



Polisi ysgol i hyrwyddo mesurau ac arferion fydd yn arwain at ddefnyddio a lleihau ymyrraeth gyfyngol yn Ysgol Bro Idris

[A school policy to promote measures and practice that will lead to the safe use and reduction of restrictive practices Ysgol Bro Idris](#)

Ysgol Bro Idris

Llofnodwyd ar ran Cadeirydd y Llywodraethwyr:

Signed on behalf of the Chair of Governors:

Dyddiad Cymeradwyo: 11.12.2023

Date of approval

Dyddiad Adolygu:

Review date

Mae'r polisi hwn wedi'i greu gan weithwyr addysg proffesiynol ar draws y rhanbarth. Fe'i ddatblygwyd o ddogfen Llywodraeth Cymru 'Fframwaith Lleihau Ymyrraeth Gyfyngol ' Ebrill 2022 [Fframwaith ar gyfer lleihau arferion cyfyngol | LLYW.CYMRU](#)

Dyddiad Polisi: Cyhoeddwyd gan Cyngor Gwynedd Rhagfyr 2023

This policy has been created by educational professionals across the region. It has been developed from the Welsh Government Document 'Reducing Restrictive practices framework' April 2022 [Reducing restrictive practices framework | GOV.WALES](#)

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Cynnwys

1. [Geirfa](#)
2. [Cyflwyniad](#)
3. [Diben](#)
4. [Egwyddorion](#)
5. [Arweinyddiaeth](#)
6. [Eiriolaeth](#)
7. [Manteision Dulliau Ymarfer Canolbwyntio ar yr Unigolyn](#)
8. [Deddf Addysg ac Arolygiadau 2006](#)
9. [Ymyrraeth gyfyngol](#)
10. [Cynllunio, adolygu ac adrodd](#)
11. [Dogfennaeth i gynllunio, cofnodi ac adrodd](#)
12. [Neilltuaeth](#)
13. [Ystyriaethau ymyrraeth gyfyngol](#)
14. [Dyletswydd gofal](#)
15. [Adolygu a chefnogaeth ar ôl y digwyddiad](#)
16. [Plant sydd mewn gofal](#)
17. [Datblygiad staff](#)
18. [Cofnodi'r defnydd o ymyrraeth gyfyngol a defnyddio data i wella ymarfer](#)
19. [Diogelu](#)
20. [Adolygu i leihau ymyrraeth gyfyngol](#)
21. [Gwybodaeth i rieni](#)
22. [Gweithrediad](#)
23. [Deddfwriaeth a pholisi](#)
24. [Cyfeiriadau deddfwriaethol](#)

Atodiadau



1. Geirfa

- **Canolbwyntio ar yr unigolyn:** Pan fyddwn yn defnyddio'r term canolbwyntio ar yr unigolyn, mae hyn hefyd yn golygu canolbwyntio ar y plentyn ar gyfer plant.
- **Person neu bobl:** Pan fyddwn yn defnyddio'r termau person neu bobl, mae hyn yn cynnwys pob plentyn a pherson ifanc (hyd at 18 oed).
- **Ymyraethau cyfyngol:** 'Mae ymyrraeth gyfyngol yn ystod eang o weithgareddau sy'n atal unigolion rhag gwneud pethau y maent am eu gwneud, neu'n eu hannog i wneud pethau nad ydynt am eu gwneud. Gallent fod yn amlwg iawn neu'n gynnil iawn.'
Mae'r term hwn yn cwmpasu ystod eang o weithgareddau sy'n cyfyngu ar bobl. Mewn perthynas â lleoliadau ysgol, mae'n cynnwys:
 - **gorfodaeth ataliaeth amgylcheddol** - Cyfyngu dysgwr i amgylchedd penodol: ac eithrio dysgwr o ardal y maent am fynd iddi; Cyfyngu mynediad i iard allanol neu ystafell eistedd; Atal dysgwr rhag gadael yr adeilad.
 - **ataliad corfforol** - Mae ataliad corfforol yn golygu ataliaeth sy'n cynnwys cyswllt corfforol uniongyrchol. Golyga ataliad corfforol gyswllt corfforol uniongyrchol sy'n atal neu'n cyfyngu yn sylweddol ar ryddid disgybl i symud.
 - **neilltuad neu wahaniad ynysu gorfodol** yw'r diffiniad gorau o ynysu dysgwr rhag eraill at ddibenion rheoli ymddygiad sydd yn tarfu.
- **Ymddygiad Heriol/ymddygiad sy'n herio:**
'Gellir disgrifio ymddygiad fel un heriol pan fydd o ddwyster, amllder neu hyd fel ei fod yn bygwth ansawdd bywyd a/neu ddiogelwch corfforol yr unigolyn neu eraill ac yn debygol o arwain at ymatebion sy'n gyfyngol, yn wrthdroadol neu sy'n arwain at waharddiad. (Coleg Brenhinol y Seiciatryddion, Cymdeithas Seicolegol Prydain a Choleg Brenhinol y Therapyddion Iaith a Lleferydd, 2007).
- **Cynllun Personol:** Yn y polisi hwn, mae'r term 'cynllun personol' yn cyfeirio at ystod o gynlluniau sy'n dibynnu ar y system o ymyrraeth gorfforol a ddefnyddir e.e. Cynllun Cefnogi Ymddygiad, Cynllun cymorth Unigol, Strategaeth Ymateb Unigol,
- **Ymarferwyr:** I ddibenion y polisi hwn, mae'r term ymarferwyr yn cynnwys pawb sy'n cael eu talu i weithio gyda phobl mewn ysgolion a lleoliadau addysg. Er bod hyn hefyd yn cynnwys Athrawon dan hyfforddiant, Gwirfoddolwyr a Myfyrwyr, ni fyddai'r grwpiau hyn yn cymryd rhan yn y rôl benodol o ymgymryd ag ataliad corfforol.

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2. Cyflwyniad

Datblygwyd y polisi hwn i gyd-fynd â pholisi Cyngor Gwynedd a pholisi rhanbarthol ar gyfer ysgolion a lleoliadau addysg. 'Polisi rhanbarthol i hyrwyddo mesurau ac arferion fydd yn arwain at ddefnyddio ymyrraeth gyfyngol mewn ysgolion a lleoliadau addysg yn ddiogel a'u lleihau' 2022.

Mae'n amlinellu amodau ar gyfer defnyddio ymyrraeth gyfyngol. Cytunwyd ar y polisi hwn gan y **Corff Llywodraethu** ac mae'n adlewyrchu'r gofynion statudol cyfredol a roddir ar ysgolion trwy ddeddfwriaeth a chanllawiau.

Mae'r polisi hwn:

- yn cyfeirio at hawliau dynol a pholisi cyfreithiol sy'n berthnasol i'r sector a'r lleoliad;
- yn sicrhau bod diffiniadau o ymyrraeth gyfyngol ar gael yn hawdd ac wedi'u gwreiddio trwy fecanweithiau datblygu'r gweithlu, negeseuon sefydliadol a pholisi;
- â phrotocolau clir a chanllawiau llywodraethu ar gyfer defnyddio ymyrraeth gyfyngol fel dewis olaf a chyfiawnadwy, ac ar gyfer monitro pobl yn ystod ac ar ôl eu defnyddio, gan gynnwys y gofynion ar gyfer gwiriadau meddygol;
- yn dweud yn glir nad yw byth yn dderbyniol defnyddio gorfodaeth a mathau eraill o ataliad cymdeithasol a seicolegol;
- yn cynnwys canllawiau ar asesiadau risg, y mae'n rhaid eu cynnal cyn defnyddio unrhyw ymyrraeth gyfyngol. Dylid ystyried y risgiau i'r unigolyn ymlaen llaw, ac ni ddylid defnyddio unrhyw arfer cyfyngol, sy'n cynyddu'r risg i'r unigolyn. Dylid asesu amgylchedd yr unigolyn o ran risg i sicrhau nad oes dim ynddo a fyddai'n achosi risg yn ystod y defnydd o ymyrraeth gyfyngol ;
yn darparu canllawiau clir ar gyfer cofnodi gwybodaeth ar ôl defnyddio unrhyw ymyrraeth gyfyngol mewn perthynas â'r hyn sydd i'w gofnodi pryd, gan bwy, a phwrpas y cofnod:
- yn dweud yn glir y dylid cofnodi unrhyw ddefnydd o ymyrraeth gyfyngol hyd yn oed os caiff y defnydd ei ragnodi mewn cynllun personol;
- yn amlinellu'r broses ar gyfer casglu'r data hwn o'u holl wasanaethau. Dylai fod ar gael i sefydliadau allanol ar gais;
- yn darparu canllawiau ar gyfer ceisio caniatâd ar gyfer defnyddio ymyrraeth gyfyngol fel y dewis olaf a chyfiawnadwy i atal niwed i unigolyn neu eraill.

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3. Diben

Sefydlu gofynion a chyfrifoldebau cyfreithiol yr ysgol ac egluro ein dull o ddefnyddio grym rhesymol ac ymyrraeth gorfforol gyfyngol i'r holl staff, disgyblion, llywodraethwyr, rhieni/gofalwyr, asiantaethau allanol a'r gymuned ehangach.

