk-abuse-or-neglect

Where there is any indication that restrictive practices are being used inappropriately this must be reported as a safeguarding concern.

School staff are also made aware of the organisation's whistleblowing policy.

Reviewing to reduce restrictive practices

Ysgol Pant Pastynog will regularly review our current practice, this may include:

- Analysing data on numbers of restrictive practices
- Identifying patterns
- Addressing patterns
- Reviewing individual plans
- Reviewing Risk assessments

Information to parents

A statement on the use of reasonable force and restrictive physical intervention, plus the use of 'Time Out' as strategies, is available in the School Prospectus.

Implementation

The school will consider the expectations set out in this Policy when implementing, monitoring and reviewing

Legislation and policy

- Special Educational Needs Code of Practice for Wales (Welsh Government, 2004)
- Additional Learning Needs and Education Tribunal (Wales) Act 2018
- Section 93 of the Education and Inspections Act 2006
- Health and Safety at work Act
- Mental Capacity Act, 2005
- Equality Act, 2010

- The Public Sector Equality Duty, Equality Act 2010 (EA 2010) s149
- Together for Mental Health (Welsh Government, 2012)
- Practical approaches to behaviour management in the classroom: A handbook for classroom teachers in primary schools (Welsh Government, 2012)
- Safe and Effective Intervention - Use of Reasonable Force and Searching for Weapons (Welsh Government Guidance, 2013) https://gov.wales/sites/default/files/publications/2018-03/safe-and-effective-intervention-use-of-reasonable-force-and-searching-for-weapons.pdf
- The Social Services and Well-being (Wales) Act 2014
- Part 4 Code of Practice (Meeting Needs), Social Services and Well-being (Wales) Act 2014 (Welsh Government, 2015)
- Working Together to Safeguard People Volume 1: Introduction and Overview (Welsh Government, 2016)
- Mental Health Act 1983: Code of Practice for Wales (Welsh Government, 2016)
- The Learning Disability – Improving Lives Programme (Welsh Government, 2018a)
- Working Together to Safeguard People Volume 5: Handling Individual Cases to Protect Children at Risk (Welsh Government, 2018)
- Statutory Guidance for service providers and responsible individuals

Legislative references

The Public Sector Equality Duty, Equality Act 2010 (EA 2010) s149

Certain public authorities are subject to specific duties under the Equality Act 2010. The Public Sector Equality Duty (PSED) was created under the Equality Act, which came into force on 5 April 2011. The PSED replaced the race, disability and gender equality duties. It applies in England, Scotland and in Wales. The general equality duty is set out in section 149 of the Equality Act 2010.

Section 153 of the Act enables the Welsh Ministers to impose specific duties on certain Welsh public bodies through secondary legislation. For Welsh and cross-border Welsh public bodies, specific duties have been finalised by the Welsh Government and came into force on 6 April 2011.

The Equality Act 2010 (Statutory Duties) (Wales) Regulations 2011

Those public authorities subject to the general equality duty must have due regard to

the need to:

- eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act;
- advance equality of opportunity between people who share a protected characteristic and those who do not;
- foster good relations between people who share a protected characteristic and those who do not.

Convention on the Rights of Persons with Disabilities (CRPD)

Especially articles:

- 12 (equal recognition before the law),
- 14 (liberty and security of the person),
- 15 (freedom from torture, cruel, inhuman or degradingtreatment or punishment)
- 17 (protecting the integrity of the person).

United Nations Convention on the Rights of the Child

Especially articles:

- 3 (best interests of the child),
- 12 (right to be heard),
- 16 (right to privacy and family),
- 19 (protection from physical or mental violence and abuse),
- 23 (disabled children),
- 28 (school discipline)
- 37 (protection from torture, cruel, inhuman or degrading treatment or punishment).

Care Council for Wales (2016) *Positive Approaches: Reducing Restrictive Practicesin Social Care*. Available at: https://socialcare.wales/resources/positive-approaches-reducing-restrictive-practices-in-social-care?record-language-choice=en-cy

Royal College of Psychiatrists, British Psychological Society and Royal College of Speech and Language Therapists (2007) *Challenging behaviour: a unified approach*

Clinical and service guidelines for supporting people with learning disabilities who are at risk of receiving abusive or restrictive practices, College Report CR144 college-report-cr144.pdf (rcpsych.ac.uk)

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