

Evaluation of Circular 10/98 on the Use of Force to Control or Restrain Pupils

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National Foundation for Educational Research

Research Report

No 451

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on the Use of Force to Control
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Table of contents

Acknowledgements	i
Executive Summary	ii
1 Introduction	1
1.1 Background	1
1.2 Aims and Objectives	2
1.3 Methodology	3
2 Data from the surveys of LEAs and schools	11
2.1 Policies and their implementation	11
2.2 Training	19
2.3 Number of incidents on the use of force to control or restrain pupils	26
2.4 Monitoring and Evaluation	29
2.5 Impact	32
3 The Case Studies	35
3.1 Overview of findings	35
3.2 The impact of Circular 10/98	35
3.3 Incidents where restraints might be used	37
3.4 General school environment/school characteristics	39
3.5 Training	40
3.6 General behaviour management and preparation to minimise the use of restraint	45
3.7 The management of incidents	48
3.8 Recording and reporting of incidents	50
3.9 Reporting to parents	53
3.10 The situation in the schools participating in the telephone interview programme	55
4 Summary and Conclusions	58
4.1 Policy	58
4.2 Multi-agency approach	59
4.3 Training	59
4.4 Data Collection	61
4.5 The role of governors	61
4.6 Parental complaints and disciplinary hearings	62
4.7 Miscellaneous issues	62
Appendix 1 Characteristics of case study schools visited	67
Appendix 1 Characteristics of schools involved in telephone interview programme	69
Appendix 2 School and LEA documentation on the use of restraint	71
References	75

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Executive Summary

Section 550A of the Education Act 1996 provided guidance to educational establishments on the use of reasonable force to restrain or control pupils. Circular 10/98 was subsequently issued to give assistance in interpreting the legislation.

With the aims of bringing about greater consistency in school practice, increasing understanding and reducing the number of complaints lodged, Circular 10/98 offered guidance on drawing up a school policy, planning for circumstances in which pupils may need to be restrained, the staff to whom the legislation applies, the nature of incidents, 'reasonable force', the recording of incidents and complaints procedures.

Arguably, schools that do not attend to the guidance in Circular 10/98, and do not regard consideration of the use of restraint as a critical element within their behaviour management policy, are neglecting important Health and Safety issues, thus putting themselves at risk in the event of an incident.

The Department of Education and Skills commissioned an evaluation of Circular 10/98; this project had three aims:

- to evaluate the implementation of the guidance *per se*
- to assess the degree to which the guidance had changed practice and policy in comparison with the situation prior to its issue
- to consider the usefulness, relevance and appropriateness of the circular and to make recommendations about its future development

The following objectives were identified:

- to evaluate the appropriateness of the guidance for use within schools in terms of its perceived needs, relevance and usefulness
- to collect robust survey data that would enable policy-makers to judge the extent to which LEAs and schools have retained, revised or developed a policy on the use of physical force and the extent to which they relate to one another

- to collect data from questionnaire surveys and case studies that could be used to illustrate the way in which school policies are implemented, monitored and reviewed, and the way in which staff and parents are informed and updated about the policy
- to collect data from questionnaire survey and case studies which could be used to illustrate the effect of the guidance on teacher practice, particularly with regard to consistency, the nature and number of incidents, the action taken and procedures followed by staff, and the recording of any incidents
- to collect data from questionnaire surveys and case studies which could be used to illustrate the way in which parents are informed about incidents involving their child, parental complaints and responses to these complaints
- to collect data from case studies which identify features of good practice that could be used to inform further policy developments, particularly ways in which the guidance might be amended to improve practice.

Research methods

The research had two phases:

- questionnaire surveys of all local education authorities and a sample of schools
- case studies in a sample of LEAs and schools

The LEA survey

A questionnaire was sent to all LEAs in England during the spring term 2002, seeking information on issues related to the impact of Circular 10/98, including:

- policies and their implementation, including links with other policies
- the number of incidents relating to the use of force
- monitoring and evaluation of the implementation of the circular

Just over half (80) of English LEAs responded; the achieved sample was fairly representative of the total sample.

The school survey

A survey of 1000 schools (400 primary schools, 400 secondary schools and 200 special schools) across all LEAs was undertaken during the summer term 2002. The sample was large in order not only to accommodate the anticipated non-response on account of schools not considering that this issue was relevant to them but also to avoid prejudging the nature of the sample which would respond with information following practical experience of using restraint.

The schools' questionnaire sought data on:

- the school's behaviour policy and the relation of this to LEA policy
- the way in which policy had been developed
- any INSET undertaken to support implementation of the guidance
- the allocation within the school of responsibility for the implementation, monitoring and review of the policy on the use of restraint
- data on the use of force since 1996 (if available)
- changes in recording incidents subsequent to the implementation of the circular
- the way in which the school informed parents whose children had been involved in incidents using restraint
- the number of parental complaints lodged since 1996
- the school's perceptions of the strengths of the circular and any positive aspects resulting from implementation
- recommendations and suggestions regarding revision that the school considered would strengthen the circular and its impact on practice

The questionnaire was returned by 170 primary schools, 167 secondary schools and 71 special schools. The sample was representative of the national profile by school type and region/location.

The case studies

Case studies were then carried out in six local education authorities during the summer term 2002. The LEAs were selected on the basis of their questionnaire returns as representing substantial initiatives as regards policy and practice in implementing Circular 10/98. Interviews were conducted with the officers

responsible for the guidance. They were asked to nominate schools in their authority which had particularly well developed and/or interesting practice in respect to the use of restraint. These nominations were considered alongside the data from the schools' questionnaires.

Visits were made to thirty schools and interviews conducted with a range of staff to gain details of practice. The profile differed according to the phase, type and size of school but generally included the head teacher (or his/her deputy); the member of staff responsible for restraint policy/training; teachers and classroom assistants with experience of the use of restraint; and, where appropriate, parents of pupils for whom restraint had been necessary.

In addition, telephone interviews were conducted with thirty schools matched with those visited and recommended by LEA officers as having a similar profile to those visited but not necessarily having similar experience in terms of the use of restraint. The purpose of the telephone interview programme was to widen the scope of schools in which issues were explored in greater depth in order to ascertain the shape of practice in schools considered by LEA officers to be less experienced but which might have interesting or developing practice or might illustrate the perceptions of less experienced schools.

Research findings

Data from the questionnaire surveys

Policies

- the majority of responding LEAs had a policy, mostly drawn up since 1998 and thus, arguably, in response to the guidance
- about two-fifths of mainstream schools and four-fifths of special schools stated that restraint was mentioned in some school policy but significantly fewer, especially mainstream schools, had a discrete policy on the use of restraint
- policies at both LEA and school level had been developed in response to the circular but also as a result of existing concerns about practice
- a range of personnel (for example, LEA officers, headteachers, members of the educational psychology service) had been involved in drawing up the policies, and

there had been widespread discussion with Area Child Protection Committees but in only about a quarter of cases was the policy linked to a social services policy and only a handful of LEAs (six cases) had a joint policy with the social services department

- most of the LEAs which did not have a policy on restraint were in the process of developing one
- implementation of the policy was mostly by written guidance; there was evidence of the greatest activity (including training on holds) in special schools, which also reported a greater degree of LEA support than did mainstream schools
- special school respondents were more likely to recognise the relevance of the circular for their pupils; mainstream schools acknowledged that it was helpful and clarified the statutory provision but a third of these schools said that there had been no incidents in recent years and hence the use of restraint was not an issue for their school

Training

- both survey respondents and interviewees stressed the importance of training as critical to the successful implementation of the circular
- in special schools, training was usually holistic, involving more wide-ranging consideration of behaviour management, of which restraint was deemed to be a part
- in mainstream schools LEAs often provided a range of training (from awareness-raising to risk assessment and restraint) suitable for the different needs of schools
- in most authorities, training was focused, in the first instance, on senior staff; most special schools were planning to extend training to a wider range of staff but few mainstream schools regarded this as necessary
- nearly two-thirds of special schools evaluated their training but the response from mainstream schools was very low as few had had experience of using restraint
- most special schools were planning to extend the scope of existing training opportunities to include other staff

Volume of incidents using restraint

- at the time of the research the availability of hard data on the number and type of incidents was limited: only 11 authorities were able to produce data on the number of incidents between 1995 and the time of the research (2002) and most of these could only provide incomplete data
- while schools were recording incidents as suggested by the guidance, and while some of these were returning records to the LEA, there was no systematic collection or, more importantly, analysis of data at the local or national level and so gaining a local or national overview was difficult
- fewer mainstream schools than special schools reported that they recorded incidents but it should be remembered that mainstream schools claimed to have had little experience of the use of restraint
- on the basis of available data, which were relatively frail, the number of both parental complaints and disciplinary hearings reported were higher in secondary schools than in primary or special schools; special schools had the highest number of incidents but the lowest number of disciplinary hearings

Monitoring and evaluation

- monitoring of schools' use of restraint was reported to take place in under half of those LEAs returning questionnaires
- these LEAs reported that monitoring data helped to identify the needs of schools or individual members of staff, to prioritise training and to inform or review policy
- one LEA responding to the survey reported taking a monthly sample of 40 per cent of incidents in schools for pupils with emotional and behavioural difficulties and selecting some of these for discussion with the relevant headteacher, who was then expected to discuss the cases with the school staff and they, in turn, with the pupils concerned
- a majority of special schools monitored incidents but only a small proportion of mainstream schools reported doing this, probably on account of the low level of experience of such incidents

Impact of the guidance

- survey respondents identified the following results of the circular; however, numbers of respondents to the relevant questions were small:
 - greater consistency
 - development of risk assessments
 - the development of special student guidance
 - greater staff awareness of their roles, rights and responsibilities with respect to restraint
- there was considerable lack of confidence as to whether the circular had affected communication with parents about incidents involving the restraint of their child and a large number of schools did not answer the question

Findings from the case studies

Overview

- the use of restraint was a very small part of an overall behaviour management programme in schools, notably special schools
- restraint was always a last resort when all other avoidance and de-escalation strategies had been tried
- restraint was essentially about pupil and staff safety
- the very broad-based training received in relation to restraint policies, which included specific training in restraint and holds but which was not exclusively focused on it, had enhanced the day-to-day operation of the school community
- there were distinct differences between practice in special schools and practice in mainstream schools

It should be pointed out that during the period in which the research was undertaken, the DfES published specific guidance on the restraint of adults and young people with learning difficulties and on the autistic spectrum (DfES, 2002). Several interviewees in special schools commented favourably on this document and remarked that the way in which it was presented and the sort of approaches it advocated were entirely in line with their approaches; they considered that it was more useful than Circular 10/98 had been.

Impact of the circular

- most headteachers were aware of Circular 10/98 but many were more familiar with LEA guidance and/or school policy which had been developed as a result of it
- most other practitioners in special schools were aware of school policy and familiar with its practical operation though they were not necessarily familiar with the circular
- in mainstream schools, awareness of documentation was mostly confined to senior staff unless all staff had been engaged in awareness-raising activities
- where it was recognised, the circular was widely perceived as having beneficial outcomes, even if these were indirect
- beneficial outcomes were perceived to have arisen from the training programmes which had been developed around the guidance and which were recognised by special schools which had engaged in these training programmes as having contributed to:
 - an understanding that restraint was right and proper in certain circumstances and beneficial to pupils
 - an enhancement in staff confidence in using restraint positively
 - the development of a more extensive repertoire of avoidance and de-escalation strategies, more effective classroom management and a greater understanding of the way in which teacher behaviour and group organisation could trigger undesirable pupil behaviour
 - greater consistency in the way incidents were managed
 - more positive relations with parents
- in some of the case study schools, there had been considerable managerial and organisational reform which harmonised with the ethos generated by the training associated with the guidance

Incidents in which restraint might be used

- schools identified a fairly wide range of circumstances in which restraint might, potentially, be used, but made the point that although these were potential ‘danger points’, recourse to restraint in these situations was contingent rather than

inevitable and its use would only be the last in a series of graduated interventions and never a surprise to the young person concerned

General school characteristics favouring the positive use of restraint

- most schools with a positive approach to restraint had a clear code of conduct which was consistently applied across the school; pupils were aware of boundaries and the consequences of crossing these

Training

- special schools had engaged in a significant degree of training; initially this was externally provided but a number now had members of staff who were qualified trainers and who were thus able to advise colleagues
- in many of the special schools, all members of staff, including learning support assistants, were trained to some degree; this was considered important for consistency and so that when an incident occurred, any adults in the room or area could be relied on to give similar support; this preparedness was considered important in those schools where unpredictability was a common characteristic of the special needs of the pupils
- in mainstream schools, it was usually the case that a senior member of staff had to be summoned in the event of an incident; the incident then became more of a 'big event' than it was in a special school
- escorts and drivers were rarely the responsibility of special schools (unless they doubled as support assistants) though some special schools invited them to training and encouraged them to attend
- the involvement of governors in training was patchy and depended on places available, the financial situation and governor interest
- some special schools invited parents to training session; parents found this useful

General behaviour management prior to the use of restraint

- all the special schools participating in the research spoke of the development of a range of strategies to avoid the use of restraint; although in part sequential, this

wide range was necessary in order to meet the particular needs of the pupils in the special schools; pupil profiles tended to be idiosyncratic

The management of incidents

- when it was clear that restraint would have to be used - the pupil invariably being warned of this - set procedures came into play, underpinned by consideration of the safety of the pupil, his/her peers, and the staff involved
- the enhanced staffing in special schools was advantageous to the management of incidents; things were not so easy in mainstream schools where one adult tended to be responsible for a large class of pupils with one learning support assistant with respect to the pupil with special educational needs
- additional staff in special schools were often used effectively to diffuse situations and provide a distraction to the pupil who was losing control
- the prime purpose of the use of restraint was to calm the pupil and restore self-control to the pupil in a dignified way
- great stress was put on counselling the pupil and staff involved following the incident

Recording and reporting

- all special schools had well developed mechanisms for the recording and reporting of incidents: the perceptions of all adults involved were collected as soon as possible after the incident; report forms went to senior staff
- in all cases, the perceptions of the young person were recorded; these were then used for the subsequent counselling and mentoring of the pupil, so that pupils were able to learn from incidents
- in best practice, senior managers engaged in intensive monitoring and evaluation of incidents in order to gain a better understanding of the particular needs and behaviour of pupils and the most effective strategies for supporting these pupils
- staff in special schools spoke of the value of monitoring and evaluation of incidents; they found that it informed and developed their practice
- emphasis was put on the antecedents to incidents so that staff could learn what triggered certain responses from particular pupils

- more serious incidents were reported to the local education authority but few interviewees were able to say what happened to these data; it was generally commented that there was very little feedback from the LEA, even where schools felt that their returns warranted comment (for example, an increase in incidents)
- an exception was in one LEA where an officer visited the school concerned regularly to discuss incidents
- all schools tried to inform parents by telephone before the child returned home that day so that they were prepared if the child was upset
- most parents were fully supportive of school strategies and few complaints were reported
- some schools commented that reporting to parents had to be done sensitively where parents were inundated with the reporting of such incidents and felt overwhelmed by their child's behaviour

The way forward

As stated above, interviewees spoke favourably of the guidance on restraint which was published subsequent to circular 10/98. This accorded with the way in which practice had developed in those schools where restraint was most used in a positive way to support pupils. The response within such schools was that restraint should be regarded as part of overall behaviour management strategies and guidance should stress this rather than presenting it as something discrete.