Galluogi staff i reoli digwyddiadau yn hyderus a chyson, gan sicrhau bod eu hymateb yn ategu'r dull gweithredu cyffredinol tuag at werthoedd ac ethos yr ysgol, gan sicrhau'r budd gorau i'r rhai sy'n gysylltiedig â'r digwyddiad.

Atgyfnerthu a diogelu iechyd a diogelwch cymuned gyfan yr ysgol ac eraill sy'n defnyddio'r ysgol.

Bwriad y polisi hwn yw hyrwyddo arferion a mesurau diogel a fydd yn arwain at leihau ymyrraeth gyfyngol.

Mae'r polisi yn ceisio sicrhau, lle defnyddir ymyrraeth gyfyngol, fel dewis olaf a chyfiawnadwy, i atal niwed i'r unigolyn neu i eraill, bod hyn yn cael ei lywio gan gynllunio sy'n canolbwyntio ar yr unigolyn, o fewn cyd-destun y lleoliad ac mewn ffordd sy'n diogelu'r unigolyn, y rhai y mae'n rhyngweithio â nhw, a'r rhai sy'n rhoi cymorth iddynt.

Er mwyn cyflawni nodau'r polisi hwn, mae'r ysgol yn canolbwyntio ar:

- Hyrwyddo hawliau dynol
- Atal yr angen am ymarfer cyfyngol trwy ddatblygu strategaethau lleihau.
- Gweithio gydag unigolion drwy gynllunio sy'n canolbwyntio ar yr unigolyn i ddiwallu anghenion unigol, mewn ffordd sy'n lleihau'r tebygolrwydd o sefyllfaoedd sy'n codi lle defnyddir ymyrraeth gyfyngol fel dewis olaf a chyfiawnadwy.
- Bod mesurau ar waith lle mae sefyllfaoedd yn codi lle defnyddir ymyrraeth gyfyngol fel dewis olaf a chyfiawn, i atal niwed i'r unigolyn neu i eraill, bod cynllunio a hyfforddiant blaenorol yn eu lle i sicrhau diogelwch pawb dan sylw.

4. Egwyddorion

Wrth ddefnyddio ymyrraeth gyfyngol, mae pob aelod o gymuned ein hysgol yn rhannu egwyddorion a disgwyliadau cyffredin wedi'u llywio gan ddull sy'n mynd ati i hyrwyddo hawliau dynol fel y nodir yng [Nghonfensiwn y Cenhedloedd Unedig ar Hawliau'r Plentyn](#) (UNCRC); a [Chonfensiwn y Cenhedloedd Unedig ar Hawliau Pobl ag Anableddau](#) (UNCRPD) Dylai'r defnydd o ymyrraeth gyfyngol fod yn unol â'r egwyddorion a ddisgrifir yn y Polisi Hawliau Dynol ar Atal a gynhychir gan y [Comisiwn Cydraddoldeb a Hawliau Dynol](#).



'Hawliau dynol yw'r hawliau a'r rhyddid sylfaenol sy'n perthyn i bob person yn y byd. Maent yn seiliedig ar egwyddorion craidd fel urddas, tegwch, cydraddoldeb, parch ac ymreolaeth. Mae hawliau dynol yn berthnasol i fywyd bob dydd. Maent yn amddiffyn rhyddid pobl i reoli eu bywyd eu hunain, i gymryd rhan yn effeithiol mewn penderfyniadau a wneir amdanynt sy'n effeithio ar eu hawliau, ac i dderbyn gwasanaethau teg a chyfartal'.

Dylai'r defnydd o'r holl ymyrraeth gyfyngol gan gynnwys ataliaeth fod yn unol â chyhoeddiad EHRC *'Polisi Hawliau Dynol ar gyfer ataliaeth: egwyddorion ar gyfer defnydd cyfreithlon ymyriadau cyfyngol corfforol, cemegol, mecanyddol a chymhellol'* (2019). Mae hyn yn cynnwys gwybodaeth bwysig am wahanol fathau o ataliad a'u defnydd cyfreithlon fel dewis olaf y gellir ei gyfiawnhau yn unol ag arfer wedi'i lywio gan ddull hawliau dynol.

Rydym yn cydnabod y gall ymyrraeth gyfyngol gael effaith ar les y bobl hynny sy'n ddarostyngedig i'r arferion hyn, yn ogystal â'r rhai sy'n eu gweithredu a'u tystiolaethu. Gall hyn gynnwys niwed corfforol, trawma neu ail-drawmateiddio.

Mae gan holl staff yr ysgol hawl cyfreithiol i ddefnyddio grym rhesymol i atal disgyblion rhag cyflawni trosedd, anafu eu hunain neu eraill, difrodi eiddo, a chynnal trefn a disgyblaeth dda ymhlith disgyblion.

Dylai'r ffocws fod ar atal, cyn belled ag y bo modd, yr angen i ddefnyddio grym rhesymol ar ddisgyblion, drwy greu hinsawdd ysgol dawel, drefnus a chefnogol sy'n lleihau'r risg a'r bygythiad o drais o unrhyw fath. Dylai'r defnydd o rym fod yn gam olaf a chyfiawnadwy yn unig a dylai ysgolion leihau'r posibilrwydd y bydd angen grym. Fodd bynnag, efallai na fydd hyn bob amser yn bosibl ac mewn amgylchiadau o'r fath mae angen i staff fod yn ymwybodol o sensitifrwydd sy'n gysylltiedig ag unrhyw fath o gyswllt corfforol â disgyblion.

Ni ddylai ysgolion fyth geisio atal gallu staff i ddefnyddio grym rhesymol trwy fabwysiadu polisi 'dim cyswllt'. Mae'r hawl i ddefnyddio grym rhesymol yn helpu i sicrhau diogelwch disgyblion, staff ac ysgolion a'r risg gyda pholisi dim cyswllt yw y gallai olygu bod aelod o staff yn ymddwyn yn groes i'w ddyletswydd gofal tuag at ddisgybl, neu eu hatal rhag cymryd camau sydd eu hangen i atal disgybl rhag achosi anaf i eraill.

Ni ddylai unrhyw unigolyn, o dan unrhyw amgylchiadau, gael ei atal mewn sefyllfa wyneb i lawr. Ym mhob sefyllfa, rhaid i ymddygiad a chamau gweithredu fod yn rhesymol ac yn gymesur o ran gweithredu, grym a hyd. Mae'n rhaid iddo hefyd ddiogelu a gwarchod unigolion naill ai oddi wrthynt eu hunain neu eraill.

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5. Arweinyddiaeth

Dim ond trwy ddull sefydliadol cyfan y gellir gweithredu'r lleihad mewn ymyrraeth gyfyngol a'i chynnal a'i chadw'n briodol, gyda chefnogaeth arweinyddiaeth gref. Dylai negeseuon am



leihau fod yn glir ar bob lefel, drwy gydol yr holl systemau a pholisïau sefydliadol a rhaglenni datblygu staff.

Rhaid i arweinwyr ar bob lefel ddarparu cyfleoedd i staff a phlant a phobl ifanc fyfyrïo, asesu a nodi unrhyw anghenion dysgu a/neu gymorth. Bydd UDRh yr ysgol yn wylidwrus am arwyddion o ddiwylliannau cyfyngol yn datblygu. Byddwn yn hwyluso trafodaeth reolaidd am ymyrraeth gyfyngol ac yn creu amgylchedd nad yw'n beio lle gellir trafod a chwestiynu ymarfer.

Mae gan arweinyddiaeth yr ysgol a'r corff llywodraethu ddyletswydd gofal tuag at ymarferwyr ac mae'n cydnabod y gall straen yn y gweithle gael effaith andwyol ar ansawdd ymarfer. Mae mesurau priodol i gefnogi lles staff ar waith drwy Bolisi Llesiant yr ysgol.

6. Eiriolaeth

Mae'r polisi hwn yn ceisio hyrwyddo ymagwedd wedi ei seilio ar hawliau plant a phobl ifanc. Mae hyn yn golygu cynnwys pobl ifanc mewn penderfyniadau am y cymorth a'r gwasanaethau y maent yn eu derbyn a'r canlyniadau maent am eu cyflawni. Mae hefyd yn golygu cynllunio i ddiwallu anghenion mewn ffordd sy'n canolbwyntio ar yr unigolyn ac sy'n hyrwyddo llesiant a'r cyfleoedd i blant a phobl ifanc wireddu eu hawliau.

Un o oblygiadau hyn ar gyfer arfer da yw'r angen i gynllunio gyda, ac ar gyfer plant a phobl ifanc, fel bod mesurau ar waith i gyfyngu ar y defnydd o ymyrraeth gyfyngol. Dylai'r dull o gynnwys y bobl arwyddocaol yn eu bywydau wrth gynllunio fod yn ystyrlon ac yn briodol i'r oedran, y gallu a'r anghenion cyfathrebu.

Mae hyn yn golygu darparu cymorth ychwanegol i rai plant a phobl ifanc drwy eiriolwr i sicrhau bod eu barn yn cael ei chlywed.

