



POLICY ON THE USE OF PHYSICAL INTERVENTIONS AND RESTRAIN TO CONTROL PUPILS

Approved by:

Date:

Last reviewed on:

**Next review due
by:**

Definition of Restraint

"Restraint can be defined as any physical contact (however minor) with a pupil, intended to prevent him/her pursuing their chosen course of action."

Legal Background

St. Ambrose R C Primary School, encourages pupils to make positive behaviour choices. However pupils sometimes do make the wrong choices. On rare occasions this may result in a situation that requires some form of physical intervention by staff.

The policy for physical intervention is based upon the following principles:

- Physical intervention should be used only as a last resort when other appropriate strategies have failed.
- Any physical contact should be only the minimum required.
- Physical intervention must be used in ways that maintain the safety and dignity of all concerned.
- Incidents must be recorded and reported to a member of the SMT
- Parents will be informed of each incident

THE LEGAL FRAMEWORK

Section 93 of the Education & Inspections Act 2006 allows 'teachers and other persons who are authorised by the Head Teacher who have control or charge of pupils to use such force as is reasonable in all the circumstances to prevent a pupil from doing, or continuing to do, any of the following:

- causing injury to his/herself or others
- committing an offence
- damaging property
- prejudicing the maintenance of good order & discipline

This policy has been written with DFE 'Use of reasonable force' advice for head teachers, staff and governing bodies July 2013 (appendix 2).

DEFINITION OF REASONABLE FORCE AND RESTRAINT

The DFE guidance (2013) on the 'Use of Reasonable Force' defines and explain these terms in the following way:

- The term 'reasonable force' covers the broad range of actions used by most teachers at some point in their career that involve a degree of physical contact with pupils.
- Force is usually used either to control or restrain. This can range from guiding a pupil to safety by the arm through to more extreme circumstances such as breaking up a fight or where a pupil needs to be restrained to prevent violence or injury.
- 'Reasonable in the circumstances' means using no more force than is needed.

- As mentioned before, schools generally use force to control pupils and to restrain them. Control means either passive physical contact, such as standing between pupils or blocking a pupil's path, or active physical contact such as leading a pupil by the arm out of a classroom.
- Restraint means to hold back physically or to bring a pupil under control. It is typically used in more extreme circumstances, for example when two pupils are fighting and refuse to separate without physical intervention.
- School staff should always try to avoid acting in a way that might cause injury, but in extreme cases it may not always be possible to avoid injuring the pupil.

All members of staff who can use reasonable force have a legal power to use it. This power applies to any member of staff at the school. It can also apply to people whom the principal has temporarily put in charge of pupils such as unpaid volunteers or parents accompanying pupils on a school organised visit.

The DFE Guidance 2013 on 'Use of reasonable force' states that:

Schools can use reasonable force to:

- remove disruptive children from the classroom where they have refused to follow and instruction to do so;
- prevent a pupil behaving in a way that disrupts a school event, trip or a visit;
- prevent a pupil leaving the classroom where allowing the pupil to leave would risk their safety or lead to behaviour that disrupts the behaviour of others;
- prevent a pupil from attacking a member of staff or another pupil, or to stop a fight in the playground; and
- restrain a pupil at risk of harming themselves through physical outbursts.

Schools cannot:

- use force as a punishment - it is always unlawful to use force as a punishment.

Schools have the power to search pupils without consent:

In addition to the general power to use reasonable force described above, head teachers and authorised staff can use such force, as is reasonable given the circumstances, to conduct a search for the following "prohibited items":

- knives and weapons
- alcohol
- illegal drugs
- stolen items
- tobacco and cigarette papers
- fireworks
- pornographic images
- any article that has been or is likely to be used to commit an offence, cause personal injury or damage to property.

Force cannot be used to search for items banned under the school rules.

The provision applies when a teacher or other authorised person is on the school premises and when he or she has lawful control or charge of the pupils concerned elsewhere e.g. on a field trip or other authorised out of school activity."

(N.B. Authorised persons are those who have been designated as such by the Headteacher to have control or charge of pupils and may include classroom assistants, midday supervisors, support assistants and voluntary helpers.)

Policy Statement

We recognise that there are occasions, which though not desirable as a routine, it is necessary to use reasonable force to control or restrain pupils. The ethos of our school ensures that the use of such force will only be employed as a last resort as specified in this document's guidelines.

Aims

1. To ensure the wellbeing of all pupils, members of staff and any others with whom the pupil may come into contact during the course of the school day.
2. To protect the dignity and self-esteem of those mentioned above.
3. To maintain a calm and well-ordered environment in accordance with the school's Behaviour Policy.