Were restraint to be presented in this way, it is likely that a greater range of schools would perceive it as having relevance to their situation. At present, there was evidence from the research data that many schools, especially mainstream schools, do not see restraint as an issue concerning them, because they have hitherto had no experience of it and do not consider that it is likely given their present roll of pupils.

There is a question as to the degree to which DfES would wish schools to be prepared for an incident which would require restraint, given the government's policy on inclusion and the possibility that any school could, potentially, have a pupil with severe emotional and behavioural difficulties, learning difficulties or on the autistic spectrum. Indeed, any pupil presently on roll might develop medical needs (for

example, following cerebral damage) which might lead to restraint being necessary for his/her own safety.

Interviewees in schools where restraint was well understood and practice mature, suggested that DfES might like to accompany guidance with examples of good practice and give greater attention to issues of training. It was also suggested that there should be greater clarity about 'reasonable force'; this was generally from schools which had less experience of the use of force and, hence, were anxious about the legal aspects of using restraint.

1 Introduction

1.1 Background

Section 550A of the Education Act 1996 provided guidance to educational establishments on the use of reasonable force to restrain or control pupils. Circular 10/98 was subsequently issued to give further assistance to schools and followed a series of official documents in the broad area of behaviour from the Department for Education (e.g. GB. Statutes, 1986, 1989; DfE, 1994), the Department of Health (GB. Statutes, 1989; DoH, 1992, 1993), the Health and Safety Advisory Committee (1990) and the National Association of Head Teachers (1993). Hewett and Arnett (1996) suggest that the documentation may have caused confusion and a degree of misinterpretation of the statutory position; data from an informal survey suggested that there was only a limited awareness in LEAs of the position as recently as 1996 so there was, clearly, much work to be done following the publication of the guidance in Circular 10/98. Allen (1998) suggested that some training might not be entirely relevant to, or appropriate for, the school context – where, for example, it originated in residential care.

The circular considers the necessity for a school policy, planning for circumstances in which pupils may need to be restrained, the staff to whom the legislation applies, types of incidents, ‘reasonable force’, recording of incidents, and complaints. It was hoped that it would result in greater consistency of practice among schools and thus reduce the number of complaints.

While the research was in process, the Department for Education and Skills and the Department of Health (2002) published guidance under section 7 of the LASSL Act 1970 on Restrictive Physical Interventions in relation to people with learning disabilities and autistic spectrum disorder. Many of the schools visited during the course of the present evaluation were aware of this later guidance although it was targeted at Directors of Social Services, Chief Executives of Health Authorities and Chief Executives of Primary Care Groups.

1.2 Aims and Objectives

The Department for Education and Skills specified three broad aims for the evaluation of the implementation of Circular 10/98.

- to evaluate the implementation of the guidance *per se*
- to assess the degree to which the guidance has changed practice and policy in comparison with the situation prior to September 1998
- to consider the usefulness, relevance and appropriateness of the circular and to make recommendations about its future development

The following objectives were identified:

- to evaluate the appropriateness of the guidance for use within schools, in terms of its perceived need, its relevance and usefulness
- to collect robust survey data that would enable policy-makers to judge the extent to which LEAs and schools have retained, revised or developed a policy on the use of physical force and the extent to which they relate to one another
- to collect data from questionnaire surveys and case studies that could be used to illustrate the way in which school policies are implemented, monitored and reviewed, and the way in which staff and parents are informed and updated about the policy
- to collect data from questionnaire surveys and case studies which could be used to illustrate the effect of the guidance on teacher practice, particularly with regard to consistency, the nature and number of incidents, the action taken and procedures followed by staff, and the recording of any incidents
- to collect data from questionnaire surveys and case studies which could be used to illustrate the way in which parents are informed about incidents involving their child, parental complaints and responses to these complaints
- to collect data from case studies which identify features of good practice that could be used to inform further policy developments, particularly ways in which the guidance might be amended to improve practice.

1.3 Methodology

The research had two main phases: phase 1 involved a questionnaire survey of all local education authorities (LEAs) in England, and a sample of mainstream and special schools; phase 2 involved case study work in six LEAs and a sample of schools within them.

1.3.1 The Questionnaire surveys

1.3.1.1 The LEA survey

A questionnaire was sent to all (150) LEAs in England during the spring term 2002. This questionnaire sought information on issues related to the impact of Circular 10/98 on the use of force to control or restrain pupils, including:

- policies and their implementation
- links with other policies/initiatives
- the number of incidents relating to the use of force to control or restrain pupils
- monitoring and evaluation of the implementation of the circular.

The response rate for the LEA survey was 53.3 per cent (N=80). This response rate was achieved after an initial letter and three follow-up telephone calls over a four week period. Thirty-eight LEAs requested an electronic version of the questionnaire and fourteen returned the questionnaire electronically.

Characteristics of survey respondents

In the majority of cases (70 per cent) the LEA officer nominated to complete the questionnaire was responsible for co-ordinating the implementation of Circular 10/98, most commonly having a job title such as: behaviour support manager, senior adviser for special educational needs, head of learner support, health and safety officer. Data suggested that the issue of the use of force to control and restrain pupils involved in discussion with personnel from a range of services such as educational psychology, the special educational needs advisory service, and pupil/young people support service.

Representativeness of the LEA sample

Table 1.1 shows that the LEAs returning the questionnaire were fairly representative of the total sample.

Table 1.1 Representation of the LEA sample

Type	Population		Sample	
	Number	%	Number	%
London boroughs	33	22	17	21
Metropolitan boroughs	36	24	19	24
New authorities	66	44	37	46
Counties	15	10	7	9
<i>Met Non-Met Area</i>				
Metropolitan	70	47	36	45
Non-Metropolitan	80	53	44	55
<i>Size of LEA (based on pupils)</i>				
Small	30	20	15	19
Mid-small	30	20	17	21
Mid	30	20	16	20
Mid-large	30	20	15	19
Large	30	20	17	21
<i>Region</i>				
North	47	31	27	34
Midlands	35	23	19	24
South	68	45	34	43
Total LEAs	150	100	80	100

Since percentages are rounded to the nearest integer they may not always sum to 100.

1.3.1.2 School survey

A survey of 1,000 schools was undertaken during the summer term 2002. The sample was large for reasons of methodology. First, while one option was to weight the sample of schools in the survey towards those which were deemed more likely to have had experience of implementing the circular, the research team felt that there were severe problems in achieving a weighted sample without prejudging the way in which

the sample should be weighed and the schools in which there might be higher or lower levels of incidence.

Second, the research needed to ascertain the degree of awareness and preparedness in all schools with respect to their responsibilities as laid out in the guidance, while recognising that some schools might not have had any incidents involving physical restraint since September 1998 and thus not be in a position to discuss the practicalities of implementation.

In order to ascertain not only specific schools with experience of incidents but also the overall profile of experience in implementing the circular, the NFER team sent the questionnaire to a random sample of 400 primary, 400 secondary and 200 special schools.

The schools' questionnaire sought data on:

- the school's behaviour policy and the relation of this policy to LEA policy (if any)
- the way in which the policy had been developed (e.g. building on existing policy, developed in response to the circular LEA initiative)
- any INSET undertaken within the school to support implementation (e.g. whole school, for individuals, as part of induction)
- the allocation of responsibility within the school for the implementation, monitoring and review of the policy
- the number of recorded incidents of the use of force since 1996 (if available)
- any identified trends/changes in the nature of incidents since 1996
- any identified trends/changes in the way in which incidents had been handled since 1996
- any changes in the way incidents were recorded prior and subsequent to the implementation of the circular
- the way in which the school informed all parents about its policy on the use of force and restraint to control pupils
- the way in which the school communicated with parents whose children had been involved in incidents
- the number of parental complaints received since 1996

- the school’s perceptions of the strengths of the circular and any positive aspects resulting from its implementation (including outcomes relating to pupil behaviour)
- the school’s perceptions of the weaknesses of the circular and any negative aspects resulting from its implementation (including outcomes relating to pupil behaviour)
- any recommendations or suggestions regarding revisions that the school considered would strengthen the circular and its impact on practice

Representativeness of the school sample

Tables 1.2a to 1.4b show that, overall, those schools which returned the questionnaire were representative of both the original sample and the national profile.

Primary School Sample

Table 1.2a Comparison by school type

School type	National (N=17932) %	Sample (N=400) %	Returns (N=170) %
Infants	12	12	9
First school	9	9	10
Infant & junior	66	66	68
First & middle	1	1	1
Junior	11	11	11
Middle deemed primary	1	1	1

Table 1.2b Comparison by region

Region	National (N=17932) %	Sample (N=400) %	Returns (N=170) %
North	31	27	28
Midlands	32	37	38
South	36	35	35

Secondary School Sample

Table 1.3a Comparison by school type

School type	National (N=3461) %	Sample (N=400) %	Returns (N=167) %
Middle deemed secondary	9	9	7
Secondary modern	4	4	4
Comprehensive to 16	36	36	40
Comprehensive to 18	45	45	40
Grammar	5	5	8
Other secondary schools	1	1	1
CTCs	0	1	1

Table 1.3b Comparison by region

Region	National (N=3461) %	Sample (N=400) %	Returns (N=167) %
North	30	35	31
Midlands	34	32	32
South	36	34	37

Special School Sample

Table 1.4a Comparison by school type

School type	National (N=1053) %	Sample (N=200) %	Returns (N=71) %
Community special schools	98	97	97
Foundation special schools	2	3	3

Table 1.4b Comparison by region

Region	National (1053) %	Sample (200) %	Returns (71) %
North	31	32	34
Midlands	29	26	25
South	39	42	41

1.3.2 Case studies

Case studies were carried in six local education authorities (LEAs) during the summer term 2002. The six LEAs were selected on the basis of the questionnaire returns as representing substantial initiatives as regards policy and practice in implementing Circular 10/98, either in direct response to the circular or building on the foundations of prior practice to ensure schools' awareness of the new guidance. Interviews were conducted at LEA level with the officer(s) responsible for implementation and monitoring of the LEA policy, and for supporting schools in their implementation procedures. Interviews explored in greater depth the issues raised in the questionnaire returns and sought respondents' reflection on previous and current practice in the LEA and its schools generally.

Interviews were also conducted with headteachers, teachers and a sample of parents in an average of five schools within each case study LEA during the autumn term 2002. In the larger LEAs, the NFER team selected six schools and in the smaller ones, four schools; a total of 30 schools were selected. Across all LEAs, the whole range of relevant schools was represented (see appendix one). In each LEA there was at least one primary school, one secondary school and one special school; the remaining schools were from the specified categories as relevant to the particular LEA. The long list of case studies was drawn up according to data generated by LEA school nominations and the schools' questionnaire (to represent the range of profiles of policy and practice identified in responses). A common criterion for selection was greater than average experience of issues relevant to the circular. The NFER team did not select schools that had no experience or minimal experience of the guidance in operation.

For each of the selected schools, LEAs were asked to identify a second school that was matched in terms of contextual features such as pupil profile and nature of the school roll but which was not necessarily a principal recommendation in terms of what the LEA officer(s) knew about its management of physical restraint. By studying matched pairs of schools in each LEA, the NFER team aimed to overcome the problem of locating effective practice. The NFER team found that by comparing practice and incidents in matched schools, considerable light was cast on effective practice. This enabled those schools which prevented incidents (and thus might not have extensive records of incidents, for example) to be included in the study together with those which might be less confident of their practice. The latter would shape guidance on how the circular might be amended to enhance practice. The NFER's strategy also helped to pick up schools that had effective practice which was not necessarily known to the LEA or, at least, which did not immediately come to the mind of the LEA officer concerned. Where a school did not wish to participate, a school with a similar profile was invited to participate.

In smaller authorities, it was not possible to match some schools, particularly special schools. However, the general policy was applied across the six authorities so that a total of approximately 30 'matched' schools were contacted by telephone.

Each of the 30 core schools was visited by a member of the research team and interviews conducted with the headteacher (or relevant deputy headteacher), the member of staff responsible for, or most involved with, the operation of the policy, and teachers who had direct experience of using force to control or restrain pupils. While in the school, the NFER researcher scrutinised relevant documentation.

Where possible, contact was made with parents whose child had been involved in an incident. The NFER team wrote an open letter of invitation to parents that explained the research and invited their participation. Each case study school was asked to pass a copy of this letter to each parent whose child had been involved in an incident. This strategy maintained confidentiality for parents who did not wish to participate. Parents were asked to return a prepaid response slip to the NFER indicating their willingness to participate and stating their preference for a telephone interview, a face-to-face individual interview or a group interview with other parents in a similar

position. The NFER research team accommodated the parents' preferences unless it was logistically impossible to arrange a face-to-face meeting at a mutually convenient time. The NFER anticipated a poor response rate by this indirect means of contacting parents but in order to maintain parents' confidentiality and not cause unease, it could not gain direct access to parents whose children had been involved in incidents.

The research team recognised that when restraint is necessary, both pupils and staff can be under considerable pressure. Pupils may feel that a physical response is the only way in which they can communicate their feelings, while staff may feel that they are losing control and they may be fearful that they have mismanaged the events leading up to the incident. Thus, a secure environment in which individuals felt confident to discuss weaknesses as much as strengths was needed for the scrutiny of policy and practice relevant to this evaluation. In the event, one secondary school declined to participate in the case study work on the grounds that 'issues were too sensitive'. However, those schools that were most confident and had a clearly implemented policy and practice throughout the school, and where restraint was regarded as a necessary and valuable tool in some circumstances, were the most willing to participate in the research.