Mae Deddf Gwasanaethau Cymdeithasol a Llesiant (Cymru) 2014 yn rhoi hawl i blant a phobl ifanc gael cynnig gweithredol o eiriolaeth gan Eiriolwr Proffesiynol Annibynnol statudol (IPA). Mae'r hawl hon yn berthnasol pan fyddant yn derbyn gofal neu'n dod yn destun ymholiadau amddiffyn plant sy'n arwain at Gynhadledd Amddiffyn Plant Gychwynnol. Mae'r 'cynnig gweithredol' yn cael ei wneud yn uniongyrchol i'r plentyn gan y Gwasanaeth Eiriolaeth. Fel lleoliad yng Nghyngor Gwynedd darperir hyn drwy SNAP Cymru.

7. Bydd Ymarfer sy'n Canolbwyntio ar yr Unigolyn yn:

- gwella ansawdd bywyd fel bod gan blant a phobl ifanc lai o angen defnyddio ymddygiad sy'n herio.
- defnyddio offeryn asesu i ddeall beth mae ymddygiad yr unigolyn yn ei olygu.
- defnyddio ymyriadau sy'n parchu urddas yr unigolyn ac yn cefnogi lleihau ymyrraeth gyfyngol .



- dylai fod gan unrhyw un sydd mewn perygl o ymyrraeth gyfyngol ganllawiau sy'n cynnwys ystod o strategaethau rhagweithiol fel bod ganddynt fynediad at y math o gymorth sydd ei angen arnynt; a hefyd strategaethau adweithiol, a luniwyd i ddelio ag ymddygiadau sy'n herio pan fyddant yn digwydd, gan gynnwys lleihau risg.
 - Mae **strategaethau rhagweithiol** yn cynnwys newidiadau amgylcheddol, gwneud yr amgylchedd yn fwy addas i'r unigolyn, ac addysgu sgiliau neu ymddygiadau newydd, fel bod ymddygiad sy'n herio yn dod yn llai tebygol.
 - Mae **strategaethau adweithiol** yn cynnwys dewisiadau amgen person-benodol i ddefnyddio cyfyngiadau, er enghraifft, tynnu sylw, dad-ddwysáu, gwrandio gweithredol, neu dynnu'n ôl. Mae'r strategaethau hyn yn rhan ddefnyddiol o'r dull rhagweithiol o gynllunio ymlaen llaw ar gyfer cymorth unigol.

Mae bob amser yn anghyfreithlon defnyddio grym fel cosb. Mae hyn oherwydd y byddai'n dod o fewn y diffiniad o gosb gorfforol, a ddiddymwyd gan Adran 548 o Ddeddf Addysg 1996. Er mwyn bod yn effeithiol ac yn llwyddiannus, mae gennym ymagwedd ysgol gyfan. Gall hyn gynnwys addasu amgylchedd cyfan yr unigolyn i ddiwallu anghenion yn well yn ogystal â sicrhau eu bod yn gallu datblygu sgiliau newydd a chael mwy o gyfleoedd.

Byddwn yn ceisio arweiniad gan ymarferydd meddygol i sicrhau nad oes rhesymau iechyd a fyddai'n cynyddu'r risg o ddefnyddio rhai cyfyngiadau.

Mae'r UDRh yn cefnogi'r dulliau hyn a bydd yn monitro ac yn adolygu'r rhain er mwyn sicrhau eu bod yn cael eu cyflawni fel y bwriadwyd.

Mae'r ddarpariaeth Gymraeg wedi'i hymgorffori yn ein cynllunio a'n darpariaeth a chynhigir gwasanaethau Cymraeg i siaradwyr Cymraeg heb iddynt orfod gofyn amdanynt.

Bydd y polisi hwn yn cael ei adolygu yn unol ag unrhyw newidiadau mewn polisi deddfwriaeth sy'n berthnasol i ysgolion a lleoliadau addysg, lleoliad(au) a grwpiau o bobl sy'n defnyddio gwasanaethau.

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8. Deddf Addysg ac Arolygiadau 2006

Er bod Adran 93, Deddf Addysg ac Arolygiadau 2006 yn cyfeirio'n benodol at "rym" mae hyn yn cwmpasu'r ystod eang o strategaethau sy'n cynnwys rhywfaint o bŵer corfforol i atal disgyblion rhag brifo eu hunain neu eraill, niweidio eiddo neu achosi anhrefn. Mae'r amrediad yn ymestyn o hebrwng disgybl i ddiogelwch gyda llaw neu fraich, hyd at amgylchiadau eithafol lle mae angen atal disgybl er mwyn atal trais neu anafu eu hunain neu eraill, ac mae'n galluogi



staff ysgol i ddefnyddio'r cyfryw rym sy'n rhesymol o dan yr amgylchiadau i atal disgybl rhag gwneud, neu barhau i wneud, unrhyw un o'r canlynol:

- cyflawni unrhyw drosedd (neu, i ddisgybl o dan oedran cyfrifoldeb troseddol, yr hyn a fyddai'n drosedd i ddisgybl hŷn);
- achosi anaf personol i unrhyw berson, neu ddifrod i eiddo unrhyw berson (gan gynnwys y disgybl ei hun);
- rhagfarnu cynnal trefn a disgyblaeth dda yn yr ysgol neu ymhlith unrhyw ddisgyblion sy'n derbyn addysg yn yr ysgol, boed hynny yn ystod sesiwn addysgu neu fel arall .

Diffinnir y staff y mae'r pŵer hwn yn gymwys iddynt yn adran 95 y Ddeddf.

Y rhain yw:

- unrhyw athro sy'n gweithio yn yr ysgol, ac unrhyw berson arall y mae'r pennaeth wedi'i awdurdodi i fod â rheolaeth neu â gofal am ddisgyblion.

Mae hyn yn cynnwys:

- (i) staff cymorth y mae eu swydd fel arfer yn cynnwys goruchwylio disgyblion fel cynorthwywyr addysgu, cynorthwywyr cymorth dysgu, mentoriaid dysgu a goruchwylwyr amser cinio.
- (ii) nid yw'n cynnwys swyddogion (disgyblion) yr ysgol.

Rhaid i'r rhai sy'n arfer y pŵer i ddefnyddio grym hefyd ystyried unrhyw Anghenion Dysgu Ychwanegol (ADY) a/neu anabledd penodol a allai fod gan ddisgybl. Dan Ddeddf Cydraddoldeb 2010, mae gan ysgolion ddyletswyddau allweddol:

- peidio â thrin disgybl anabl yn llai ffafriol, oherwydd ei anabledd, na disgybl nad yw'n anabl;
- peidio â thrin disgybl anabl yn anffafriol oherwydd rheswm sy'n gysylltiedig â'i anabledd, heb gyfiawnhad;
- peidio â chymhwyso darpariaeth, maen prawf neu arfer sy'n rhoi, neu a fyddai'n rhoi disgybl anabl dan anfantais benodol o'i gymharu â disgybl nad yw'n anabl, heb gyfiawnhad; a chymryd camau rhesymol i osgoi rhoi disgybl anabl dan anfantais sylweddol o'i gymharu â disgybl nad yw'n anabl (a elwir yn ddyletswydd addasiadau rhesymol).

9. Ymyrraeth gyfyngol

Gall y term ymyrraeth gyfyngol fod yn berthnasol i nifer o wahanol weithredoedd. Nid yw ymarfer cyfyngol o reidrwydd yn gofyn am ddefnyddio grym, gall hefyd gynnwys gweithredoedd ymyrraeth, er enghraifft gosod bwrdd ar draws drws.



Y ffordd orau o osgoi ymyrraeth gyfyngol yw gweithio'n ataliol a diwallu anghenion cyn i argyfwng godi. Fodd bynnag, efallai y bydd adegau prin pan fydd angen defnyddio ymyrraeth gyfyngol i atal niwed i unigolyn neu eraill.

Mae gan unrhyw ddefnydd o arfer cyfyngol y potensial i ymyrryd â hawliau dynol sylfaenol unigolyn ac mae gan bawb ddyletswydd i barchu hawliau dynol. Fel ysgol, rydym yn sicrhau bod ymyrraeth gyfyngol yn cael ei defnyddio fel dewis olaf a chyfiawn, o fewn y polisi hwn i gefnogi hawliau dynol.

Dim ond o fewn y polisiau cyfreithiol priodol y defnyddir ymyrraeth gyfyngol, a thrwy hyfforddiant, rydym yn sicrhau ein bod yn ymwybodol o bamedrau'r ddeddfwriaeth a'r canllawiau sy'n berthnasol i'n dysgwyr ac yn gweithredu o fewn y cyfyngiadau. Rhaid i bob gweithred o arfer cyfyngol fod yn gyfreithlon, yn gymesur â'r opsiwn lleiaf cyfyngol sydd ar gael.

Nid yw hi byth yn gyfreithlon defnyddio ataliad i fychanu, diraddio neu gosbi pobl.

Mae amgylchiadau rhai plant a phobl ifanc yn eu gwneud yn arbennig o agored i droseddau yn erbyn eu hawliau dynol. Gall hyn fod o ganlyniad i'w hoedran, eu gallu neu oherwydd gwahaniaethu sy'n gysylltiedig â'u nodweddion gwarchoddedig fel y'u diffinnir gan Ddeddf Cydraddoldeb 2010.