GUIDELINES

Practical Considerations

Before intervening physically a teacher should - where practicable - tell the pupil to stop misbehaving and what will happen if s/he does not. The teacher should attempt to communicate with the pupil throughout the incident and make it clear that physical restraint, if used, will stop as soon as it ceases to be necessary. **Sometimes a teacher should not intervene without help** (except in an emergency) if s/he might be at risk of injury. In these circumstances the help of a colleague should be sought. A "Red Card" system is employed to summon help urgently if it is not possible to do so verbally.

Teachers should always take a calm, measured approach to a situation.

Situations in which intervention may be necessary

- A pupil attacks a member of staff or another pupil
- Pupils fighting
- A pupil is causing, or at risk of causing, deliberate damage to property
- A pupil is causing, or is at risk of causing, injury or damage by accident
- A pupil is running or pushing in a way that might cause accident or damage
- A pupil is behaving in a way that is seriously disrupting a lesson
- A pupil absconds from a class or from school

Methodology of restraint

In the exceptional circumstances when physical restraint or intervention becomes necessary:

DO

- Tell the pupil what you are doing and why
- Use the minimum force necessary
- Involve another member of staff if possible
- Tell the pupil what s/he must do for you to remove the restraint (this may need frequent repetition)
- Use simple and clear language
- Hold limbs above a major joint if possible e.g. above the elbow
- Relax your restraint in response to the pupil's compliance
- take action to protect themselves, the other children, the child him/herself and property

DON'T

- Act in temper (involve another staff member if you fear loss of control)
- Involve yourself in a prolonged verbal exchange with the pupil
- Involve other pupils in the restraint
- Touch or hold the pupil in a way that could be viewed as sexually inappropriate conduct
- Twist or force limbs back against a joint
- Bend fingers or pull hair
- Hold the pupil in a way which will restrict blood flow or breathing e.g. around the neck
- Slap, punch, kick or trip up the pupil
- Use physical restraint or intervention as a punishment

Application of force

Where the risk is not so urgent

- Consider carefully whether - and if so when - physical intervention is right
- Always attempt to deal with the situation through strategies other than force
- Use force only when other methods have failed

The key issue is establishing good order so any action which could exacerbate the situation should be avoided.

Physical intervention can take many forms

- Physically interposing between pupils or blocking a pupil's path
- Touching, holding, pushing, pulling or leading a pupil by the arm
- Shepherding a pupil away by placing a hand in the centre of the back

In exceptional circumstances, when there is an immediate risk of injury staff may need to take any necessary action that is consistent with the concept of 'reasonable force'.

To deal with hysterical violence

It is acceptable to restrict the movement of a pupil's arms and legs to minimise injury. In these

cases it is better that two members of staff are involved. One of the two should take the 'lead' and in doing so become the only one who actually communicates with the pupil. Limbs should not be grasped around their joint but should be held near the joints to minimise the chance of injury. Legs may be immobilised by holding or otherwise restricting movement between the knee and ankle joint using only necessary weight and force. The removal of heavy footwear from 'kickers' is acceptable.

All cases

While restraint is being used the child may be communicated with in a firm but calm manner to facilitate the 'calming down' process. Restraint should continue until the pupil is calmer and no longer a danger to self or others. This may take some time.

The pupil may need to be removed from the presence of other children and it is acceptable to use reasonable force if thought appropriate.

Biting - Pupils biting should have their heads gently pushed in to the bitten area not pulled away. The nose may be held in order to release the bite.

Hair pulling - Pupils pulling hair should have the hand pressed into and against the head, not pulled away. The appropriate use of pressure on the hand may be used to release the hair.

Fighting - This could require a range of strategies ranging from 'emergency' intervention to summoning additional adult help.

Recording incidents

Incidents where it has been necessary to use force (except extremely minor ones) should be recorded immediately and the Headteacher informed.

The report should include:-

- Name of pupil
- Time and location of incident
- Name of witnesses
- The reason that force was necessary
- Description of the incident including the pupils behaviour, attempts made to defuse the situation, the degree of force used, how it was applied and for how long
- The pupils response and the outcome of the incident
- Details of any injury caused to either the pupil or to the member of staff
- Details of damage to property

The Incident Book is kept in the Head teacher's office.

Parents should be informed of the incident and given the opportunity to discuss it.

RISK ASSESSMENTS

If we become aware that a pupil is likely to behave in a disruptive way that may require the use of reasonable force, we will plan how to respond if the situation arises. Such planning will address:

- Strategies to be used prior to intervention
- Ways of avoiding 'triggers' if these are known
- Involvement of parents to ensure that they are clear about the specific action the school might need to take
- Briefing of staff to ensure they know exactly what action they should be taking (this may identify a need for training or guidance)
- Identification of additional support that can be summoned if appropriate
- The school's duty of care to all pupils and staff

Reference

Use of Reasonable Force - Advice For Teachers, Staff and Governing Bodies (July 2013)