2 Data from the surveys of LEAs and schools

2.1 Policies and their implementation

This section draws on survey data to provide an overview of the extent to which local education authorities and schools have retained, revised and developed a discrete policy on the use of force to control or restrain pupils. In particular, it considers the reasons why LEAs have implemented a policy and outlines the key personnel involved in drawing up the policy. Data from LEA interviews supplement survey data to provide details of the strategies LEAs have used to implement Circular 10/98. In addition, the extent to which schools felt such a policy was relevant to their school context is assessed.

2.1.1 Development of specific written policy

Both LEAs and schools were asked to state whether they had a specific written policy on the use of force to control or restrain pupils.

LEAs

Table 2.1 below shows that the majority of LEAs had a specific written policy and that most policies had been produced since 1998. Few policies had undergone revision, regardless of their original date of publication; where revision had been undertaken, it had been within the past two years or was in process.

Table 2.1 Number of LEAs with a specific written policy

	%
Yes	84
No	15
No response	1
N = 80	

A single response item

Due to rounding, percentages may not sum to 100

Source: LEA Survey 2002

Schools

Most of the responding schools had some reference to the use of force in a policy document though fewer than half the mainstream schools had a discrete policy.

Table 2.2 Schools with a discrete policy

	Primary	Secondary	Special
Discrete Policy	59	68	54
Covered elsewhere			
Yes	44	28	28
No	59	42	6
N =	162	138	88

Source: Schools Survey 2002

2.1.2 Reasons for not having a policy

LEAs

Those LEAs and schools indicating that they did not have a specific policy on the use of force to control or restrain pupils were asked to give reasons for this. Table 2.3 below shows that the majority of the LEAs were in the process of drafting a policy. In other cases, the LEA was awaiting DfES or legal advice, or there were staffing constraints.

Table 2.3 Reasons given for the LEA not having a specific written policy

	%
A policy is currently being drafted	58
Other	42
It has a low priority given the LEA's present EDP priorities	17
It has not been identified as a particular issue within the LEA	8
The relevant issues are addressed in other written policy documents	8
N = 12	

More than one answer could be given so percentages do not sum to 100
Source: LEA Survey 2002

Schools

A similar picture was found in schools, with over half of all mainstream schools and two-thirds of special schools (N=19) which did not currently have a policy planning to introduce one in the course of the next school year. Schools which did not plan to introduce a policy claimed that it was not relevant to their school or that it was covered in other policies. That schools did not consider that restraint was an eventuality for which they had to prepare is of concern.

2.1.3 Reasons for development of policy

LEAs were asked to give reasons why a policy was considered necessary. Table 2.4 below shows that while the majority of respondents stated that the policy was drawn up in response to Circular 10/98, a significant number said that it was drawn up in response to concerns raised by either schools or the LEA. A minority of respondents (N=17) gave other reasons, including concerns raised by teaching associations/unions, special schools, police, and the Health and Safety Executive; and the need to revise existing guidance, produce new policies as a result of becoming an unitary authority and/or address the needs of specific pupils.

Table 2.4 Why a policy was considered necessary

	%
Response to Circular 10/98	85
Concerns raised by school(s)	57
Concerns raised by the LEA	51
Other	25
An increase in the number of incidents in school	21
Concerns raised by child protection/social services	19
Concerns raised by governors	3
Concerns raised by parents	2
No response	2
<hr/>	
N = 67	

*More than one answer could be given so percentages do not sum to 100
Source: LEA Survey 2002*

2.1.4 Key personnel: roles and responsibilities

LEA respondents were also asked to identify key personnel involved in drawing up the policy. Table 2.5 below shows that the majority of respondents stated that LEA officers and headteachers were involved in drawing up the policy. Other individuals/groups listed included teaching unions, teaching association representatives, OFSTED inspectors and personnel from legal services.

Table 2.5 Personnel involved in drawing up the policy

	%
LEA officers	85
Headteachers	78
Mixed working group	68
Educational psychologists	63
SEN Support Service staff	52
Health & Safety Officer	49
Other	49
Staff from Social Services	37
Teachers	37
School Governors	13
Manual Handling Team	9
Parents	3
No response	2
<hr/>	
N = 67	

*More than one answer could be given so percentages do not sum to 100
Source: LEA Survey 2002*

Survey respondents identified three key responsibilities of the role: policy development and implementation, training, and advice (e.g. health and safety, behaviour management). Subsidiary responsibilities included strategic management/overview and line/team management. Within three LEAs, key responsibilities had not yet been identified.

The majority of respondents (70 per cent) stated that their policy had been discussed or shared with the Area Child Protection Committee (ACPC); a small proportion (six per cent) did not answer this question.

Table 2.6 below shows that the majority of LEAs stated that the policy was independent of any social service policy. It should be noted that the social services department in these authorities may not have had a policy.

Table 2.6 Is your policy on the use of force to control or restrain pupils

	%
Independent of social services policy	67
Linked to a social services policy	24
A joint policy with social services	8
No response	2
N = 67	

A single response item

Due to rounding, percentages may not sum to 100

Source: LEA Survey 2002

The majority (88 per cent) of LEA respondents reported that the LEA's work surrounding the use of force to control or restrain pupils related to, or had an impact on, other policy areas; those commonly identified were behaviour support/management, child protection, violence and abuse at work, and health and safety/risk assessments.

2.1.5 Strategies used by LEAs to implement Circular 10/98

LEA respondents were asked to identify how different strategies had been used to implement Circular 10/98. The majority of LEAs had provided documentation and written guidance for both mainstream and special schools but, overall, special schools had had greater input from LEAs with regard to strategies. For example, half (51 per cent) the responding authorities said that only a few mainstream schools had received in-service training on principles and legal issues but that almost half (49 per cent) of the special schools in their authority had received this training.

LEA respondents were asked to comment on different use of implementation strategies according to phase or school type. Findings show that the majority of respondents who answered this question focused on training, mostly tailored to meet specific needs. Respondents were also asked how many instructors of ‘competence in holds’ the LEA employed. The median was three, representing two full-time equivalent posts. In the majority of cases, respondents reported that instructors had to attend an annual refresher course to update their skills and knowledge and gain re-accreditation.

2.1.6 Appropriateness of Circular 10/98 for schools

Headteachers were asked to comment on the appropriateness of Circular 10/98 for use within their school, particularly in terms of its perceived need, relevance and helpfulness in relation to the type of issues that arise. Tables 2.7a to 2.7c below show that about one third of primary and secondary mainstream schools implied that the guidance outlined in Circular 10/98 did not affect them; comments were that there had been no incidents in recent years and force was rarely required in the school.

Table 2.7a Primary Schools

	%
Force rarely needed/no incidents in recent years	34
Helpful/fairly helpful/useful/appropriate	30
Provided base for school discussions / policy	11
Provides information/advice for all staff/awareness raised	10
Clarifies procedures	7
Clear definitions	4
Would be consulted if need arose	4
Other relevant	3
Needed to translate it into reality for this school	2
Not helpful	2
Acceptable as back up	2
No response	21
N = 162	

A multiple response item

More than one answer could be given so percentages do not sum to 100

Source: Schools Survey 2002

Table 2.7b Secondary Schools

	%
Helpful/fairly helpful/useful/appropriate	39
Force rarely needed/no incidents in recent years	31
Provides information/advice for all staff	21
Staff advised not to use force/only used by SMT	8
Provided base for school discussions/policy	6
Other relevant	6
Has identified cases where intervention is appropriate	4
Not sufficiently explicit or supportive of staff	4
Clarifies law	4
School has significant number of pupils exhibiting characteristics	4
No response	13
N = 139	

A multiple response item

More than one answer could be given so percentages do not sum to 100

Source: Schools Survey 2002

Table 2.7c Special Schools

	%
Helpful/fairly helpful/useful/appropriate	33
Provides information/advice for all staff	16
Not sufficiently explicit or supportive of staff	12
Only partially relevant in this type of school	9
Provided base for school discussions/policy	9
Force rarely needed/no incidents in recent years	9
Other relevant	9
School has significant number of pupils exhibiting relevant characteristics	8
Not helpful	7
Does not take into account behavioural management	7
No response	8
N = 90	

A multiple response item

More than one answer could be given so percentages do not sum to 100

Source: Schools Survey 2002

2.1.7 Support or guidance from the LEA

The majority of schools reported that their school policy was in line with the LEA's policy (although there was a low response rate to this question from mainstream schools). Mainstream schools had mainly received written documentation relating to the use of restraint from their LEA, although a significant number of primary schools had also received more training on behaviour management and on holds. Special schools reported a greater amount of support from their LEAs, in the form of written documentation and training on holds (52 per cent) behaviour management (37 per cent).

Figure 1: Schools' perceptions of the level of support given by the LEA

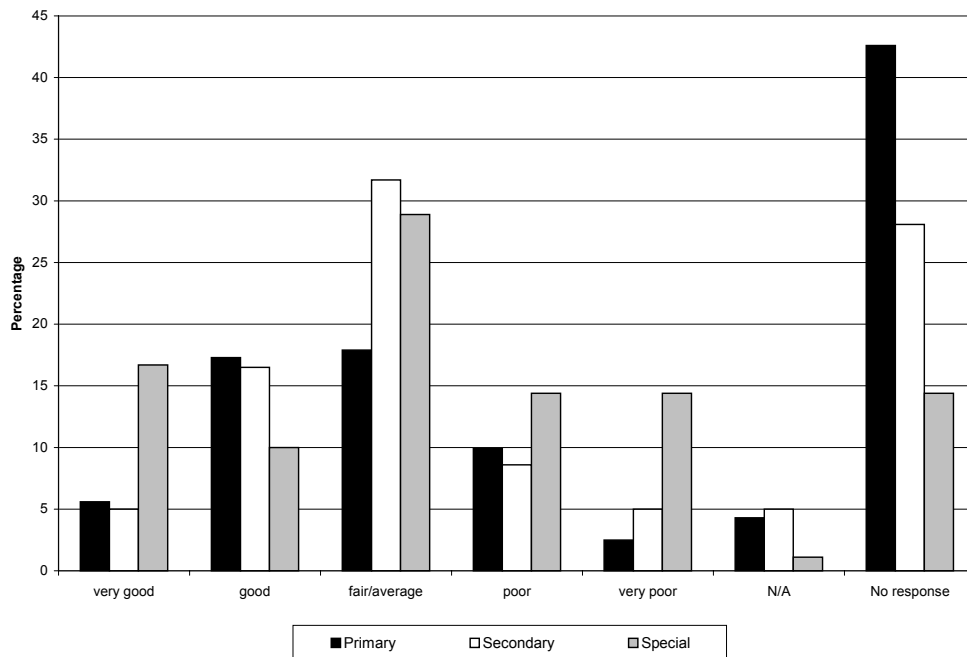


Figure 1 shows the perceived level of support relating to Circular 10/98 given to schools by their LEAs. Few schools gave details of the nature of this support but, where there were comments, primary schools indicated that the LEA provided briefings, secondary schools that the LEA provided no (specific) help, and special schools that their LEA provided (or co-ordinated) training and provided briefings.

2.1.8 Joint working

LEAs were asked if there was any joint working relating to the use of force to control or restrain pupils. Table 2.8 below shows that the majority reported that joint working mainly took place within the LEA.

Table 2.8 Joint working relating to the use of force to control or restrain pupils

	%
Within the LEA	64
Within the local authority (e.g. social services)	39
With school staff	36
Between LEAs	13
With school governors	11
No response	25
<hr/> N = 80 <hr/>	

More than one answer could be given so percentages do not sum to 100
Source: LEA Survey 2002

2.2 Training

Both survey respondents and LEA interviewees emphasised training as being critical to the successful implementation of Circular 10/98. This section provides an overview of the nature, type and quality of training available; outlines the professional background of the trainers; examines the key personnel authorised to restrain; and considers the extent to which training had been evaluated. Data show that, in general, special schools had received more training than had mainstream schools.

2.2.1 Nature and type of training

Tables 2.9a and b show that in mainstream schools most staff had received training on behaviour management, the principles of the circular and related legal issues. A minority of staff had received training on holds. In special schools, staff had mainly received training in behaviour management (Table 2.9c).

Table 2.9a Primary schools

Type of Staff	Principles and legal issues (N)	Behaviour management (N)	Holds (N)	Other (N)	No response (N)
Headteacher / SMT	50	63	30	3	91
Teachers	24	62	21	3	98
Classroom support staff	16	54	22	3	105
Administrative staff	4	8	5	1	151
Technical support staff	3	3	2	0	157
Other	3	8	7	1	151

Total number of primary schools = 162

A multiple response item: more than one answer could be given so numbers do not sum to the total number of schools

Source: Schools Survey 2002

Table 2.9b Secondary Schools

Type of Staff	Principles and legal issues (N)	Behaviour management (N)	Holds (N)	Other (N)	No response (N)
Headteacher / SMT	59	67	19	8	62
Teachers	35	72	17	7	62
Classroom support staff	24	58	9	4	78
Administrative staff	8	15	4	2	120
Technical support staff	7	14	4	1	122
Other	3	7	2	2	131

Total number of secondary schools = 139

Table 2.9c Special Schools

Type of Staff	Principles and legal issues (N)	Behaviour management (N)	Holds (N)	Other (N)	No response (N)
Headteacher / SMT	68	78	63	16	9
Teachers	61	76	62	14	11
Classroom support staff	54	74	59	13	13
Administrative staff	15	15	10	2	71
Technical support staff	8	10	9	2	79
Other	19	22	22	4	64

Total number of special schools = 90

Within the case study LEAs, the organisation of training was mainly carried out as part of the roles and responsibilities of the LEA officers concerned. However, there was a case study authority in which an educational psychologist had been seconded for three days per week (funded through the Standards Fund) to co-ordinate training both within the LEA and with colleagues from other agencies in order to develop a coherent approach to training.

2.2.2 Professional background of trainers

Data from the case study visits showed that, within LEAs, the profile of the team of qualified trainers was varied. One case study LEA had funded a group of trainers which included a headteacher of a mainstream school, a headteacher of a special school for pupils with emotional and behavioural difficulties, an educational psychologist, staff from schools for pupils with severe, and profound and multiple, learning difficulties, and staff from pupil referral units. Data indicated that there were varying levels of training/qualification and that these were variously applied to staff, though the criteria associated with the levels differed according to the particular training schemes.