Mae plant yn agored i niwed oherwydd eu hoedran, maent yn datblygu'n gorfforol ac yn seicolegol, sy'n eu gwneud yn arbennig o agored i drawma a niwed, o ganlyniad i ymyrraeth gyfyngol.

Efallai y bydd pobl sydd wedi profi trawma yn y gorffennol, sy'n profi rhwystrau cyfathrebu, neu sydd â gwahaniaethau eraill, yn teimlo bod rhai mathau o ymyrraeth gyfyngol yn arbennig o ofidus ac efallai y byddant yn gweld rhai sefyllfaoedd yn arbennig o heriol a niweidiol.

10. Cynllunio, adolygu ac adrodd

Rhaid i ymyrraeth gyfyngol fod yn rhan o ddull gweithredu sy'n canolbwyntio ar y person yn gyffredinol, wedi'i deilwra'n benodol i'r unigolyn y mae'n cael ei ddefnyddio ar ei gyfer, yn enwedig ar gyfer unigolion sydd mewn mwy o berygl oherwydd oedran, bregusrwydd, problemau iechyd, hanes trawma neu ffactorau risg eraill.

Dylai unrhyw ddefnydd arfaethedig o ymyrraeth gyfyngol fod yn ddewis olaf a chyfiawnadwy yng nghanllawiau cefnogi ymddygiad yr unigolyn yn eu cynllun unigol a bydd yn cael ei adolygu'n rheolaidd. Dylai fod yn glir o fewn y canllawiau cefnogi ymddygiad pam mai'r ymyrraeth honno sydd fwyaf priodol iddyn nhw.

Bydd unrhyw ddefnydd o ymyrraeth gyfyngol nad yw yng nghynllun personol yr unigolyn yn sbarduno adolygiad ar unwaith.



Mae canllawiau yng nghynllun personol yr unigolyn ar sut y bydd y defnydd o'r ymyrraeth gyfyngol yn cael ei leihau yn y dyfodol. Dylai penderfyniadau ynghylch defnyddio ymyrraeth gyfyngol ystyried unrhyw ffactorau diwylliannol neu grefyddol unigolion.

Dylid defnyddio ymyrraeth gyfyngol yng nghyd-destun perthynas therapiwtig gyffredinol ac ni ddylid ei defnyddio fel cosb.

Mae plant a phobl ifanc mewn perygl penodol yn gorfforol ac yn seicolegol a dylid dilyn yr egwyddorion ar gyfer cynnal hawliau plant.

Ni ddylid byth ddefnyddio ymyrraeth gyfyngol i wneud iawn am brinder staff neu anawsterau adnoddau eraill.

Yn dilyn unrhyw achosion o ymyrraeth gyfyngol sy'n cael eu defnyddio, dylid hysbysu'r bobl/cyrff perthnasol, yn unol â'r cynllun personol. Dylid hysbysu aelodau teulu/gofalwyr di-dâl oni bai bod y cynllun personol yn nodi fel arall.

[Yn ôl i'r Cynnwys](#)

11. Dogfennaeth i gynllunio, cofnodi ac adrodd

Gellir dod o hyd i'r dogfennau a ddefnyddir yn atodiadau'r polisi.

12. Neilltuaeth

Bydd achlysuron pan fydd angen i'n disgyblion gael mynediad i ardaloedd oddi wrth sŵn neu bobl eraill. Mae'n bwysig bod staff yn ymgyfarwyddo â'r ardaloedd tawelach sy'n cael eu darparu, a allai gynnwys gofod awyr agored.

Weithiau mae arferion y cyfeirir atynt fel amser allan, ymlacio neu ynysu, gan gynnwys defnyddio pebyll synhwyaidd, yn bodloni'r diffiniad o wahaniad os yw'r plentyn neu'r person ifanc yn cael ei roi mewn ystafell ac nad yw'n gallu gadael o'i ewyllys rydd ei hun.

Gall defnyddio 'Amser Allan' fod yn strategaeth ddad-ddwysáu effeithiol wrth reoli ymddygiad yn gadarnhaol. Gall hon fod yn strategaeth gynlluniedig neu heb ei chynllunio, a gellir ei chynnal mewn nifer o amgylcheddau amrywiol e.e. gardd, llyfrgell, maes chwarae, ystafell amser allan.

Os bydd disgybl yn mynd gydag aelod o staff i ystafell dawel i ffwrdd o ddigwyddiad, rhaid i'r aelod staff aros gyda'r disgybl yn yr ystafell neu'r ardal dawel nes bod y disgybl yn dawel ac yn hunanfeddiannol. Yn dibynnu ar yr amgylchiadau, gall fod yn fwy buddiol i ddisgyblion fod gydag aelod staff sy'n gyfarwydd iddynt. Unwaith y bydd y disgybl yn dawel ac yn ddiogel, gall yr aelod staff adael y disgybl heb gwmni, er nad yw'n cael ei fonitro, yn yr ystafell ond ni ddylid cloi'r drws.

Wrth ddewis defnyddio 'Amser Allan' fel strategaeth, mae angen ystyried y pwyntiau canlynol: yr amgylchedd 'Amser Allan' - rhaid i leoliad y plentyn fod yn hysbys bob amser i oedolyn



goruchwyliol, er y gellir gwneud yr oruchwyliaeth hon o bell, yn dibynnu ar amgylchiadau disgyblion unigol a barn broffesiynol.

Rhaid ystyried a monitro hyd 'Amser Allan' yn ofalus i sicrhau nad yw'r plentyn yn mynd i ormod o ofid. Rhaid monitro ei ddefnydd cyffredinol yn ofalus. Mae'n rhaid i bob ystafell neu ardal dawel fod â digon o olau dydd, mynediad ac allanfa ac ni ddylai fod mewn man cyfyng a allai beri i'r disgybl deimlo'n gaeth neu'n ofnus ac felly cynyddu unrhyw bryder, ymddygiad ymosodol neu drais a allai fod wedi bod yn amlwg yn y digwyddiad gwreiddiol.

Dylai'r defnydd o ystafelloedd tawel hefyd fod yn gyson â pholisïau'r ysgol ar ddiogelu ac iechyd a diogelwch. Rhaid cadw cofnodion priodol o'r defnydd o ystafelloedd o'r fath ac unrhyw fath o ataliad corfforol sydd wedi'i ddefnyddio.

Ni ddylai plentyn gael ei roi mewn ystafell dan glo, mewn unrhyw amgylchiadau, fel ymyrraeth 'Amser Allan'. Gall y llysoedd ystyried ei bod yn drosedd/yn torri hawliau dynol plentyn i gloi plentyn mewn ystafell ac eithrio mewn argyfwng pan fydd defnyddio ystafell dan glo yn fesur dros dro wrth geisio cymorth, er enghraifft. Mewn amgylchiadau o'r fath, dylai oedolyn oruchwylio'r plentyn drwy gydol yr amser. Ni ddylid gosod disgyblion mewn ystafell na allant adael o'u gwirfodd er mwyn eu cosbi mewn unrhyw achos. '(0097/2013).

[Yn ôl i'r Cynnwys](#)

13. Ystyriaethau ymyrraeth gyfyngol

13.1 Ymarfer Barn Broffesiynol

Mae barn broffesiynol yn allweddol i benderfynu ar y camau gweithredu mwyaf priodol i sicrhau canlyniadau mwy diogel i unigolion ac eraill mewn sefyllfaoedd sy'n peri risg o niwed difrifol. Lle bo'r potensial yn bodoli ar gyfer defnyddio ymyrraeth gorfforol gyfyngol, rhaid cydbwysu nifer o ffactorau pwysig. Mae'r ffactorau hyn yn cynnwys:

- gwybodaeth am yr unigolyn a'i hanes
- gwybodaeth am effaith ac effeithiau technegau a dulliau ymyrraeth gorfforol cyfyngol
- sicrhau lles a diogelwch pawb sy'n gysylltiedig
- sicrhau tryloywder ac atebolrwydd proffesiynol
- sicrhau bod pob gweithred yn briodol ac yn dderbyniol o fewn arferion proffesiynol cydnabyddedig, cyfraith sifil a chyfraith droseddol.

13.2 Amgylchiadau Pan all Ymyrraeth Gorfforol fod yn briodol

Dyma rai enghreifftiau o sefyllfaoedd lle gellir defnyddio ymyrraeth gorfforol:

- Atal disgybl rhag ymosod ar aelod o staff, neu ddisgybl arall,
- Atal disgybl rhag achosi niwed difrifol a bwriadol i eiddo;



- Atal disgybl rhag achosi anaf neu ddifrod drwy ddamwain, drwy chwarae garw, neu drwy gamddefnyddio deunydd neu wrthrychau peryglus;
- Sicrhau bod disgybl yn gadael ystafell ddosbarth pan fo'r disgybl yn gwrthod dilyn cyfarwyddyd yn gyson i wneud hynny;
- Atal disgybl rhag ymddwyn mewn ffordd sy'n amharu'n ddifrifol ar wers; neu
- Atal disgybl rhag ymddwyn mewn ffordd sy'n amharu'n ddifrifol ar ddigwyddiad chwaraeon ysgol neu ymweliad ysgol.

Dylai'r ffocws fod ar atal, cymaint ag y bo modd, yr angen i ddefnyddio grym ar ddisgyblion, trwy greu hinsawdd ysgol dawel, drefnus a chefnogol sy'n lleihau'r risg a'r bygythiad o drais o unrhyw fath. Dim ond fel y dewis olaf y dylid defnyddio grym, dylai ysgolion leihau'r posibilrwydd o fod angen defnyddio grym. Fodd bynnag, efallai na fydd hyn bob amser yn bosibl ac mewn amgylchiadau o'r fath ac mae angen i staff fod yn ymwybodol o'r sensitifrwydd sy'n gysylltiedig ag unrhyw fath o gyswllt corfforol â disgyblion.

13.3 *Strategaethau i'w hystyried heblaw am ddefnyddio grym.*

Enghreifftiau

- Defnyddio ystod o strategaethau dad-ddwysáu, yn enwedig y rhai y nodwyd eu bod yn effeithiol drwy Gynllun cefnogaeth/Fy Nghynllun Diogelwch a Chefnogaeth (os oes un i'w gael)
- Rhoi dewis cyfyng o leoliadau i'r disgybl aflonyddgar fynd iddynt
- Rhoi cyfarwyddiadau clir
- Newid wyneb – galw aelod o staff y gwyddys bod ganddo berthynas gadarnhaol â'r disgybl
- Caniatáu amser 'cymryd' gan ganiatáu cyfle cadw wyneb'
- Cael gwared â'r gynulleidfa, h.y. gofyn i ddisgyblion eraill adael yr ystafell

Dylid ond defnyddio ataliaeth gydag ystyriaeth i egwyddorion y cyfyngiad lleiaf, a'r dewis olaf a chyfiawnadwy. Dyna'r dull lleiaf cyfyngol gyda'r defnydd lleiaf o rym (yn gymesur â'r risg) am yr isafswm amser. Dim ond os yw'n hollol angenrheidiol y dylid eu defnyddio (os oes gwir gred bod niwed yn debygol o ddigwydd i'r unigolyn neu eraill os na chaiff ei ddefnyddio, ac os rhoddwyd cynnig ar ddulliau llai cyfyngol eraill a'u bod wedi methu). Ni ddylid ar unrhyw gyfrif defnyddio dulliau atal sy'n achosi poen yn fwriadol.

13.4 *Gweithdrefnau ac ystyriaethau ymarferol yn ystod digwyddiadau penodol*

Lle bynnag y bo'n ymarferol, disgwylir i staff:

- Ddefnyddio dull cyson a phwyllog
- Nodi beth mae'r disgybl yn ei wneud o'i le. Atgoffa'r disgybl o'r rheol a'r ymddygiad yr hoffech ei weld. Creu disgwyliad cadarnhaol
- Gofynnwch am gymorth gan gydweithwyr eraill os yw hynny'n briodol



- Mae gan staff sy'n ymwybodol fod aelod arall o staff yn ymyrryd yn gorfforol â disgybl, gyfrifoldeb i fod yn bresennol, ac i gynnig cefnogaeth a chymorth pe bai angen gwneud hyn.
- Ceisiwch dawelu'r sefyllfa ar lafar ac atal pethau rhag gwaethygu
- Ceisiwch symud y disgybl oddi wrth gynulleidfa o'u cyfoedion
- Ceisiwch gyfathrebu'n gadarnhaol â'r disgybl drwy gydol y digwyddiad
- Mewn modd mor dawel â phosibl, eglurwch mai'r rheswm dros ymyrryd yw cadw'r disgybl ac eraill yn ddiogel
- Gwnewch yn glir y bydd yr ymyrraeth yn dod i ben cyn gynted ag y bydd y disgybl yn tawelu ac mae'r asesiad risg yn dangos nad oes ei hangen mwyach
- Os nad yw'n bosibl rheoli disgybl eithafol rhag y perygl o'ch anafu chi neu o anafu eraill,, tynnwch y disgyblion eraill a allai fod mewn perygl o'r sefyllfa a galw am gymorth.

Mae'n arfer da:

- Rhoi'r argraff fod popeth dan reolaeth gennych
- Rhoi'r argraff nad ydych wedi colli eich tymer neu nad ydych yn gweithredu oherwydd dicter neu rwystredigaeth
- Rhoi'r argraff nad ydych yn ceisio cosbi'r disgybl
- Galw am gymorth a chefnogaeth yn unol â lefel y risg.

[Yn ôl i'r Cynnwys](#)

14. Dyletswydd Gofal

Wrth ddelio â sefyllfaoedd lle mae angen gweithredu mewn sefyllfa o berygl yn amddiffynol, nid yw'r ddyletswydd gofal yn awgrymu bod anghenion un unigolyn yn diystyru anghenion diogelwch eraill (gan gynnwys aelodau staff) sydd mewn perygl. Mae angen rheoli ymddygiad bygythiol neu fyrbwyll er mwyn lleihau niwed i bawb dan sylw. Rhaid i unrhyw gamau sy'n cynnwys cyfyngu ar ddewis a symudiad fod yn gymesur â dyletswydd gofal proffesiynol ac yn gymesur â lefel y risg a gyflwynir.

Mae dyletswydd gofal y gweithiwr proffesiynol yn ymestyn i sicrhau bod unigolyn yn cael ei fonitro a'i ofalu amdano drwy gydol unrhyw ddigwyddiad. Mae ymreolaeth, sy'n gymesur â'u hoedran a'u dealltwriaeth, yn cael ei ddychwelyd iddynt cyn gynted ag y bo'n ddiogel gwneud hynny. Ni ddylai'r disgwyliadau a osodir ar staff sy'n defnyddio grym rhesymol neu ymyrraeth gorfforol gyfyngol fynd yn groes i ofynion iechyd a diogelwch trwy roi eu hunain neu eraill mewn perygl diangen.

15. Adolygu a chefnogaeth ar ôl digwyddiad

Gall defnyddio ataliaeth ac ymyraethau cyfyngol eraill sbarduno atgofion trawmatig i blant a phobl ifanc, a dylid bod yn ofalus i ddarganfod pa gymorth sydd ei angen arnynt ar ôl digwyddiad sydd wedi golygu ymyrraeth gyfyngol.



Mae'r un mor debygol y bydd gweithwyr sy'n gweithio mewn gwasanaethau heriol yn gweld rhai agweddau o'u gwaith yn llawn straen ac y byddant yn profi ymyraethau cyfyngol fel rhai trawmatig. Mae angen dull unigol yn y ddau achos, gan y bydd ffactorau personol a sefydliadol yn dylanwadu ar lefel y gofid mae pobl yn ei brofi.

Mae darparu'r cymorth cywir ar ôl digwyddiad yn debygol o gael dylanwad cadarnhaol ar leihau ymyraethau cyfyngol drwy ddylanwadu'n bositif ar y broses o atgyweirio perthnasoedd ymddiriedus ac ailsefydlu'r teimlad o ddiogelwch. Fodd bynnag, mae angen ei weithredu'n dda ac ochr yn ochr â strategaethau eraill fel rhan o ddull sefydliadol cyfan o leihau:

Cymorth ar ôl digwyddiad: sylw i les corfforol ac emosiynol yr unigolion dan sylw

Adolygiad ar ôl digwyddiad: i ddysgu o'r digwyddiad a myfyrio ar ymarfer.

[Yn ôl i'r Cynnwys](#)

16. Plant sy'n derbyn gofal

Dylai unrhyw blentyn sydd mewn gofal, ynghyd â'u gofalwyr, dderbyn y wybodaeth berthnasol ynghylch y posibilrwydd o ddefnyddio grym rhesymol neu ymyrraeth gorfforol gyfyngol sydd ar gael iddynt yn ogystal â gwybodaeth am y system gwyno a'r cymorth sydd ar gael gan eiriolwr. Os defnyddiwyd grym rhesymol neu ymyrraeth gorfforol gyfyngol, dylid trafod hyn yn ystod unrhyw broses adolygu statudol wrth ystyried a yw lleoliad yn gallu diwallu anghenion plentyn a dylid adlewyrchu'r drafodaeth hon yng nghynllun gofal y plentyn. Dylai fod cofnod ysgrifenedig clir o'r digwyddiadau hyn yn y ffeil gwaith cymdeithasol yn unol â gweithdrefnau cofnodi'r awdurdod.



17. Datblygiad staff

Mae'r ysgol yn derbyn hyfforddiant wrth ddatblygu sgiliau i weithio o fewn y polisi hwn. Mae'r staff yn ymgymryd â'r hyfforddiant a ddarperir drwy Gyngor Gwynedd. Gall ysgolion gael mynediad at hyfforddiant CPI-Ymyrraeth Diogelwch .