2.2.3 Training principles and strategies used

Within the six LEAs visited, the majority stated that ‘de-escalation’ was a principle governing the use of force to control and restrain pupils: the use of force was seen as

the last resort. LEAs provided a variety of training covering basic to more advanced issues. For example, one provided three levels of training:

- a half-day session on basic child protection
- a full-day session giving specialist training on child protection processes
- a further session of child protection issues and the idea of ‘safe schools’, using case studies and including discussion on risk assessment and restraint.

This authority did not provide training in the use of holds.

In all school phases, training seemed to be focused, first, on headteachers and then on teachers and classroom support staff. In one LEA visited, headteachers were offered workshops in three different training programmes. They could then adopt whichever programme they considered most suited their school.

2.2.4 Authority to restrain

Respondents were asked to specify staff who had the authority to restrain pupils. Table 2.10 below shows that in all schools headteachers and members of the senior management team most commonly had the authority to restrain. The percentage of classroom support staff with the authority to restrain was higher in special schools than in mainstream schools. The responses reflected school procedures and practices as, technically, Circular 10/98 assumes that all teachers, *qua* teachers, are authorised to be in care and control of children and, hence, can use restraint if necessary. (The case studies illustrate school practice in greater detail.)

Table 2.10 Staff with the authority to restrain pupils.

Type of Staff	% Authorised to restrain		
	Primary	Secondary	Special
Headteacher/SMT	22	28	41
Teachers	19	27	41
Classroom support staff	14	14	40
Administrative staff	3	4	6
Technical support staff	1	5	3
Other	3	2	6
No response	77	72	59
Total number of schools	162	139	90

A multiple response item

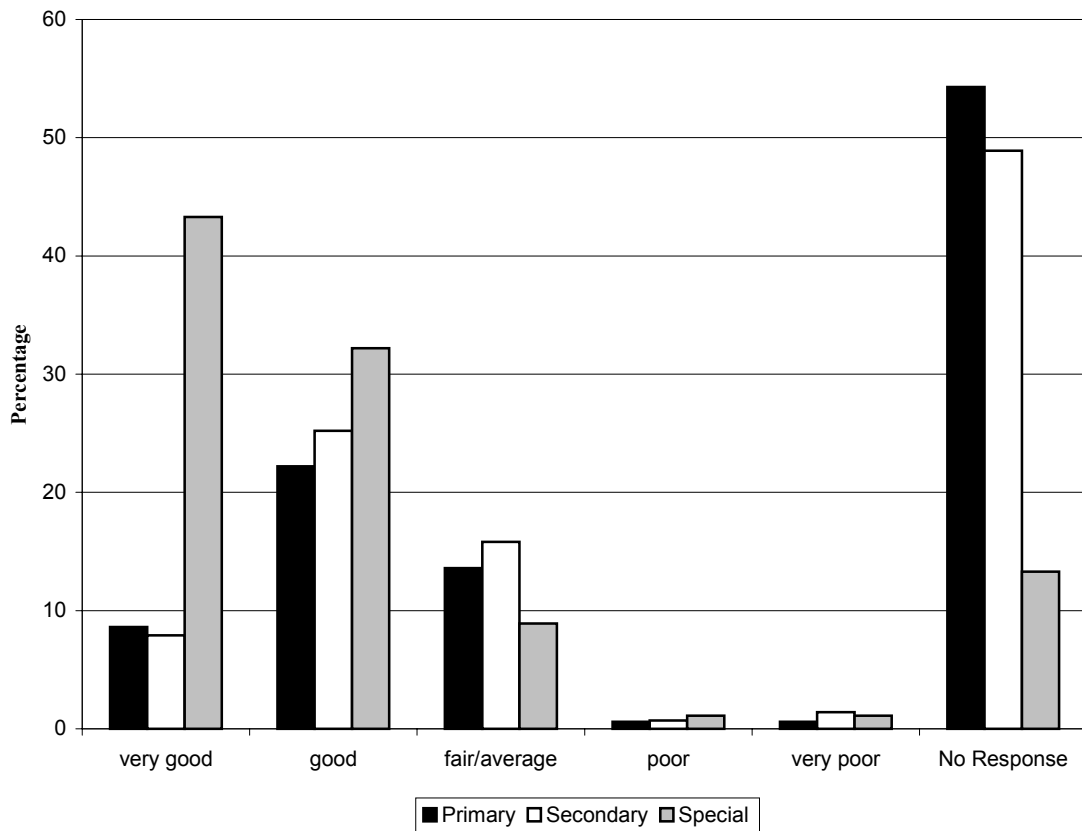
More than one answer could be given so percentages do not sum to 100

Source: Schools Survey 2002

2.2.5 Quality of training

Schools were asked to comment on the quality of the training received. Figure 2 below shows that more special schools than mainstream schools commented favourably on the quality of training.

Figure 2: Schools' perception of the quality of training received



Schools were asked how the knowledge and skills gained from attending the training course were maintained. Special schools reported that the level of skill was maintained through refresher courses. In addition, both special and primary schools tended to raise any issues regularly in-house. Respondents in secondary schools did not consider that the issue of the maintenance of staff competence in restraint was applicable to their school.

In one of the authorities visited, participants in training courses were asked to complete an evaluation questionnaire six months after the training session; feedback on what interventions had been of use influenced the revision of the content of future training courses.

2.2.6 Evaluation and monitoring of training

In mainstream schools, on account of the lack of experience of relevant training undertaken, there was a very low response rate to the question about monitoring and evaluation of training; very few schools that had received training had evaluated it.

Sixty per cent of special schools had evaluated training by means of:

- the completion of evaluation sheets/questionnaires
- discussions with the trainer
- discussion at school departmental meetings
- written evaluation by the headteacher.

Few changes appeared to have resulted from the evaluation although a small number of schools had had additional INSET days and some special schools stated that they had reviewed their policies and practices. Schools ensured the quality of training through feedback from course participants; 18 per cent of special schools also stated that they monitored the outcomes of this feedback. Primary and special schools implied confidence in the quality of training by stating that it was provided by LEA-recommended or approved trainers (see above).

In 60 per cent of the special schools surveyed, training for restraint was included in the induction programme for new staff. However, this was not the case within the majority of responding mainstream schools although in one LEA visited, training (including good behaviour management and safe escorting) was provided for all newly qualified teachers.

Over a half (58 per cent) of all responding special schools intended to extend training opportunities to other staff; a significant number of mainstream schools stated that extending training was not needed or was not an issue for their school. Data from the survey and the case study visits show that the training needs of governors were on the whole neglected. An exception to this was the LEA which provided training for governors on behaviour policies; this including restraint. The LEA officer wrote an article in a newsletter for governors on Circular 10/98, and outlined what training was available to them. The authority's web site, which governors and other interested

parties could access, also provided information on the use of force to control or restrain pupils.

2.2.7 Location of training

Most schools' training took place within the school although 40 per cent of special schools, 25 per cent of primary schools and 18 per cent of secondary schools, had also received training off-site. LEA staff most frequently provided training for mainstream schools. The majority of special schools received training from independent consultants (51 per cent) and from LEA staff (46 per cent). Few mainstream schools responded to this question, reflecting their lack of experience of relevant training.

2.2.8 Resourcing

Survey data showed that the main source of funding for training came from the school budget or the Standards Fund (SF)¹. LEAs also provided additional funding although this was mainly to special schools (16 per cent); few mainstream schools had received funding from their LEAs (primary 6 per cent, secondary 7 per cent). Most of the schools which stated that training was funded through the school budget did not plan to increase the amount of funding spent on training in the next school year. The minority of special schools planning to increase spending on training stated that they would like additional INSET days. Three primary schools also stated that they planned to spend more of their school budget on training in restraint.

2.3 Number of incidents of the use of force to control or restrain pupils

This section examines the number of reported incidents on the use of force to control or restrain pupils. The research team anticipated difficulties in exploring this area on account of the lack of systematically collected data at local or national levels. Findings from the questionnaire confirmed this problem as only 11 LEAs (n=80) were

¹ Individuals may have offered the response 'school budget' when, more accurately, it should have been 'Standards Fund'.

able to produce data on the number of incidents between 1995 and 2001, the majority of these only providing partial data.

LEAs

Several LEA officers contacted the NFER team to say that providing these data would have entailed contacting each individual school within their area. This suggests that while schools are obliged to record incidents, these records are not regularly collected and aggregated at local or national level and so gaining an overview of the local or national situation is, presently, difficult without a specific data-collection exercise. Moreover, the recording and reporting of incidents and schools' experiences of dealing with the restraint of pupils could be affected by the sensitivity of the area.

Five out of the six LEAs visited reported that some schools did send data to them; however, these data were mainly filed without any form of analysis being undertaken. One case study LEA produced a summative report based on data taken from the restraint form, which schools returned to the LEA central office. This report was then circulated to schools detailing their own data and the data from other schools with a similar pupil roll. Schools with high rates of restraint were then offered support. The LEA aimed to produce an annual report based on this information.

Schools

The situation in schools was similar to that in the LEAs. Table 2.11 shows that fewer mainstream schools than special schools recorded incidents. Moreover, many mainstream schools stated that incidents did not occur in their schools. Again, a large number of mainstream schools did not respond to this question.

Table 2.11 Whether schools record incidents on the use of force to control or restrain pupils

	Primary	Secondary	Special
	%	%	%
Yes	40	58	86
No	8	8	4
N/A/no incidents	16	13	-
No response	36	21	10
N =	162	139	90

A single response item

Due to rounding, percentages may not sum to 100

Source: School Surveys 2002

Headteachers were also asked to provide details of how incidents were recorded. The majority of schools (96 per cent) had a school-based recording system and recorded incidents variously, including entering information in a behaviour book, on a standard form provided by the LEA, in an individual pupil record or on a school-based form.

Table 2.12 Whether recording of incidents had changed since the introduction of Circular 10/98

	Primary	Secondary	Special
	%	%	%
Yes	47	36	48
No	47	63	48
No response	6	1	4
N =	64	81	77

A single response item

Due to rounding, percentages may not sum to 100

Source: School Surveys 2002

Schools were then asked if the way in which incidents were recorded had changed since the introduction of Circular 10/98. Table 2.12 above shows that the majority of secondary schools had not changed the way incidents were recorded. The minority of mainstream schools that reported changes in the recording of incidents gave reasons which included factors such as there was no recording of incidents prior to the

introduction of Circular 10/98 or more details were recorded of all incidents. Special schools stated that records had become more detailed and consistent.

The majority of schools (primary 67 per cent, secondary 65 per cent and special 70 per cent) stated that they thought that their LEA did not expect them to provide data on the number of incidents that occurred in school.

The schools responding to the NFER questionnaire reported the number of incidents of restraint for each of the years 1995/6 to 2000/02. While the actual number increased, particularly in special schools, data were misleading as no school had a complete data set (that is, no school had accurate records through the given period) and so different populations were being counted at each stage. Furthermore, there was evidence that more schools were recording incidents following the circular so the rise in the number of reported incidents could have been attributable to this. Where individual schools reported a change in the number of incidents recorded, they attributed it to a change in the pupil roll. Schools of all types reported that a small number of pupils were involved in the majority of incidents. The message regarding degree of incidence was that data are, currently, unreliable and remain at school level.

Similarly, the number of parental complaints reported by responding schools increased slightly through the period but populations may have differed and the rise accounted for by the increase in incidents and different practice in reporting incidents to parents. There did seem to be a greater number of parental complaints in secondary schools relative to the increase in reported incidents in this type of school but, again, data were frail as regards both quantity and quality. No clear message can emerge until data are more reliable.

2.4 Monitoring and Evaluation

This section examines the extent to which LEAs and schools monitored and evaluated incidents on the use of force to control or restrain pupils. In general, it shows that practice as regards monitoring and evaluation seems to be more developed in special schools than in mainstream schools.

LEAs

Table 2.13 LEA monitoring of incidents of the use of force to control or restrain pupils within its schools

	%
In all LEA schools	40
No monitoring	38
In a sample of schools only	15
No response	8
N = 80	

A single response item

Due to rounding, percentages may not sum to 100

Source: LEA Survey 2002

Table 2.13 shows that monitoring took place in under half of those LEAs that returned the questionnaire. Table 2.14 shows that of those stating that they did monitor, the majority monitored the number and details of incidents though school training was also monitored in some cases (see section four for more details).

Table 2.14 Focus of LEA monitoring in relation to the use of force to control or restrain pupils

	%
Number of incidents	75
Details of incidents	66
School training	64
Location of incidents	55
School policies	50
Number of parental complaints	41
Other	16
N = 44	

More than one answer could be given so percentages do not sum to 100

Source: LEA Survey 2002

Other foci for monitoring included the member of staff involved, details of contrary actions and ground holds, why restraint was used, individual behaviour plans, attacks on teachers, and allegations against staff.

Monitoring of this information had enabled LEAs to identify the needs of schools or individual staff, to prioritise or target training, and to inform or review the policy. The interviewee in one authority pointed out that the LEA had a good relationship with schools and used normal contact with a range of sources to provide feedback. In another authority, the LEA took a monthly sample of 40 per cent of incidents in schools for pupils with emotional and behavioural difficulties. They selected some for discussion with the headteacher – for example, where particular pupils were involved in several incidents or specific restraints were used. The headteacher would then discuss the incidents with the staff, who were encouraged to provide a follow-up session with the pupil(s) concerned.

Within the case study LEAs there was also the practice of relevant officers working in pairs or small teams, enabling them to offer mutual support and assessment of the monitoring process.

Schools

Schools were asked to provide details of monitoring and evaluation of incidents on the use of force to control or restrain pupils. Table 2.15 below shows that the majority of special schools and a minority of mainstream schools monitored incidents. There was a low response rate to this question, particularly among primary schools.

Table 2.15 Whether the school monitors details of incidents on the use of force to control or restrain pupils

	Primary	Secondary	Special
	%	%	%
Yes	21	35	72
No	34	40	18
No response	45	25	10
N =	162	139	90

A single response item

Due to rounding, percentages may not sum to 100

Source: School Surveys 2002

Mainstream schools which recorded incidents most frequently reported that monitoring took the form of a written report. Special schools most frequently reported that incidents were reviewed or that monitoring was part of the behaviour management procedure. All schools reported that any information gathered from monitoring of incidents was presented to the governors. A number of secondary schools stated that the information was also used to support and advise staff. The most common response from special schools was that the information was collected as part of the Individual Education Plan (IEP) review and that monitoring information was disseminated to school staff.