Bydd yr hyfforddiant yn cynnwys:

- archwilio agweddau a phriodoleddau tuag at ymddygiadau sy'n cael eu disgrifio fel rhai heriol;
- deall ystyr ymddygiadau a ddisgrifir fel rhai 'heriol' a myfyrio ar yr agweddau a'r rhagdybiaethau sy'n effeithio ar y ffordd y mae ymarferwyr yn deall ymddygiad;
- hawliau dynol a sut maent yn ymwneud â defnyddio ymyrraeth gyfyngol ;
- arferion sy'n canolbwyntio ar yr unigolyn a hawliau unigol sy'n allweddol i gynllunio sut rydym yn cefnogi ein dysgwyr;
- dealltwriaeth o ofal sy'n seiliedig ar drawma a thrawma ei hun;
- codi ymwybyddiaeth o'r trawma y gall pobl sy'n destun ymyrraeth gyfyngol a'r rhai sy'n destun i ymyrraeth gyfyngol ei brofi;
- y sefyllfa gyfreithiol;
- ymyriadau rhagweithiol sy'n gwella lles ac yn atal y defnydd o ymyrraeth gyfyngol ;
- technegau ymyrraeth gyfyngol.

Mae cynnwys yr hyfforddiant hefyd yn cyfeirio at bolisiau diogelu a chanu'r gloch fel bod pobl yn deall sut i ymateb os ydynt yn credu bod hawliau rhywun yn cael eu torri a'u bod yn cael eu rhoi mewn perygl.

Mae'r hyfforddiant mae staff yr ysgol yn ei dderbyn yn sicrhau plant a phobl ifanc bod ymateb cyson i gymorth gydag ymddygiad a'r defnydd o ymyrraeth gyfyngol .

[Yn ôl i'r Cynnwys](#)

18. Cofnodi'r defnydd o ymyrraeth gyfyngol a defnyddio data i wella ymarfer

Mae gan uwch arweinwyr wybodaeth am ystod a maint yr ymyrraeth gyfyngol a ddefnyddir yn yr ysgol drwy gofnodi ac adolygu data yn seiliedig ar achosion o'r fath.

Mae arferion casglu data da yn elfen hanfodol mewn unrhyw gynllun i leihau ymyrraeth gyfyngol ac yn hyrwyddo tryloywder.

Mae data'n cael ei gasglu o'r log ymyrraeth gyfyngol a'r ffurflenni cofnod o rym (atodiad 1)

Mae'r data a gasglwyd yn cynnwys:

- Nifer y digwyddiadau
- Amllder a hyd y mesurau cyfyngol unigol

Mae'r data hwn yn cael ei adolygu i chwilio am batrymau gan gynnwys ond nid yn gyfyngedig i:



- Rhywedd
- Oed
- Nodweddion sy'n cael eu gwarchod

Dylai unrhyw ddata a gesglir fod â phwrpas clir ac yn unol â Rheoliadau Diogelu Data Cyffredinol y DU.

Fel rhan o'n cynllun i leihau ymyrraeth gyfyngol, mae'r wybodaeth a gofnodir gennym yn cynnwys:

- Y math o arfer cyfyngol a ddefnyddir;
- Y rheswm/rhesymau dros ddefnyddio arfer cyfyngol;
- Lle a phryd y defnyddiwyd yr arfer cyfyngol;
- Hyd yr arfer cyfyngol;
- Yr effaith hysbys ar yr unigolyn, gan gynnwys unrhyw anafiadau, ac unrhyw risgiau i'w llesiant corfforol neu feddyliol;
- Nodweddion gwarchodedig yr unigolyn (gan gynnwys oedran, rhywedd, rhyw, anabledd, wedi'u dadansoddi yn ôl math y nam, a hil);
- Canlyniad unrhyw adolygiad o ddigwyddiadau, gan gynnwys unrhyw fesurau a weithredir i osgoi neu leihau ymyrraeth gyfyngol a'r risg o niwed yn y dyfodol;
- Rhan yr unigolion yn yr adolygiad;
- Cofnod i gadarnhau bod aelodau perthnasol y teulu a'r gofalwyr wedi cael gwybod a phryd y digwyddodd hyn.

19. Diogelu

- Mae staff yr ysgol yn deall eu cyfrifoldebau diogelu ac yn gyfarwydd â pholisi a gweithdrefnau diogelu'r sefydliad.
- Rhaid rhoi gwybod i'r gwasanaethau cymdeithasol neu'r heddlu am faterion diogelu yn unol â'r gofynion a nodir yng Ngweithdrefnau Diogelu Cymru a'r canllawiau perthnasol:
- [Gweithio gyda'n Gilydd i Ddiogelu Pobl Cyfrol 1: Cyflwyniad a Throsolwg](https://gov.wales/safeguarding-people-introduction)
<https://gov.wales/safeguarding-people-introduction>
- Gweithio gyda'n Gilydd i Ddiogelu Pobl Cyfrol 5: Ymdrin ag Achosion Unigol i Warchod Plant sydd mewn Risg <https://gov.wales/safeguarding-children-risk-abuse-or-neglect>

Pan fo unrhyw arwydd bod ymyrraeth gyfyngol yn cael ei defnyddio'n amhriodol, rhaid rhoi gwybod am hyn fel pryder diogelu. Mae staff yr ysgol hefyd yn cael gwybod am bolisi canu'r gloch y sefydliad.

[Yn ôl i'r Cynnwys](#)

20. Adolygu i leihau ymyrraeth gyfyngol



Bydd yr ysgol yn adolygu ein harferion presennol yn rheolaidd, a gall hyn gynnwys:

- Dadansoddi data ar nifer ymyraethau cyfyngol
- Adnabod patrymau
- Mynd i'r afael â phatrymau
- Adolygu cynlluniau unigol
- Adolygu asesiadau risg

21. Gwybodaeth i rieni

Mae datganiad ar ddefnyddio grym rhesymol ac ymyrraeth gorfforol gyfyngol, ynghyd â'r defnydd o 'Amser Allan' fel strategaethau, ar gael ym mhrosbectws yr Ysgol.

22. Gweithrediad

Bydd yr ysgol yn ystyried y disgwyliadau a nodir yn y Polisi hwn wrth weithredu, monitro ac adolygu.

23. Deddfwriaeth a pholisi

- Cod Ymarfer Anghenion Addysgol Arbennig ac Anabledd Cymru (Llywodraeth Cymru, 2004)
- Deddf Anghenion Dysgu Ychwanegol a'r Tribiwnlys Addysg (Cymru) 2018
- Adran 93 Deddf Addysg ac Arolygiadau 2006
- Deddf Iechyd a Diogelwch yn y Gwaith
- Deddf Galluedd Meddyliol 2005
- Deddf Cydraddoldeb 2010
- Dyletswydd Cydraddoldeb Sector Cyhoeddus, Deddf Cydraddoldeb 2010 (EA 2010) a149
- Law yn Llaw at Iechyd Meddwl (Llywodraeth Cymru, 2012)
- Dulliau ymarferol o reoli ymddygiad yn yr ystafell ddosbarth: Llawlyfr i athrawon dosbarth mewn ysgolion cynradd (Llywodraeth Cymru, 2012)
- Ymyriad diogel ac effeithiol - Defnyddio grym rhesymol a chwilio am arfau (Canllaw Llywodraeth Cymru, 2013)
<https://gov.wales/sites/default/files/publications/2018-03/safe-and-effective-intervention-use-of-reasonable-force-and-searching-for-weapons.pdf>
- Deddf Gwasanaethau Cymdeithasol a Llesiant (Cymru) 2014
- Rhan 4 Cod Ymarfer (Diwallu Anghenion), Deddf Gwasanaethau Cymdeithasol a Llesiant (Cymru) 2014 (Llywodraeth Cymru, 2015)



- Gweithio gyda'n gilydd i Ddiogelu Pobl Cyfrol 1: Cyflwyniad a Throsolwg <https://gov.wales/safeguarding-people-introduction> Cyflwyniad a Throsolwg (Llywodraeth Cymru, 2016)
- Deddf Iechyd Meddwl 1983: Cod Ymarfer Cymru (Llywodraeth Cymru, 2016)
- Anabledd Dysgu - Y Rhaglen Gwella Bywydau (Llywodraeth Cymru; 2018)
- Gweithio gyda'n gilydd i Ddiogelu Pobl Cyfrol 5: Ymdrin ag Achosion Unigol i Warchod Plant sydd mewn Risg (Llywodraeth Cymru, 2018)
- Canllawiau Statudol ar gyfer Darparwyr Gwasanaeth ac Unigolion Cyfrifol

[Yn ôl i'r Cynnwys](#)

24. Cyfeiriadau deddfwriaethol

Dyletswydd Cydraddoldeb Sector Cyhoeddus, Deddf Cydraddoldeb 2010 (EA 2010) a149

Mae rhai awdurdodau cyhoeddus yn ddarostyngedig i ddyletswyddau penodol dan Ddeddf Cydraddoldeb 2010. Crëwyd Dyletswydd Cydraddoldeb y Sector Cyhoeddus (PSED) dan y Ddeddf Cydraddoldeb, a ddaeth i rym ar 5 Ebrill 2011. Disodlodd y PSED ddyletswyddau cydraddoldeb hil, anabledd a rhyw. Mae'n berthnasol yng Nghymru, Lloegr a'r Alban. Nodir y ddyletswydd gydraddoldeb gyffredinol yn adran 149 [Deddf Cydraddoldeb 2010](#).