Few mainstream schools commented on the role of governors in the monitoring and evaluation of incidents. The most frequent answers given were that governors were informed as necessary and that they had no formal role. Special schools also stated that governors had no formal monitoring role although they had access to all reports on the number of incidents.

2.5 Impact

This section examines the impact of Circular 10/98 on teacher practice, particularly with regard to consistency, planning for potential incidents and the use of risk assessments. It also discusses the extent of communication with parents.

2.5.1 Consistency

Respondents were asked whether the circular had resulted in greater consistency in handling incidents; nearly half of the responding primary schools (N=75) and a quarter of the responding secondary schools (N=35) did not answer the question. Of the schools which answered, the majority agreed (primary N=59; secondary N=60; special N=46) that, following the circular, there was greater consistency in relation to the planning for potential incidents, action taken and procedures followed by staff, and the way in which incidents were recorded.

2.5.2 Planning

Schools reported that those most frequently involved in planning for potential incidents were headteachers, teachers, support assistants, governors, parents, visiting staff (e.g. behaviour support team) and pupils. Other professionals involved in planning included educational psychologists and care staff.

2.5.3 Risk assessments

In terms of planning for potential incidents, many schools reported that Circular 10/98 had mainly made an impact on the development of risk assessments. A number of special schools also stated that the circular had influenced the provision of specific student guidance.

2.5.4 Staff awareness

Schools responding to the question regarding the circular's impact on staff reported greater staff awareness of their roles, rights and responsibilities. Special schools stated that the circular had had an impact on professional training but did not give details. This was also highlighted by one LEA case study where it was stated that, following training, staff in special schools felt more valued and that training had provided additional continuing professional development and, in some cases, promotion and new job opportunities.

Schools were asked to list up to three ways in which Circular 10/98 had affected teacher practice. All stated that staff were more aware of avoiding physical contact with students. Primary schools also commented on the need for staff collaboration with regard to behaviour management and the use of restraint. Secondary schools stated that there was a better understanding of the issues and a number of special schools stated that staff felt more relaxed and confident; they also identified a need for training.

2.5.5 Communication with parents

Respondents were asked to list ways in which the circular had affected communication with parents about incidents involving the restraint of their child. A large number of schools either did not answer this question or responded that they

were unsure of any effect that the circular might have had. The most frequent responses from special schools was that incidents were reported to parents (22 per cent). Twelve per cent of special schools stated that the circular had no, or a limited, effect on communications with parents.

3 The Case Studies

3.1 Overview of findings

There were minor differences between schools as regards the management of training, and procedures for recording and reporting but these were inconsequential in comparison to the consensus among all the schools in which interviews were conducted that:

- the use of restraint was a very small part of an overall behaviour management programme in schools
- restraint was always a last resort when all other avoidance strategies had been tried
- restraint was essentially about pupil and staff safety
- the very broadly based training received in relation to restraint policies, which included specific training in restraint and holds but which was not exclusively focused on it, had enhanced the day-to-day operation of the school community
- there were distinct differences between practice in special schools and practice in mainstream schools

3.2 The impact of Circular 10/98

Interviewees had various perceptions of Circular 10/98 itself. While the majority of headteachers, particularly in the special schools, were aware of the circular, many were more familiar with LEA guidance and/or school policy developed as a result of it. The latter exerted a strong influence in schools and a large majority of interviewees (the exceptions were those in schools where it was claimed that restraint was never an issue) were thoroughly *au fait* with the practicalities and day-to-day implications of the policy-in-action even if they could not claim to be able to cite the actual written text. Indeed, as discussed below, the fact that ‘everyone was singing from the same hymn sheet’ and that all staff were confident of the same level of support from all their colleagues, be they senior managers or support assistants, was considered a critical element of ‘best practice’.

The circular was widely perceived as having beneficial outcomes, even if these were indirect. The circular, largely through the training programmes that it had generated, was considered to have contributed to:

- an acknowledgement that restraint was right and proper in certain circumstances and, in these circumstances, was to the benefit of pupils
- greatly enhanced staff confidence in using restraint positively and appropriately and staff no longer feeling threatened by pupils saying things like: ‘you can’t touch me or you’ll be done’
- the development of a more extensive repertoire of avoidance and de-escalation strategies, more effective classroom management and a greater understanding of the way in which teachers’ behaviours and group organisation can trigger undesirable pupil behaviour
- greater consistency in the way incidents were dealt with
- more positive relations with parents.

Whether or not these developments would have taken place had the circular not been issued is debatable. In some of the sites visited, the circular reinforced and refined what had already been developed at the school – merely improving recording and reporting procedures, for example. Elsewhere, practice had been developed specifically either after the school had considered the circular, or the LEA had promoted its own guidance and/or made training available.

Practice in schools was led by LEA guidance but also developed where this was lacking. In one authority, there was excellent practice within the schools visited but these schools had had no central support (to the extent of their having been unaware of the need to undertake risk assessments and only learning of this ‘by chance’). Some schools, where LEA support was not available, were seeking guidance from other special schools. It should be pointed out that the schools which had had no guidance about their role and responsibilities with regard to the issues of Circular 10/98 were in a potentially vulnerable position.

It was notable that several of the case study schools had undergone significant managerial changes since the implementation of the circular – in a couple of schools there had been cases of litigation involving senior management or a large proportion of the staff; some schools had recently been merged; while elsewhere there had been new senior leadership. In these schools, it was the advent of the new headteacher/senior management team and the overall review of school practices, including curriculum review and the development of a behaviour management programme, that had wrought widespread changes which had included consideration of restraint policy and practice. In all these sites, staff spoke extremely positively of the changes, remarking on the more positive ethos of the school, better relations with pupils, colleagues and parents, and a far greater degree of confidence about, and consistency in, the day-to-day management of pupils.

3.3 Incidents where restraint might be used

The circular lays out clearly (para 9) the occasions where force might be used. Practitioners described the actual classroom incidents or pupil reactions which acted as triggers. All of these were related to the pupils' special educational needs and difficulties in learning, communication or behaviour. They could occur pupil to pupil, pupil to adult, or pupil to self (direct or indirect self-harm). For each potential restraint event, de-escalation or avoidance strategies were described, as reported below. The use of restraint in any of the following scenarios was deemed to be contingent rather than inevitable, thus giving, with increased training and skills, the opportunity for the reduction in the use of restraint.

- unstructured times such as in the playground were difficult for pupils who lacked social skills
- pupils who were new to the school and unfamiliar with expectations, peers and staff were likely to be confused and frightened
- many pupils came to school with unresolved issues from home circumstances, particularly where they had no clear boundaries or experienced multiple carers, all

operating different expectations/boundaries, or having had negative experiences during the journey to school (particularly when escorts were untrained)

- the effect of medication could cause a pupil to lose control; in some cases, children might miss a dose of regular medication which should have been taken at home, with subsequent effects on their behaviour at school later in the day
- some pupils (for example, those on the autistic spectrum) developed obsessions, the pursuit of which caused them to lose control
- the very fact that school/education was challenging pupils was sufficient to provoke certain behaviours in those pupils who did not wish to be challenged
- some pupils deliberately sought attention by manifesting the behaviours which they knew would lead to restraint; such pupils would not 'take the escape route offered, won't access support and they can't ask for attention verbally'
- learning or communication difficulties, particularly in younger children who had not yet assimilated supportive strategies, could lead to pupils suddenly absconding or hitting out on impulse

The view was also put forward that pupils who were in an inappropriate educational placement (which could be a mainstream placement under an authority's inclusion policy) were provoked to behaviours for which restraint was necessary as their needs were not being met within an environment which was not conducive to their particular difficulties. Equally, mention was made by some interviewees (not, it should be stated, in relation to their current situation in school – rather, other schools in which they had worked or previous situations) of an inappropriate school culture in which pupil respect was neglected and a blame culture operated. Another interviewee thought that there was a distinct difference between the way that mainstream and special school pupils responded to situations:

‘In mainstream most of the time, if you warned them, they would stop: they are able to understand the consequences. Whereas here, they are EBD children and they can’t understand what it going on and just go for it.’

Clearly, there are complex issues here but they are important when considering the differentiation of policy and practice for restraint in mainstream and special schools, and the relationship between restraint, general behaviour management and general school effectiveness strategies.

Interviewees thus recognised not only a certain type of pupil for whom restraint was sometimes necessary (and a number of schools remarked on the greater perceived level of ‘severe disturbance’ in the pupils coming onto their rolls) but also the triggers which generated behaviour which was a danger to the pupil him/herself or his/her peers and/or adults working with him/her and which warranted restraint. It was skill in bringing together knowledge about the pupil and knowledge about his/her environment that reduced the necessity to use restraint.

3.4 General school environment/school characteristics

Most of the schools participating in the research had a clear code of conduct (or equivalent) which they felt to be important as a starting point as it made pupils aware of the expectations of them and established the sort of interpersonal relationships within which restraint might have to be used. For example, one headteacher said that when he arrived at the school he stipulated that there was to be no shouting and no humiliation of pupils (or, indeed, staff – see below). Another said ‘we have zero tolerance of violence – the pupils know that’. These clear boundaries, which many pupils had lacked before, meant that pupils were helped to realise that certain actions resulted on certain behaviours. This helped to reduce the need to use restraint – for example, in removing a pupil from a classroom. In one school it was commented that, when a pupil was disrupting a lesson for example, ‘most of the lads accept that they’ll have to go’ and so they were merely escorted out of the classroom, often with no physical intervention needed. Occasionally, pupils would ‘play a game’ which ended in restraint:

‘They’ll say: “this is what I’m doing and this is what they have to do to get me out of the room”’.

Even here, they were aware of the consequences of their action: having been given verbal warning, the physical intervention was no surprise and there was no question of their being ‘suddenly grabbed’ – something that was regarded as bad practice.

Several of the case study schools had student charters and/or student councils, when issues of restraint could be aired. It was considered important that the young people themselves were thoroughly familiar with policies, the reasons for them and what they implied. Expectations of behaviour and the consequences of ignoring guidance were often covered within the Personal and Health Education (PSHE) courses. A common theme was that relationships between students and staff should be sufficiently positive that students were ready to trust adults to take care of their safety and knew that they would act if they considered that the young people were endangering themselves:

‘Pupils know that staff can remove them but only if it is essential they trust us to take control for their safety.’

The establishing of such relationships was, it was felt, easier in special schools, which tended to be relatively small, than in mainstream schools. Incidents involving restraint were regarded as ‘emotional disturbances’ over which the pupil currently did not have control; stress was put on staff not taking incidents personally. Considerable attention was given to reassuring both pupils and staff after an incident (see below).

Thus incidents of restraint were seen as occurring within a particular context which fostered as positive an environment as possible.

3.5 Training

A considerable amount of training had taken place in all the special schools participating in the research. Initially, this was provided by an external agency but a number of the schools had qualified trainers among the staff at the time of the research visit and were thus able to train and maintain the skill level of their own staff

from their own resources. These trainers were kept up-to-date by trainers' refresher courses, which were usually a requirement for maintaining any qualification. In most schools there were regular up-dating sessions for staff - in one case as often as once a fortnight to revise holds – and, as there was always a debriefing session after the use of restraint for the staff involved as well as general discussion of the behaviour management of pupils, awareness levels were, generally, impressively high. This was not the case for mainstream schools as will be discussed below.

In some schools, all staff had had considerable training (although not all were authorised to restrain) and, indeed, it was considered important that this be the case. The rationale was that all adults would feel confident about following set procedures so any could act in any circumstances – action did not depend on rank or hierarchies within the school but, rather, on team support. Schools that had qualified trainers on the staff were in a better position to train new members of staff as and when necessary. In other cases, time often had to elapse before there was a convenient training opportunity from a private provider; it was commented that, with increasing numbers of staff seeking training, places on courses were quickly booked up.

In those schools where practice was most developed, training was not regarded merely in terms of ensuring that new colleagues had specialist skills in relation to holds but, rather, as part of the induction process which included assimilation of the overall approach of the school to behaviour management and the establishment of positive relations with pupils. Thus in one case study school, for example, new staff were not authorised to restrain in their first term, until they have shown themselves to be familiar with the school's *modus operandi*.

In other schools, training was voluntary, allowing staff who felt uncomfortable with the idea of restraint, for whatever reason, to avoid involvement. A member of staff interviewed in one schools remarked:

'I did not do the training because it is not my style ... I do the verbals and they work.'

However, this teacher did concede that:

‘We could get a new kid in tomorrow who flips and wouldn’t listen to me and then we’d need the training.’

It was pointed out that unpredictability was a key characteristic of many of the young people whom the special schools were educating and was, indeed, a feature of their emotional disturbance or autistic spectrum disorder or other special needs, so that preparedness for all eventualities was essential and gave staff confidence in themselves and immediate colleagues. Training was regarded as developing the relevant expertise to meet the needs of a particular group of pupils. The importance of sharing responsibility and action when a pupil did need to be restrained was stressed within ‘best practice’ and adults were encouraged not to regard their own withdrawal from a highly charged situation, allowing a colleague to ‘take over’ from them, as a failure – rather, an effective and necessary management strategy. But this depended on all staff feeling confident and a very high degree of mutual support being readily available. In some of the schools visited, this had not yet been developed and boundaries between staff roles and responsibilities, appropriate for other functions, could sometimes inhibit effective response when restraint had to be used. One interviewee commented that the status of the support teacher within the classroom was not always clear and could lead to inconsistencies in dealing with pupils in that classroom – a situation which was particularly undesirable given the need of those pupils for clarity and consistency.

The research data suggested that practitioners perceived a continuum in terms of a school’s confidence in dealing with issues. At one end, was the school where all staff (including caretakers and administrative staff) were trained and were sufficiently confident and empowered to act in any situation, perceiving action as a way of meeting pupil need rather than in terms of any personal confrontation. At the other end was the school where an incident would be a ‘big event’ (as one interviewee put it, ‘a spectator sport’) and the right person (usually the head teacher or a member of the senior management team) would have to be contacted to deal with it:

‘It would be extraordinary in a mainstream school ... there would be no confidence [people would] get out of the way and freeze. One person would be left to deal with it and that’s a risk to pupils and staff.’

One headteacher considered that action was a senior management responsibility:

‘I don’t want my staff to get themselves into trouble ... you are putting yourself at risk if you restrain.’

Data suggested that the more negligible the training, the greater the fear of litigation and, indeed, the more that teachers recoiled from the idea of using restraint, seeing it entirely in terms of physical confrontation of a pupil rather than in terms of acting for that pupil’s safety. This sort of situation would arise where the LEA provided training for a particular pupil with a statement. Here, the pupil was regarded as a ‘one-off’, not able to be provided for within the usual repertoire of behaviour management techniques. However, in some cases, the advent of one pupil to the roll could trigger whole-school training which was regarded as very useful and applicable to other pupils. The opinion was voiced in some mainstream schools that, if a pupil needed restraining, that school was not the right place for that pupil. It was the perception of headteachers that the behaviour was so unusual as to be unacceptable and had an adverse effect on other pupils and staff. In these cases, the effective use of restraint – and examination of its antecedents in terms of learning about pupil needs – was not seen as a means of supporting that pupil and facilitating his/her inclusion in the mainstream school.

The situation was not ideal in all schools visited. One teacher interviewed remarked that she had not had an induction programme (despite being offered this when appointed), professional development was poor and, when she asked about behaviour management, was told to look on the internet, ‘which isn’t really what I wanted’. Although senior management were supportive, everything was unstructured and teaching support was ineffective. Thus there were more incidents about which the teacher lacked confidence.

The situation regarding the involvement of governors in training (and, indeed, in the recording and reporting of the use of restraint) varied among case study schools. In some, they participated in (or observed) the training. In others, training was offered but not taken up, or was not viable on the grounds of the costs incurred. In the majority of cases governors were thoroughly familiar with all school policies and practice, including that relating to restraint, but in a minority of schools, headteachers did not think that it was relevant that governors be involved in restraint.

One school offered training to escorts and drivers, on a voluntary basis although they were paid if they attended. While several interviewees commented that it was desirable that drivers and escorts be trained, generally, it was stated that drivers operated under different conditions of service and their training was not, strictly, the responsibility of the school. Where drivers were also learning support assistants, the problem did not arise as they were trained in the LSA capacity. Equally, a few participants in the research highlighted anomalies between the approaches to restraint taken in school and those taken by colleagues in social services. In one case, members of the police service were invited to participate in the school-based training.

There was also variation in the degree to which parents were invited to attend training. The majority of schools encouraged openness and complete clarity about school practices and, where finances allowed, invited parents, some of whom might accept the offer. In such cases, parents not only were clear about the way in which their child was being managed at school but also learnt strategies to use at home (it was commented that in some cases parents resorted to a smack as they lacked other options). Other schools said that parents did not want to know, or that it was not appropriate for them to know – for example, it might present a poor image of the school or alarm them unduly. Parents interviewed who had been offered, and had taken up, training, were consistently positive about the experience and felt that it had been valuable both to have knowledge about what was happening in school and to learn effective ways of supporting their child. Schools generally stressed the importance of good communication with parents on all matters; within this structure, restraint was just one issue. Most of the special schools employed a wide range of means of communication, including home-school diaries, telephone contact (widely used), home visiting and the use of attached social workers.

3.6 General behaviour management and preparation to minimise the use of restraint

Interviewees perceived the justification of the use of restraint as grounded in strategies adopted to avoid it and to ensure that it was a last resort. They attributed a decline in incidents of restraint (a pattern commented on in all schools with the exception of temporary increases on the adoption of new recording measures in one school) to the greater skill in staff in understanding the behaviours of the pupils on roll. As one teacher said:

‘The longer I’ve been here the more I’ve understood their difficulties and anticipated those in my lessons so it’s preventing the escalation to that situation that is important.’

Several schools commented on the increase in the number of pupils with autistic spectrum disorders, the successful education of whom depended on expert knowledge of the way in which their minds worked. For example, staff had to gain understanding about the role of obsessions and rituals in their lives – and the consequences of thwarting these – and of the necessity to teach replacement behaviours in order to eliminate a behaviour that was injurious to the child, his peers or adults around him.

In several of the case study special schools, the headteachers remarked on a series of whole-school reforms which they considered had played a part in the reduction of incidents requiring restraint. The following account exemplifies the situation:

‘We do not seem to have the kids that flip in the older age group [KS 3 and 4]. I would like to think it’s because I’ve tended to work with the older ones and when I came here there wasn’t much of a curriculum in place and the kids weren’t being stretched. And there were problems but in the last two years we’ve introduced a lot of behaviour management, a credit system, a very, very rigid curriculum and I think these three things have motivated the kids and are helping the kids to increase their self-esteem. And we’ve worked with their emotional behaviour. And somehow we’re managing. It’s quite incredible.’

In other schools, attention had been paid to such things as emotional literacy, anger management, solution-focused brief therapy and transactional analysis. Schools benefited where educational psychology services were active in providing professional development sessions and helping schools with practical strategies which were underpinned with psychological theory.

The specific restraint-avoidance strategies mentioned had mostly been gleaned from training courses, though some were born of long teaching experience with a range of pupils, reinforced/consolidated by the training courses. They included:

- physically blocking (the adult positioning him/herself between two pupils)
- distraction
- pupil grouping (avoiding personality clashes)
- deployment of staff
- use of humour
- constantly keeping the pupil's interest
- allowing 'time out' in a quiet area/room, either with the pupil going freely or with the pupil escorted
- establishing clear routines so that pupils' anxiety was reduced by their knowing exactly what would happen during the school day and within the classroom
- using verbal disapproval/warnings
- the use of therapies such as music therapy or speech and language therapy to relieve a pupil's frustration at communication difficulties (e.g. the use of signs/symbols and augmentative communication)

In order to implement these strategies, detailed knowledge of individual pupils was deemed necessary. A lot of observation, to gauge reactions of individuals in different circumstances was used, staff were sensitive to whether 'anyone is grumpy or tired' and several schools encouraged parents to inform them of any significant incidents that had happened at home and which might be disturbing to the pupil. Pupils and their individual behaviour programmes were discussed regularly among the staff who had responsibility for them and in many schools there were frequent reviews of these programmes, to evaluate what worked for an individual and what did not. Debriefings

after the use of restraint (see below) were part of the learning process: staff discussed what might have been done differently and what could be learnt from the incident; a range of perspectives (the adult directly involved, adults observing, the pupil involved) were gathered and taken into account to try to understand the situation. One interviewee remarked that the situation had moved from thinking ‘this [restraint] is inevitable’ to ‘what can I do to avoid it?’.

There were differing opinions about what was really going on in avoidance strategies. For example, one interviewee claimed that staff at the special school were far more tolerant than colleagues elsewhere. An opposing view was that it was not a greater degree of tolerance but, rather, a changed perspective and understanding as to what was going on with the pupil. For example, expectations of pupils would be according to their developmental level rather than their chronological age.

‘If you have a child who is under two developmentally, then reasoning and negotiating with that child isn’t going to work ... the way we talk about it is their ability to modulate their behaviour as they get older, they’re more able to modulate their behaviour And I think now we have an understanding with all the staff in this school, that this is how we approach behaviour – it’s through the child’s developmental level. And the more we work at the developmental level, the better the behaviour has become in this school You find out what the need is, you know why they’re behaving like that ... the only way you can change the behaviour is then to actually teach them another skill to get what they want, which is very, very hard for children with learning difficulties because their skill base is so narrow.’

Another felt that there was a lot of ‘turning a blind eye’ which would not be possible in a mainstream school. One headteacher claimed that the quality of learning had reduced as staff aimed to reduce confrontation leading to restraint and thus allowed pupils to do much more what they wanted to do but colleagues elsewhere linked the decrease in incidence of restraint to that fact that pupils were being given appropriate challenges and were no longer frustrated by unreasonable demands based in ‘normal’ mainstream progress. These perspectives are important to the discussion of inclusion and will be returned to later.

Stress was put upon warning the pupil that restraint was going to be used. This was within a situation in which pupils were aware of the use of restraint for their safety from other preparation, such as PSHE lessons. Interviewees said that good practice dictated that they constantly used verbal warnings such as:

‘If you carry on banging your head against the wall, we’re going to have to restrain you.’

‘If this continues I’m going to have to restrain you. I don’t want to but you’re giving me no choice because someone is going to get hurt.’

Before a hold was used, milder interventions would be tried: for example, escorting a pupil from a room with/without a ‘soft touch’; or removing other pupils from the room, allowing the pupil to remain by him/herself to calm down (several interviewees commented that pupils did calm down quickly once they had no audience). The latter strategy is, clearly, one that is only possible with small classes such as in a special school.

3.7 The management of incidents

When it was clear that restraint would have to be used, set procedures came into operation. It was mentioned above that staff always alerted the pupil to the fact that restraint would be necessary if s/he did not desist from the undesired behaviour. Safety was always the paramount.

‘And if you don’t do it [restraining to keep a child safe], in legal terms then it’s neglect; you’re actually neglecting your duty or responsibility by not doing that’.

In most of the special schools visited, there were three adults in the classroom (one teacher and two assistants) so there was always sufficient staffing to cover the situation, either by assisting with the hold, or escorting the pupil out of the room, or escorting the other pupils out of the room, or going to seek further assistance. In most of the special schools for pupils with emotional and behavioural difficulties there was

some sort of alarm system, either by panic button or radio link, so that roving/floating members of staff or a member of the senior management team could be summoned swiftly. In some cases, members of staff who were 'roving' were regularly patrolling the school, looking in on classrooms and ready to offer support if needed. Thus, in the special schools, staff interviewed spoke of a high degree of peer support and the fact that there was always someone on hand to support them if restraint were necessary. There was also someone to hand over to: this was seen not as the 'failure' of a particular member of staff but the next accepted stage in the strategy. It was commented that a third party could often diffuse the situation or a particular pupil might behave differently with a member of staff with whom s/he had a particularly positive relationship (a class tutor, or an accustomed support assistant, for example). A deputy headteacher in a special school remarked:

'There was an incident yesterday when a child was brought out of a classroom because of inappropriate [unsafe] behaviour. And he was taken to the next classroom, which is a support room we use, and I went in there because I could hear a lot of noise: two members of staff were supporting the child in the room. When I went in, one of the staff said 'Well, I think a change of face could help', and I slipped in take that person's place. And then the child did calm down within a few minutes The school policy is a very safe one, to the point that we never want adults to be with children who are distressed on a one-to-one basis. And the first thing is that you get support. It's more comfortable for everyone you're working together to support that child. Although some of these children are primary age, they can be very, very strong; they can be damaging to themselves. And sometimes two or maybe three adults are required to make it safe for that child.'

This was the situation in a special school. The more common pattern in mainstream schools is for the pupils with emotional and behavioural difficulties, or severe learning difficulties, to have a learning support assistant working with them in the classroom. This model does not of itself provide the opportunities for diffusing tensions that were developed in the special schools visited. It is, perhaps, one of the reasons why staff in mainstream schools tended to have more negative responses to the use of restraint than their colleagues in special schools.

One interviewee compared the current situation in her school (where there was a high level of mutual support) with that under the previous headteacher, when ‘no one shouted for help for fear of the pupil getting into trouble with the headteacher’.

While in most of the special schools visited the majority of staff were trained and were confident about using restraint, there were cases where not all staff were keen on restraining. Here, senior management said that they ‘played to staff’s skills’ so that those who were most confident would deal with any incident. Again, this required flexibility of staffing and that certain individuals would be available to respond as necessary.

The critical objective in all incidents was the restoration of a safe situation for the pupil and anyone else at risk, and then the calming of the pupil, though it was pointed out that the adult had to be perfectly calm in order to support the pupil. While staff spoke of the ‘sudden explosion’ of some pupils, they referred, equally, to the fairly swift restoration of control once the pupil had been removed either from attention or from the irritant. Some pupils, it was reported, subsequently apologised for the incident and acknowledged that they should not have been behaving as they were. In all schools, stress was put on the importance of talking with the pupil in order to comfort him/her and allow the pupil to regain dignity as quickly as possible and to return confidently to the classroom. The same care was taken of staff. Senior managers said that staff never had to return to the site of a restraint incident until they felt ready and had regained any lost confidence; again, staffing levels in special schools, particularly for pupils with emotional and behavioural difficulties, were such that staff could have time out in this way; it is doubtful that this would be possible in a mainstream school without enhanced staffing.

3.8 Recording and reporting of incidents

In nearly all the schools, the relevant forms were completed as soon as possible after the incident. Several schools had made these as simple as possible - for example, giving a body diagram so that staff could indicate if an injury had occurred, and providing tick lists for the type of hold used (it should be noted that a common language for describing incidents was available in most of the schools on account of

the common training that the staff had received). Reports were also taken from any observer.

In best practice, considerable time and care was taken recording the pupil's perspective not only with reference to potential complaints but also to help the pupil learn from the incident and to show that it was taken seriously and was aimed at protecting the pupil's safety.

Talking the researcher through the recording form, an interviewee explained:

'Underneath the next bit, that's the child's view so we can then say 'how do you feel about this? Why do you think it happened? And they actually have to sign it. So we go through the whole form, word for word, exactly, because the child might see it differently and say 'Hang on a minute. I didn't think it happened like that'. So at least if we're involving them from start to finish they feel part of that incident. And then our child protection co-ordinator receives all the major incidents and then she will at hopefully not too late a date go through the incident form with the child again, when they're very calm, it's happened, it's over and that seems to work really well because there are odd ones that don't want to talk about it any more. But there are an awful lot of children who take that opportunity to sit and talk with her.'

An interviewee commented that it could be extremely important for a young person to face the fact that s/he had been violent. Some pupils might find it uncomfortable to reflect on an incident immediately after it had happened: review had to be undertaken as appropriate, and helpful, for the individual young person. It was suggested that the value of a school having expertise and skill in dealing with violence was that the pupil was not excluded but returned to the classroom.

Difficulties in taking accounts from pupils with severe learning difficulties or communication difficulties were reported; staff commented that they would often be able to gauge pupils' emotional state and how they felt from their behaviour but could not go further than this.

More serious incidents were reported to the LEA but few schools seemed to know what the LEA did with these reports. One commented that the LEA did not seem to make contact with the school if rates of use of restraint altered significantly. In one authority, however, an LEA officer attended the debriefings after serious incidents and, in another, which, interestingly, offered no restraint training, the child protection officer visited a school once a month to go through the incidents recorded. In most cases, monitoring went on at the level of the school: the head teacher (or a senior member of staff nominated by him/her) monitored the incidents and, where there was a sufficient number of incidents, tried to find patterns which might inform de-escalating practice or suggest that a particular member of staff might need support or that attention should be given to the needs of a particular pupil.