Mae adran 153 y Ddeddf yn galluogi Gweinidogion Cymru i osod dyletswyddau penodol ar gyrrff cyhoeddus penodol yng Nghymru drwy is-ddeddfwriaeth. Ar gyfer cyrff cyhoeddus Cymreig a thrawsffiniol Cymru, mae dyletswyddau penodol wedi'u cwblhau gan Lywodraeth Cymru a daethant i rym ar 6 Ebrill 2011.

[Rheoliadau Deddf Cydraddoldeb 2010 \(Dyletswyddau Statudol\) \(Cymru\) 2011](#)

Rhaid i'r awdurdodau cyhoeddus hynny sy'n ddarostyngedig i'r ddyletswydd cydraddoldeb gyffredinol roi sylw dyledus i'r angen i:

- ddileu gwahaniaethu, aflonyddu ac erledigaeth anghyfreithlon ac ymddygiad arall a waherddir gan y Ddeddf;
- hyrwyddo cyfle cyfartal rhwng pobl sy'n rhannu nodwedd warchodedig a'r rhai nad ydynt;
- meithrin perthynas dda rhwng pobl sy'n rhannu nodwedd warchodedig a'r rhai nad ydynt.

[Confensiwn y Cenhedloedd Unedig ar Hawliau Pobl ag Anableddau \(CRPD\)](#). Yn arbennig erthyglau:

- 12 (cydnabyddiaeth gyfartal gerbron y gyfraith),
- 14 (rhyddid a diogelwch yr unigolyn),
- 15 (rhyddid rhag artaith, triniaeth neu gosb greulon, annynol neu ddiraddiol)
- 17 (amddiffyn uniondeb yr unigolyn).



[Confensiwn y Cenhedloedd Unedig ar Hawliau'r Plentyn.](#) Yn arbennig erthyglau:

- 3 (lles pennaf y plentyn),
- 12 (Yr hawl i gael eich clywed),
- 16 (hawl i breifatrwydd a theulu),
- 19 (amddiffyniad rhag trais a cham-drin corfforol neu feddyliol),
- 23 (plant anabl),
- 28 (disgyblaeth ysgol)
- 37 (amddiffyniad rhag artaith, triniaeth neu gosb greulon, annynol neu ddiraddiol).

Cyngor Gofal Cymru (2016) *Dulliau Cadarnhaol: Lleihau ymyrraeth gyfyngol mewn gofal cymdeithasol* . Ar gael yn:

<https://socialcare.wales/resources/positive-approaches-reducing-restrictive-practices-in-social-care?record-language-choice=en-cy>

Coleg Brenhinol y Seiciatryddion, Cymdeithas Seicolegol Prydain a Choleg Brenhinol y Therapyddion Iaith a Lleferydd (2007). *Challenging behaviour: a unified approach Clinical and service guidelines for supporting people with learning disabilities who are at risk of receiving abusive or restrictive practices*, [college-report-cr144.pdf](#)

<https://www.equalityhumanrights.com/en/publication-download/human-rights-policy-restraint>

<https://www.equalityhumanrights.com/en/equality-act/protected-characteristics> The Equality Act 2010 (Statutory Duties) (Wales) Regulations 2011

<https://www.equalityhumanrights.com/en/publication-download/human-rights-policy-restraint>

[Restraint Reduction Network Training Standards - deunyddiau i'w lawrlwytho - Rhwydwaith Lleihau Ymyrraeth gyfyngol](#)

Hollins, L. (2019) *Use of restraint and force: steps towards greater transparency and accountability. Comment, Mental Health Practice*. Ar gael yn: <https://rcni.com/mental-health-practice/opinion/comment/use-of-restraint-and-force-steps-towards-greater-transparency-and-accountability-143936> (mynediad Ebrill 2019)

[Mae gan The British Institute of Learning Disabilities \(BILD\) daflen wybodaeth ddefnyddiol sy'n egluro'r gwahaniaeth rhwng 'amser allan' ac 'ynysu'](#)
<http://www.bild.org.uk/information/factsheets/>

[Yn ôl i'r Cynnwys](#)



Contents

1. [Glossary](#)
2. [Introduction](#)
3. [Purpose](#)
4. [Principles](#)
5. [Leadership](#)
6. [Advocacy](#)
7. [Benefits of Person Centred Practice](#)
8. [Education and inspections Act 2006](#)
9. [Restrictive practices](#)
10. [Planning, reviewing and reporting](#)
11. [Documentation for planning, recording and reporting](#)
12. [Seclusion](#)
13. [Restrictive practice considerations](#)
14. [Duty of care](#)
15. [Post incident review and support](#)
16. [Children who are looked after](#)
17. [Staff development](#)
18. [Recording the use of restrictive practices and using data to improve practice](#)
19. [Safeguarding](#)
20. [Reviewing to reduce restrictive practices](#)
21. [Information for parents](#)
22. [Implementation](#)
23. [Legislation and policy](#)
24. [Legislative references](#)

Appendices



1. Glossary

- **Person centred:** When we use the term person centred this also means child centred for children.
- **Person or people:** When we use the terms person or people this includes all children and young people (up to the age of 18 years).
- **Restrictive practices:** 'Restrictive practices are a wide range of activities that stop individuals from doing things that they want to do, or encourages them to do things that they don't want to do. They can be very obvious or very subtle.'

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

- **environmental restraint** - Limiting a learner to a particular environment: excluding a learner from an area to which they want to go;
 - Restricting access to an outside courtyard or sitting room;
 - Preventing a learner from leaving the building.
 - **physical restraint** - Physical restraint means restraint involving direct physical contact. Physical restraint means direct physical contact that prevents or significantly restricts a student's freedom of movement
 - **seclusion or enforced isolation** seclusion is best defined as the isolation of a learner from others for the purpose of managing behavioural disturbance
-
- **Challenging behaviour/behaviour which challenges:**
'Behaviour can be described as challenging when it is of such an intensity, frequency or duration as to threaten the quality of life and/or the physical safety of the individual or others and is likely to lead to responses that are restrictive, aversive or result in exclusion.' (Royal College of Psychiatrists, British Psychological Society and Royal College of Speech and Language Therapists, 2007).
 - **Personal Plan:** In this policy the term 'personal plan' references a range of plans dependent on the system of physical intervention used e.g. Behaviour Support Plan, Individual support plan, Individual Response Strategy,
 - **Practitioners:** For the purposes of this policy the term practitioners includes all people who are paid to work with people in schools and education settings. Whilst this also includes Trainee Teachers, Volunteers and Students, these groups would not be involved in the specific role of carrying out physical restraint



[Back to Contents](#)



2. Introduction

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

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

This policy:

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



[Back to Contents](#)



3. Purpose

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

To enable staff to manage incidents with confidence and consistency, ensuring their response complements the overall approach to the values and the ethos of the school, whilst ensuring the best interests of those involved.

To reinforce and safeguard the health and safety of the whole school community and others who use the school.

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

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

In order to achieve the aims of this policy, the school focuses on:

- The promotion of human rights
- Preventing the necessity for restrictive practice through the development of reduction strategies.
- Working with individuals through person centred planning to meet individual needs, in a way that actively reduces the likelihood of situations arising where restrictive practices are used as a last and justifiable resort.
- Having measures in place so that when situations arise where restrictive practice are used as a last and justifiable resort, to prevent harm to the individual or others, there is prior planning and training in place to secure the safety of all concerned.

[Back to Contents](#)



4. Principles

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

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

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

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

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

All school staff members have a legal power to use reasonable force to prevent pupils committing a criminal offence, injuring themselves or others, damaging property, and to maintain good order and discipline amongst pupils.

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

Schools should never seek to inhibit the ability of staff to use reasonable force by adopting a 'no contact' policy. The power to use reasonable force helps ensure pupil, staff and school safety and the risk with a no-contact policy is that it might place a member of staff in breach of their duty of care towards a pupil, or prevent them taking an action needed to prevent a pupil causing injury to others.

Under no circumstances, should any individual ever be restrained in a face down position. In all situations, behaviour and action must be reasonable and proportionate with regard to action, force and duration. It must also be intended to protect and safeguard individuals either from themselves or others.

[Back to Contents](#)



5. Leadership

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

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

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

The school leadership and governing body has a duty of care towards and recognises that workplace stress can have an adverse impact on the quality of practice. Appropriate measures to support the wellbeing of staff is in place through the school Wellbeing Policy

6. Advocacy

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

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

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

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

As a setting in Cyngor Gwynedd this is provided through SNAPCymru

[Back to Contents](#)

7. The benefit of Person Centred Practice

- improve quality of life so that children and young people have less need to use behaviours that challenge.
- use tools to understand what the individual's behaviour means.



- Use interventions which respect the dignity of the individual and support the reduction of restrictive practices.
- Anyone at risk of restrictive practices should have guidelines which contain a range of proactive strategies so that they have access to the type of support that they need; and also reactive strategies, designed to deal with behaviours that challenge when they occur, including minimising risk
 - **Proactive strategies** include environmental changes, to make the environment more suitable for the individual, and teaching new skills or behaviours, so that behaviours that challenge become less likely.
 - **Reactive strategies** include person-specific alternatives to the use of restrictions, for example, distraction, de-escalation, active listening, or withdrawal. These strategies form a useful part of the proactive approach to forward planning for individual support.

It is always unlawful to use force as a punishment. This is because it would fall within the definition of corporal punishment, abolished by Section 548 of the Education Act 1996. To be effective and successful we have a school wide approach. This may include adapting the individual's whole environment to meet needs better as well as making sure they are able to develop new skills and have more opportunities

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

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

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

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

[Back to Contents](#)

8. Education and Inspections Act 2006

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

- committing any offence (or, for a pupil under the age of criminal responsibility, what would be an offence for an older pupil);



- causing personal injury to, or damage to the property of, any person (including the pupil himself);
- prejudicing the maintenance of good order and discipline at the school or among any pupils receiving education at the school, whether during a teaching session or otherwise

The staff to which this power applies are defined in section 95 of the Act. They are:

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

This includes:

- (i) support staff whose job normally includes supervising pupils such as teaching assistants, learning support assistants, learning mentors and lunchtime supervisors.
- (ii) does not include prefects.

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

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

9. Restrictive practices

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

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

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



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

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

The circumstances of some children and young people make them particularly vulnerable to violations of their human rights. This maybe the result of their age, capacity or because of discrimination related to their protected characteristics as defined by the Equality Act 2010. Children are vulnerable by virtue of their age, they are developing physically and psychologically, which makes them particularly vulnerable to trauma and harm, as a result of restrictive practices.

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

[Back to Contents](#)

10. Planning, reviewing and reporting

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

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

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

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

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

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

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

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

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

11. Documentation for planning, recording and reporting



The documents used can be found in the appendices of the policy.

[Back to Contents](#)



12. Seclusion

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

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

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

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

When electing to use 'Time Out' as a strategy, the following points need to be considered: the 'Time Out' environment - the child's whereabouts must always be known to a supervising adult, although this supervision can be done from a distance, depending on individual pupil circumstances and professional judgement

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

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

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

In no circumstance should a child be placed in a locked room as a 'Time Out' intervention. 'The Courts may consider it an offence/breach of a child's human rights to lock a child in a room except in an emergency when, for example, the use of a locked room is a temporary measure while seeking assistance. In such a circumstance the child should always be supervised by an adult. Placing pupils in a room which they cannot leave of their own volition should not be used as a punishment in any instances. '(0097/2013)

[Back to Contents](#)



13. Restrictive practice considerations

13.1 *The Exercise of Professional Judgement*

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

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

13.2 *Circumstances When Physical Intervention Might Be Appropriate?*

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

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

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

13.3 *Strategies other than force to be considered:*

Examples

- The use of a range of de-escalation strategies, especially those which have been identified as effective through an pupil's Individual Reactive Strategy (where one exists)



- Providing the disruptive pupil with a choice of locations to exit to
- Giving clear directions
- Change of face – calling a staff member who is known to have a positive relationship with the pupil
- Allowing ‘take-up’ time thus allowing a ‘face-saving’ opportunity
- Removing the audience, i.e. requesting that other pupils leave the room

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

13.4 Procedures and practical considerations during specific incidents

Wherever practicable staff are expected to:

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

It is good practice to:

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



[Back to Contents](#)



14. Duty of Care

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

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

15. Post incident review and support

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

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

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

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

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

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

[Back to Contents](#)

16. Looked After Children

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

If reasonable force or a restrictive physical intervention has been used, it should be discussed during any statutory review process when considering if a placement is able to meet a child's



needs and this discussion should be reflected in the child's care plan. There should be a clear written record of these events in the social work file in accordance with the authority's recording procedures.

17. Staff development

The school accesses value based training and ongoing support in developing skills to work within this policy. The staff undertake the training provided through Cyngor Gwynedd. Schools can access Timian Training through LA Timian instructors.

The training involves:

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

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

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

[Back to Contents](#)

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

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

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

Data is collated from the restrictive intervention log and significant incident forms



Data collected includes:

- Number of incidents
- Frequency and length of individual restrictive measures

This data is reviewed to look for patterns including but not exclusive to:

- By gender
- Age
- Protected characteristics

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

As part of our plan to reduce restrictive practice the information we record includes:

- a. The type of restrictive practice used;
- b. The reason(s) for the use of restrictive practice;
- c. Where and when the restrictive practice was used;
- d. The length of the restrictive practice;
- e. The known impact on the individual, including any injuries, and any risks to their physical or mental wellbeing;
- f. The protected characteristics of the individual (including age, gender, sex, disability, broken down by impairment type, and race);
- g. The outcome of any incident review, including any measures that will be taken to avoid or minimise restrictive practices and the risk of harm in future;
- h. The individuals involvement in the review;
- i. A record to confirm that the relevant family members and carers have been informed and when this happened.

[Back to Contents](#)

19. Safeguarding

- School staff understand their safeguarding responsibilities and are familiar with the organisation's safeguarding policy and procedures.
- Safeguarding issues must be reported to social services or the police in line with requirements set out in the Wales Safeguarding Procedures and relevant guidance:
- Working Together to Safeguard People Volume 1: Introduction and Overview <https://gov.wales/safeguarding-people-introduction>
- Working Together to Safeguard People Volume 5: Handling Individual Cases to Protect Children at Risk <https://gov.wales/safeguarding-children-risk-abuse-or-neglect>



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

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

20. Reviewing to reduce restrictive practices

The school will regularly review our current practice, this may include:

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

21. Information to parents

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

22. Implementation

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

23. Legislation and policy

- Special Educational Needs Code of Practice for Wales (Welsh Government, 2004)
- Additional Learning Needs and Education Tribunal (Wales) Act 2018
- Section 93 of the Education and Inspections Act 2006
- Health and Safety at work Act
- Mental Capacity Act, 2005
- Equality Act, 2010
- The Public Sector Equality Duty, Equality Act 2010 (EA 2010) s149
- Together for Mental Health (Welsh Government, 2012)
- Practical approaches to behaviour management in the classroom: A handbook for classroom teachers in primary schools (Welsh Government, 2012)
- Safe and Effective Intervention - Use of Reasonable Force and Searching for Weapons (Welsh Government Guidance, 2013)
<https://gov.wales/sites/default/files/publications/2018-03/safe-and-effective-intervention-use-of-reasonable-force-and-searching-for-weapons.pdf>
- The Social Services and Well-being (Wales) Act 2014
- Part 4 Code of Practice (Meeting Needs), Social Services and Well-being (Wales) Act 2014 (Welsh Government, 2015)



- Working Together to Safeguard People Volume 1: Introduction and Overview (Welsh Government, 2016)
- Mental Health Act 1983: Code of Practice for Wales (Welsh Government, 2016)
- The Learning Disability – Improving Lives Programme (Welsh Government, 2018a)
- Working Together to Safeguard People Volume 5: Handling Individual Cases to Protect Children at Risk (Welsh Government, 2018)
- Statutory Guidance for service providers and responsible individuals

[Back to Contents](#)

24. Legislative references

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

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

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

[The Equality Act 2010 \(Statutory Duties\) \(Wales\) Regulations 2011](#)

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

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

[Convention on the Rights of Persons with Disabilities \(CRPD\)](#) Especially articles:

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

[United Nations Convention on the Rights of the Child](#) Especially articles:

- 3 (best interests of the child),
- 12 (right to be heard),
- 16 (right to privacy and family),



- 19 (protection from physical or mental violence and abuse),
- 23 (disabled children),
- 28 (school discipline)
- 37 (protection from torture, cruel, inhuman or degrading treatment or punishment).

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

Royal College of Psychiatrists, British Psychological Society and Royal College of Speech and Language Therapists (2007) *Challenging behaviour: a unified approach Clinical and service guidelines for supporting people with learning disabilities who are at risk of receiving abusive or restrictive practices*, College Report CR144 college-report-cr144.pdf (rcpsych.ac.uk) <https://www.equalityhumanrights.com/en/publication-download/human-rights-policy-restraint>

<https://www.equalityhumanrights.com/en/equality-act/protected-characteristics> The Equality Act 2010 (Statutory Duties) (Wales) Regulations 2011

<https://www.equalityhumanrights.com/en/publication-download/human-rights-policy-restraint>

[Restraint Reduction Network Training Standards - materials to download - Restraint Reduction Network](#)

Hollins, L. (2019) Use of restraint and force: steps towards greater transparency and accountability. Comment, *Mental Health Practice*. Available at: <https://rcni.com/mental-health-practice/opinion/comment/use-of-restraint-and-force-steps-towards-greater-transparency-and-accountability-143936> (accessed 27 April 2019)

The British Institute of Learning Disabilities (BILD) has a useful factsheet which explains the difference between 'time out' and 'isolation'
<http://www.bild.org.uk/information/factsheets/>

[Back to Contents](#)





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Dyddiad: 11.12.2023

Llofnod y Pennaeth Strategol Strategol: J Owen

Dyddiad: 11.12.2023