In one special school, things proceeded as follows.

‘The lead person gets the form and begins the process of recording the incident. When they have taken their recording as far as they can, it’s then handed on to any other people who were involved to add their observations and comments ... The forms are then handed to the deputy head and he puts all the information on to a big database. On the form there is a small section where you indicate who needs to be informed, where copies of the form need to be sent, if a phone call was made ...’

The headteacher was developing a system whereby she could get a monthly overview, with the number of incidents in which each child was involved and

‘Get a profile of what the presenting behaviours were, see if there were any patterns there ... and then look at the implications. Do we need to make any changes to the child’s individual behaviour plan? Do the strategies need to be modified? It could be as a result of this kind of analysis that we decide to undertake a change to the risk assessment... I would go through the whole process and then go back to the child and talk it through with them Is there a need for a referral to another kind of professional? Do we need a strategy meeting – with parents or multi-professionals? Do we need to undertake more de-escalation work with the staff working with this child? To my way of

thinking there is no point in evaluating a major incident unless you do something with that evaluation... it has to go somewhere, rather than just recording that you have evaluated it.'

All staff spoke of the monitoring and review of incidents as a helpful exercise – they did not regard it as in any way designed to fault their actions (as had been the previous experience in one school before the current head was appointed). They knew that provided they had followed the school policy and accepted procedures, they would not be criticised. Incidents were analysed in order to learn – not only when holds were used. For example, an interviewee commented that if a pupil always had to have a physical prompt to do a certain task, the staff would ask ‘why do we continually have to guide that pupil to that task?’.

An interviewee commented that the post-incident review was very helpful:

‘If something’s not right I can then change it and not persevere with it.’

In best practice, as much emphasis was put on the antecedents to the incident as to the actual description of the hold and what happened. In this way, information about the ‘trigger’ and the effectiveness of de-escalating strategies could be gathered. One interviewee referred to the STAR model: Setting, Trigger, what Actually happened, Result.

3.9 Reporting to parents

In the majority of cases parents were informed by phone in detail, always, if possible (i.e. if the parent was contactable) before the child got home as it was considered important that the parent knew that the child might be upset and need a more sensitive reception. Most special schools kept in regular and frequent contact with parents, communicating the positive incidents as well as the negative, so informing them about the use of restraint was the accepted and usual course of action. In the schools which seemed most confident in managing restraint incidents, parents interviewed all said that they were very confident with the policy and practice at the school, were quite happy for their child to be managed in this way and had no cause for complaint. One

parent interviewed spoke of how, unknown to the staff, she had seen staff ‘holding’ her son and had been amazed not only at the professional way in which it was done but at how it quickly calmed her son. She knew that her son was very aggressive (on account of medical and communication problems) but did not experience it much at home.

Several parents said that they had found it very useful to talk about the strategies so that they could use them at home. It should be pointed out that all schools made a point of talking about the use of restraint with parents at the admissions interview. Not all made written policy available to parents but most claimed that parents were clear about the policy in action – and interviews with most parents confirmed this. Parents were told what would happen if their child endangered him/herself or others. There were isolated cases where parents felt that they were informed too late and that details were only given if the child reported the incident at home and one headteacher considered that publicising the restraint policy to parents in advance would give a negative message. The greater involvement of parents in their child’s behaviour was considered to be beneficial by both staff and parents. One teacher pointed out that, under a previous headteacher, when there had not been openness about the use of restraint, parents were very often unaware that their child was violent at school. Generally, the schools that were confident about the use of restraint were those that enjoyed very positive relations with parents: headteachers claimed that they were always at the end of the phone and this was confirmed by parents interviewed who said that they felt that the school was very approachable. (Many pupils at the schools visited were bussed in to school so parents did not often visit the school in person other than for special meetings or reviews.)

All the special schools stressed the importance of talking with parents, particularly where parents might have difficulty with written communication for whatever reason. Situations were often complex and it was often not just a matter of reporting what had happened:

‘I’ve been in a situation where I’ve phoned parents every night to discuss what’s happened. And for a lot of parents it can be very painful to hear my voice on the end of the phone saying “your child’s done this and that.” And

then what they'll come back with sometimes, which I understand, is 'what are you doing about it?' ... [with one child] I can't tell you how many meetings we've had ... at the level that we're working with kids sometimes it's never this straightforward why he's behaving in a certain way. Sometimes there's a multitude of other agencies who are involved in the whole case and a lot of it is about what's happening at home.'

In some schools, governors were informed of incidents – usually by way of the headteacher's routine report; in others they were not.

3.10 The situation in the schools participating in the telephone interview programme

As stated above, the contact with the 'matched' schools was designed to widen the range of case studies and ascertain the situation in schools that had either not been recommended by their LEA as having particularly interesting or developed practice, or had not identified themselves as such in their questionnaire returns.

As a group, the telephone-interview schools were, perhaps unsurprisingly, less advanced in their response to Circular 10/98 than their colleagues in the schools visited. This was particularly the case for the mainstream schools. The interviewee in a small primary school, for example, said that they did not need a policy on restraint 'because our pupils do not cross boundaries'; the interviewee considered the circular to be 'just common sense'. The situation was similar in another school participating in the research. In another primary school, there was one pupil who 'kicks and bites' and refused to move, and had been excluded for so doing; the headteacher dealt with the situation himself and 'picked her up'. The parents were not informed 'because they'd be a bit concerned'. In another large primary school with a significant incidence of pupils with special educational needs, the headteacher had organised in-house training on holds, and had developed a school policy with help from the linked educational psychologist (the LEA provided no general guidance). Incidents, perhaps a couple of times a year, mostly occurred when pupils with significant special educational needs first arrived at the school. Records were not sent to the LEA and incidents were recorded in the file of the member of staff involved, not in a general

incident file. A large infant school had developed its own policy based on the circular and on LEA guidance; this policy was part of the behaviour management policy at the school. Training on holds had been given in-house but as incidents were few and there had been no refresher courses, confidence was not high. A year 1 pupil who 'kept on doing a runner' and was violent to other pupils and staff (and so for whom restraint would probably be necessary) had been excluded.

A secondary school with a high proportion of lower achieving pupils said that restraint was not an issue and there had been no incident since the head arrived two years previously. The policy would not be shared with parents as it would give a negative image of the school. Another secondary school, in challenging circumstances, claimed to have had no LEA guidance though the interviewee was aware of the circular and there was guidance on restraint in the staff handbook. The school had the occasional incident – mostly with respect to pupils with autistic spectrum disorders. The school was monitoring incidents, not on account of the restraint issue *per se*, but because it was in dialogue with the local authority about the nature of the pupils coming onto roll.

The special schools participating in the telephone interviews were more similar to those visited. One, for example, had led the LEA guidance, had received specialist training, had reduced the number of incidents through better early intervention, recorded in detail, and reported to the child protection meeting and the governors. Another secondary school was very similar. A third had a restraint policy within its behaviour management policy which considered the particular needs of pupils with autistic spectrum disorders, particularly in terms of their impulsiveness. Policy had been designed following the circular – no guidance had been forthcoming from the LEA – and was linked to the PSHE programme and the school's Applied Behaviour Analysis approach. A fourth school also reported that consideration of restraint in the light of the circular had resulted in better forward planning – here, good LEA guidance was available. This school had found the BILD documentation particularly helpful for its pupils with severe learning difficulties, and profound and multiple learning difficulties.

A school for pupils with severe emotional and behavioural difficulties (the school had to engage in 'weapons removal' training on account of the challenges posed by some of its pupils) said that its own work (the LEA guidance was reported to be poor) had led to significant improvements in the life of the school: child protection issues had virtually been eliminated and there were dramatic decreases in incidents (for example, because of monitoring and review, one boy had gone from 50 incidents in a set time to one).

A secondary special school for pupils with moderate learning difficulties had had specialist training but considered LEA guidance poor and said that the circular 'did not inspire confidence'. The school's restraint policy was distinct from the behaviour management policy. It was stated that there were difficulties in working with the social services department's guidance on restraint.

4 Summary and Conclusions

4.1 Policy

4.1.1 The majority of LEAs had introduced a written policy in response to the circular

The fact that this had not resulted in an equally widespread introduction of policy at school level, particularly within mainstream schools, suggests that the LEA policy was not strongly implemented and did not encourage schools to develop policies which were meaningful and helpful to them within the context of their own management structures and other policies. The case studies gave evidence that much excellent practice in special schools had been developed in isolation (but now represented a resource that could be used elsewhere in the authority). The production of ‘model policies’ for LEAs and schools may be very useful to senior managers responsible for restraint issues.

4.1.2 Most LEAs provided written documentation and guidance to all schools

The number of special schools reporting that this guidance was helpful was significantly greater than the number of mainstream schools reporting this. This may have been on account of different perceptions of the relevance of documentation in different contexts and a lack of awareness of the implications of the circular for all types of schools. If restraint was presented as merely a part of overall behavioural management, then the tendency of mainstream schools to regard it as an irrelevance might be overcome.

4.2 Multi-agency approach

4.2.1 LEA officers and headteachers were those most commonly cited as being involved in the drawing up of policies on the use of force to control or restrain pupils

4.2.2 Joint working on the production of guidance was chiefly intra-LEA rather than inter-agency, whether the agency be statutory or in the private sector (e.g. training provider)

The circular specifies a wide range of people who could, hypothetically, be involved in restraining pupils and professionals are also involved with restraint issues outside schools (e.g. residential care units); in some cases, individuals may be responsible for young people in multiple contexts (e.g. a carer in school and in a care setting). Consistency of practice would seem to be wise but not promoted by present practice in which policy development is largely perceived as an LEA responsibility.

Case study work gave examples of schools which had identified anomalies between their own practice and that of other agencies, even though all could be working with the same young people.

4.3 Training

4.3.1 Special schools reported receiving more training than mainstream schools reported

Case study interviews suggested that:

- more training was *offered* to special schools than to mainstream schools
- more training was *taken up* by special schools than by mainstream schools
- the training on offer was more appropriate to special schools than to mainstream schools.

The circular is not aimed at special schools but there is evidence that resources for its implementation are directed towards these schools.

Presently, although DfES has alerted the headteachers of **all** schools to the importance of the circular some mainstream schools do not seem to be affected by any training, even at the level of awareness-raising. This raises questions about the degree to which mainstream schools perceive the circular as relevant regardless of their present pupil profile — so that they are prepared to manage any potential incidents and have considered the necessary risk assessment.

4.3.2 Training was mainly carried out on school sites

4.3.3 Training was mainly delivered by LEA staff or independent consultants/trainers

This raises issues about:

- the desirability of cross-disciplinary and cross-institutional approaches to the use of force or restraint
- the range of people/institutions independent consultants regard as their clients (private providers were largely driven by special school interests)
- the degree to which training needs to be differentiated according to the location and primary role of the client (for example, whether social workers and care staff receive packages different from those received by teachers and classroom support assistants).

4.3.4 Evaluation of training is currently minimal

Given the relatively sophisticated level of awareness of the need to evaluate all staff development, this finding is surprising and suggests that there was, maybe, a degree of under-reporting. On the other hand, it may be the case that the criteria for evaluation are unclear and there is lack of discussion about the value of training in the light of the relationship between preventative measures, strong general behaviour policies and action in the event of an incident. However, this apparent lack of attention to evaluation is in danger of inhibiting the development of good practice.

4.4 Data collection

4.4.1 Schools, especially special schools, are recording their own incidents more systematically and consistently and in greater detail

4.4.2 Schools do not expect routinely to submit to the LEA, data on the number, nature and type of incidents

4.4.3 There is a lack of systematically collected data at local and national levels

It is difficult to see how practice can develop and there can be assurance of consistency at the local and national levels in the application of the guidance embedded in Circular 10/98 if data are not collected and monitored at local and thence national levels. There are examples of LEAs which do routinely monitor school returns but, to date, no evidence about the way in which the analysis of data triggers action, and relates to the capacity of the LEA to offer support.

Presently, some schools may be collecting data in a way which is more useful to them than others — that is, some may be collecting details of incidents in order to improve practice and more effectively meet the needs of individual pupils, while others may be doing so in order to cover themselves in the event of litigation. Unless data are available for more objective scrutiny, opportunities for the development of practice are limited.

4.5 The role of governors

4.5.1 There is minimal involvement of governors in the development of policy

4.5.2 Information was generally available to governors on request but there was no evidence that it was routinely discussed at governors' meetings

In similar situations, the direct allocation of responsibility to a particular governor for a particular issue (for example, pupils in public care, pupils with special educational

needs, gifted and talented pupils) has resulted in greater general awareness and a greater degree of support for the member of staff responsible for the area. It is suggested that this be applied to the area of restraint and behaviour management.

4.6 Parental complaints and disciplinary hearings

4.6.1 There was some evidence that of the schools responding to the questionnaire, special schools had the most number of recorded incidents and the least number of recorded parental complaints and disciplinary hearings and

4.6.2 Secondary schools had the most number of recorded parental complaints and disciplinary hearings

Data were frail but suggested that special schools may have better procedures in place which enable greater communication with parents about the use of force to control or restrain pupils and more opportunities for discussion with the pupils concerned.

4.7 Miscellaneous issues

4.7.1 LEA involvement

While, from the evidence of the NFER surveys, there would appear to be a low level of LEA monitoring of school policy and practice nationally, there are issues around the capacity of the LEA to carry out this monitoring. The opportunity for LEA intervention is limited in cases where the school has been deemed 'effective' and, if this same school does not consider that the guidance of Circular 10/98 is relevant to its circumstances, then it is not immediately clear how the LEA can proceed unless the issue is an agenda item for discussion between the headteacher, chair of governors and link adviser on the latter's annual or termly visits. There was evidence that, were schools to be aware of the valuable work on approaches to difficult behaviour which surrounded specific training on restraint, then mainstream schools would be more open to training and special schools and mainstream schools would realise their common ground. This, in turn, might support inclusion policies.

4.7.2 Expectations at a national level

Government circulars are non-statutory so requirements for implementation can not be enforced, although practitioners can be required to ‘have regard’ to them. There is some evidence (e.g. from the Special Educational Needs Code of Practice, DfES 2001) that the signal can be given that, in the event of complaint about poor practice, a school would have to prove that its own policy and practice was at least as good as, if not superior to, that suggested in the formal guidance.

It is suggested that guidance is implemented more effectively in schools if it is embraced within the Ofsted inspection framework.

4.7.3 The apparent difference in implementation between mainstream and special schools

The apparent difference in implementation between mainstream and special schools is, perhaps, surprising in the light of: the government’s promotion of inclusion; the reduction, in many authorities, of special school places; and the presence in many mainstream schools of a greater range of special educational needs and behavioural difficulties. The circular is relevant to a wide range of pupils – for example, those with learning difficulties, for whom physical responses may not always be fully under their control; those with autistic spectrum disorders, who may react impulsively on account of differences in sensory reception and communication difficulties; those with behavioural difficulties and identified conditions such as attention deficit disorder. It is thus of some concern that some mainstream schools do not recognise that they could, potentially, have to manage an incident where a pupil might need to be restrained or controlled, not on account of what might be perceived as ‘wilfulness’ (which some schools might feel able to predict and reject as being represented in the pupil roll) but on account of their special needs. Whether or not, in the light of its inclusion policy and consequent changes in roll of mainstream schools, the government would wish to give greater encouragement to mainstream schools to recognise the importance of the circular to all educational establishments, is a question raised by the present research.

Discussion

As stated at the beginning of this report, it was clear that the circular has had positive outcomes in special schools. It is likely that the special schools visited were at the forefront of practice, as they were recommended by their local authorities as being interesting sites to visit, and that the staff interviewed were among the most confident advocates for what was increasingly called ‘positive handling’ or ‘physical intervention’ rather than ‘restraint’. Furthermore, it is likely that the parents interviewed, because they were selected by the schools, were also among the most positive as regards the use of restraint with their son or daughter, although none of the case study schools reported difficulties with parental complaints. However, equally, it is likely that good practice is not confined to recommended schools. As LEA monitoring of incidents seemed to be rather variable, and as there is greater school autonomy, particularly for those which have proved themselves to be effective, it is probable that LEA officers are not completely familiar with practice in schools, particularly as the use of restraint is a relatively uncommon occurrence. Thus, there could be a reasonable degree of confidence that schools which had received training would be confident about their practice and would show policy and practice similar to that in the case study schools.

There was evidence that ‘best practice’ in the use of restraint went, almost inevitably, hand-in-hand with well-developed behaviour management policies and practice and, certainly in the case study schools, with overall concern that the curriculum (understood in its broadest sense) met the needs of the pupils. There was growing awareness that pupils displayed certain behaviour for particular reasons, either lodged in their own psychological needs (for example, emotional or mental health difficulties) or because of conditions with a medical diagnosis (for example, autistic spectrum disorders) or because of abuse or previous negative experiences. At the same time, there was awareness that the environment in which these pupils were educated and the challenges to which they were exposed, interacted with their predispositions. The challenge to their teachers was to manage this interaction positively. The awareness had been fostered by the organisations specifically concerned with training for the use of restraint but the influence of the burgeoning work on overall behaviour management by multi-agency behaviour support teams

cannot be ignored. Furthermore, during the period in which the NFER research was undertaken, the DfES published the *Guidance on the Use of Restrictive Physical Interventions for Staff Working with Children and Adults who Display Extreme Behaviour in Association with Learning Disability and/or Autistic Spectrum Disorders* (DfES, 2002). Interviewees in special schools referred to this document favourably and commented that it was helpful and in line with practice that they had developed. Impact on schools attributable solely to Circular 10/98 is hard to distinguish. One interviewee suggested that notwithstanding the quality of private providers, he would welcome an extension of his school's repertoire of approaches to pupils with behavioural difficulties. The range of profiles of these pupils was extensive and he felt that it was advantageous to be familiar with as many ways of meeting their needs as possible.

The outcome of this was that though restraint was the focus of Circular 10/98 and of the present evaluation, it was regarded as only a small part of their daily concerns by the practitioners most involved in using it. This is what, it would seem, prompted many of them to criticise the circular as being focused on restraint itself rather than the context in which it was relevant and the background training which made it understandable and acceptable for practitioners (a number of headteachers spoke of staff's reluctance to consider 'restraint' until they came to an understanding that it was one of a clutch of interventions directed at pupil welfare). This response was fairly typical of the situation with regard to the implementation of written policy documents. In most cases, they are lauded or criticised in terms of the background understanding of those commenting on them. Where the circular was understood and 'owned', it was appreciated. Where it was seen as something to do with a practice with which teachers were unwilling to be involved, it tended to be discounted. The evidence from the research was that schools were either in one camp or the other: it was not a case, as with other policy, of a continuum of stages of implementation.

It is the latter point that is particularly pertinent when considering any amendments to or developments of the guidance in the circular. Like the questionnaire returns, the telephone interviews highlighted the fact that a number of schools do not regard the circular as having any relevance for them because, to date, they have not experienced any situation which might require restraint and they do not anticipate having to use

restraint in the future. The sum of the research data suggests that these schools are in the majority. These schools' perceptions arise from the profile of their roll to date. However, arguably, unprepared like this, they are in a vulnerable position should an incident arise.

The evaluation raised two main questions which the DfES might like to consider. First, in the light of the fact that with national and local inclusion policies, any school might, potentially, have a pupil on roll whose difficulties were such that they needed to be restrained, should all schools be required to attend to the content of the circular and be able to demonstrate that measures are in place to deal with an incident needing restraint should one arise? Second, should there be greater emphasis on the way in which policy and practice on restraint is properly a part of behaviour management and inclusive curricula so that more schools could become aware that restraint was something relevant to them rather than being a response to an incident which presently they find unimaginable?

Schools' responses to the question regarding amendments to the circular included the desirability of:

- greater attention to the importance of training (specifying approved training organisations)
- the inclusion of case studies of good practice
- greater clarity about 'reasonable force'.

Data would also suggest that guidance address the issue of distinctions between special and mainstream environments and the differential use of strategies in the light of what is viable in different contexts.

Appendix 1: Characteristics of case study schools visited

Phase	NOR	FSM	ESL
Special	59	23 (39%)	0
Special (maintained day) 2-19	75	13 (17%)	1 (1%)
Special (EBD) 11-16	35	NK	NK
Special (maintained day) 5-11	144	25 (17%)	1 (1%)
Primary 3-11	530	NK	NK
Special-EBD 11-16	96	19 (20%)	0
Primary 5-11	219	14 (6%)	1
Junior 8-11	200	46 (23%)	2 (1%)
Special 7-16	58	38 (66%)	0
Special (maintained day) 2-19	81	45 (56%)	0
Special-SLD 11-19	127	NK	NK
Special-EBD (maintained) 5-12	21	6 (27%)	0
Comprehensive all through 11-18	664	198 (30%)	398 (60%)
Special (maintained day) 5-19	78	36 (43%)	36 (43%)
Special-SLD/PLD (maintained day) 11-19	65	16 (24%)	0
Special-EBD 11-16	42	NK	NK
Infant and Junior 3-11	250	100 (40%)	13 (5%)
Special-MLD, SLD (maintained day) 5-11	50	18 (35%)	6 (11%)
Primary (maintained day)	162	36 (22%)	0
Special-SLD (maintained day) 4-19	67	14 (21%)	0

Special-EBD 11-16	21	NK	NK
Special-MLD, SLD (maintained day) 4-16	68	19 (28%)	0
Infant and Junior Maintained 4-11	369	26 (8%)	1
Infant and Junior Maintained 4-11	398	28 (7%)	0
Special-EBD 5-11	30	12 (40%)	0
Special 11-16	60	32 (53%)	8 (13%)
Primary 4-11	220	NK	NK
Special-EBD 5-16	108	39 (36%)	21 (19%)
Special-MLD SLD 4 ½ -11	114	43 (38%)	42 (37%)
Special-MLD 7-16	99	25 (25%)	13 (13%)

Appendix 1: Characteristics of schools involved in telephone interview programme

Phase	Size (by pupil numbers)	Percentage of pupils receiving free school meals	Percentage of pupils with English as an additional language
Special-SLD 3-19	43	5 (12%)	0
Special-SLD 2-19	77	20 (26%)	0
Special -MLD 3-11	127	45 (35%)	0
EBD 11-16	50	NO DATA ON SYSTEM	NO DATA ON SYSTEM
Special-MLD 12-19	127	57 (45%)	1 (0.8%)
Special-SLD 3-11	76	7 (9%)	4 (5%)
Infant and Junior 5-11	203	48 (24%)	4 (2%)
Special-SLD 2-19	61	8 (13%)	0
Special-MLD 4-16	110	29 (26%)	0
Primary 5-11	414	35 (9%)	3 (1%)
Infant and Junior 3-11	420	180 (49%)	204 (55%)
EBD 10-16	50	10 (20%)	0
Special 4-16	84	24 (29%)	0
Special-SLD 3-19	63	19 (30%)	0
Primary Maintained 3-11	280	63 (23%)	0
Special 5-19	135	32 (24%)	0

Special-SLD 4-19	70	16 (23%)	4 (6%)
Special-EBD MLD 5-19	127	28 (22%)	0
Special 3-11	66	24 (36%)	2 (3%)
Primary 3-11	342	9 (3%)	6 (2%)
Primary 5-11	32	4 (13%)	0
Primary 5-11	61	4 (7%)	0
Special-SLD 12-18	111	51 (46%)	42 (38%)
Comprehensive All- through 11-16	1144	106 (9%)	17 (2%)
Special-MLD	165	NO DATA ON SYSTEM	NO DATA ON SYSTEM
Infants 3-7	322	74 (23%)	17 (5%)
Primary 3-11	500	125 (25%)	9 (2%)
Special 4-19	94	27 (29%)	8 (9%)
Secondary Maintained 11-16	560	56 (10%)	0
11-16 Comprehensive	700	245 (35%)	9 (1%)

Appendix 2: School and LEA documentation on the use of restraint

Questionnaire respondents were asked to send to the NFER their policy documents on the use of force to control or restrain pupils. Documents were returned by 32 LEAs and 141 schools across 65 LEAs (of which 33% were mainstream primary; 18% were mainstream secondary, 28% were special and 21% did not provide information of their phase).

Most schools only sent a copy of their policy guidelines; other documents included incident report forms, lists of authorised staff, and posters/diagrams. All LEAs sent a copy of policy guidelines.

The titles of the documents varied, commonly including the word ‘behaviour’ (for example ‘*Behaviour Policy*’ or ‘*Student Discipline and Behaviour*’) or replicating part, or all of the Circular’s title (for example, ‘*Policy on the Use of Reasonable Force to Control or Restrain Pupils*’; ‘*The Use of Force to Control and Restrain Children*’). Other terms such as ‘positive handling’ and ‘physical intervention’ were also often used in the LEA material (for example, ‘*Physical Intervention in Schools*’).

The majority of dated documents were produced after the circulation of 10/98; however, six schools and two LEAs sent documents published before this date, indicating the more developed practice out of which the Circular arose.

School policy documents and LEA policy documents were similar, and in some cases the same. Most documents included sections on the following.

Definitions of Restraint

Those given included:

- *the use of physical means to restrict movement* (primary)
- *the restriction of an individual’s movement* (LEA)
- *the positive application of force with the intention of over-powering the child* (special)

- *the use by a member of staff of physical force intentionally to restrict a child's movement against his or her will (primary)*
- *physical control as defined by the actions of force with the intention of overpowering the child (LEA)*
- *the positive use of minimum force to divert a child (LEA)*

Physical Intervention

- *the actions by which one person restricts the movements of another (special)*
- *any form of physical contact with the intention of containing the behaviour of a child (LEA)*

Recording and Reporting

Procedures and timescales for recording and reporting incidents which involved the use of physical restraint

Authorised Staff

The members of staff authorised to restrain: some school listed named members of staff but in general the documents specified either required qualifications specific instructions applying in that school.

Exemplars of Incidents

Circumstances in which restraint would be authorised and types of incidents that might require restraint, often categorised as in Circular 10/98: *in self-defence, to avoid risk of injury/property damage, to maintain discipline and order when compromised*. Some schools specifically mentioned that they felt restraint for the purpose of avoiding risk to property was unnecessary: *'pupils often damage or threaten property and in the past we have accepted this is one of the criteria for physical intervention. We should no longer intervene unless the attack on property is putting him/herself or others at risk'* (residential special).

Complaints

Procedures for dealing with complaints from parents or pupils

Reasonable Force

Interpretations and explanations of the term ‘reasonable force’, e.g. *‘the use of force can only be described as reasonable if the circumstances of the particular incident warrant it’* (LEA). *‘The standard demanded is an objective one, i.e. that of the ordinary reasonable man, in the circumstances of the case. He is a notional person being neither unduly apprehensive nor over confident’* (LEA)

Following an Incident

Guidance for staff following an incident in which restraint has occurred: for example, de-briefing staff or pupils e.g. *‘everyone involved...will need time and space to talk through their feelings’* (primary)

Behaviour Management

Many documents highlighted behaviour management and de-escalation techniques to pre-empt or avoid incidents. *‘Restraint should be avoided wherever possible. It is never a substitute for good behaviour management’* (LEA. (Some documents were part of general behaviour management guidance.)

Staff Training

The nature of training required/available for school staff.

Legal

Legal issues, interpretations and definitions, e.g. *‘the intention is an act to legitimately physically ensure compliance from the child, almost certainly against his/her will with a view to preventing the risk of injury or criminal offence, serious property damage or the maintenance of good order’* (LEA). *‘It is not true that any physical contact with a child is unlawful but it is true that a lack of clarity has contributed, in education, to the risk of legal proceedings’* (Secondary)

Monitoring and Reviewing

Procedures for monitoring and reviewing both the incidents occurring in school and the processes that in place to deal with them.

Parents

How parents are informed about school procedures and any specific incident that relates to their child.

There was a different emphasis in the contents of school documents and those of LEAs as noted below. It should be noted that, unsurprisingly, most of the content followed that of the Circular itself.

Contents of documents by frequency of occurrence

	School documents	LEA documents
1	Recording and reporting	Recording and reporting
2	Authorised staff	Legal issues
3	Exemplars of incidents	Training
4	Reasonable force	Complaints
5	Complaints	Authorised staff

Both school and LEA documents nearly always included advice on how to record and report incidents involving the use of restraint. However, LEA documents also had a strong focus on the legal aspects of restraint and the training that staff using restraint techniques must undergo, while school documents focused more strongly on practical issues such as providing examples of scenarios in which restraint may be used and definitions of ‘reasonable force’.

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