



## **PHYSICAL RESTRAINT AND INTERVENTION POLICY**

### **Aims**

The aims of this policy are to:

- explain the rights of staff to use physical restraint when necessary;
- To protect every person in the school community from harm.
- To protect all pupils against any form of physical intervention which is unnecessary, inappropriate, excessive or harmful
- explain the circumstances in which physical restraint may be justified
- To provide adequate information and training for staff so that they are clear as to what constitutes appropriate behaviour and to deal effectively with violent or potentially violent situations.
- set out the recording and reporting system; and
- explain the various responsibilities.
- To give full support to staff who have been assaulted or have suffered verbal abuse from pupils or others.

### **What does 'physical intervention' mean?**

Physical intervention is when a member of staff physically intervenes to either:

- Avert danger either to the pupil themselves or to other pupils or adults; or
- Prevent or minimise disruption within the School setting; or
- To prevent wilful or accidental damage.

Physical intervention must avert danger by preventing or deflecting a child's action or perhaps by removing a physical object, which could be used to harm him/herself or others. Physical intervention skilfully applied may be eased by degrees as the child calms down in response to the physical contact. It is only likely to be needed if a child appears to be unable to exercise self-control of emotions and behaviour

### **Powers of members of staff to restrain students by use of force**

- a. The Education and Inspections Act 2006 confirmed the right of staff to use 'such force as is reasonable' for the purpose of preventing a student from:
- committing an offence;
  - causing personal injury to, or damage to the property of, any person (including themselves); and
  - prejudicing the maintenance of good order and discipline.

- b. The explanatory notes to the Act give an example of 'reasonable force' - leading a student by the arm to enforce an instruction to leave the class. However, nothing in the law concerning the use of reasonable force legitimises corporal punishment.
- c. Where a school has students with known severe behavioural difficulties, only trained members of staff are allowed to use restraint techniques. No member of staff **must** physically restrain students exhibiting extremes of behaviour unless so trained.

### **Right to search students**

- a. The Violent Crime Reduction Act 2006 gives the Headteacher, and any member of the School staff authorised by the Headteacher, who has reasonable grounds for believing that a student may have with him/her or in his/her possession a knife or offensive weapon, the right to search that student.
- b. The Headteacher must ensure that the person carrying out the search is of the same sex as the student and the search must be carried out in the presence of another adult also, if possible, of the same sex as the student. The student cannot be required to remove any clothing other than outer clothing and if the student's possessions are searched this must also be done in the presence of another adult. The person carrying out the search is able to use such force as is reasonable in the circumstances for exercising that power.
- c. The Headteacher cannot normally 'require' the school staff to conduct the searches, only 'authorise' them to do so. But they may 'require' security staff to carry out searches.
- d. If a search reveals any 'offensive weapons' or knives, or 'evidence in relation to an offence' the school **MUST** inform the police immediately. The school has no discretion in this, not even if the school wishes to resort solely to internal discipline procedures.

### **Circumstances where physical restraint may be justified**

- a. Physical restraint **must** only be used as a last resort; other non-physical strategies for diffusing the situation must be tried first.
- b. Whenever possible, the age, level of understanding and gender of the student should be considered. In addition staff should be mindful of any student who is on the Child Protection Register.
- c. If there is a need to restrain a student with known behavioural difficulties, only staff trained in appropriate restraint techniques should attempt to restrain such students.
- d. The Governing Body appreciates that in some instances (such as stopping a student who is running down a corridor) staff may have to act quickly, and without having the time to consider all the circumstances.
- e. Examples of behaviour likely to lead to restraint:
  - physical attack by a student on an adult/other student;
  - deliberate damage to school property;
  - a student behaving in a way which places others at risk, e.g. pushing, tripping on a staircase, rough play, running in a corridor; or by misuse of dangerous materials, substances or objects;

- preventing a student running into a busy road;
- refusal by a disruptive student to leave the classroom.
- Students fighting

f. Restraint is NOT a punishment and must not be used as such:

- ASSISTANCE must be sought whenever possible.
- the student(s) should be told that this has been done.
- any other students who are at risk should be removed.
- the use of restraint in a one-to-one situation **must** be avoided, witnesses are important.

**g. Restraint must not lead to injury: staff MUST NOT:**

- hold a student around the neck or collar, or in a way that might restrict breathing;
- slap, punch or kick;
- twist or force limbs against a joint;
- trip;
- hold or pull by the hair or ear; or
- hold a student face down on the ground.

#### **Physical contact with vulnerable students**

a. Normally all staff must avoid physical contact with students. It is accepted that some more vulnerable students, and particularly those with Special Educational Needs, require more physical contact than other students in order to assist with their everyday learning. This is entirely appropriate and proper for staff, but it is crucial that they only do so in ways appropriate to their professional role and in accordance with the school's policies on which restraint techniques may be used and by whom. Except in an emergency, only trained staff must use restraint techniques on vulnerable students with behavioural difficulties, and the techniques which may be used are only the ones that the member of staff is trained to use.

b. Specific arrangements should be:

- understood and agreed by all concerned;
- justified in terms of the student's needs;
- consistently applied;
- open to scrutiny; and
- reviewed regularly.

c. When physical contact is made with students this should be in response to their needs at the time, of limited duration and appropriate given their age, stage of development, gender, ethnicity and background.

d. If a member of staff believes that an action could be misinterpreted, the incident and circumstances must be recorded as soon as possible on the School's Incident Log (see appendix A) and, if appropriate, a copy placed on the student's file.

## **Risk Assessment**

Although the vast majority of young people at Rida Nursery will never require any form of physical intervention, staff may have to deal with some young people who exhibit inappropriate behaviour which is likely to impact on themselves/other pupils or staff.

We will attempt to reduce risk by managing:

- The environment
- Body language
- The way we talk
- The way we act

## **Individual Risk Assessment**

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

- Managing the pupil (e.g. reactive strategies to de-escalate a conflict, hold to be used if necessary);
- Involving the parents to ensure that they are clear about the specific action the school might need to take;
- Briefing staff to ensure they know exactly what action they should be taking (this may identify a need for training or guidance);
- Ensuring that additional support can be summoned if appropriate.
- SENDCo and Education psychologist will provide individual risk assessments

## **Staff Code of Conduct**

a. Staff at this School are expected to:

- be aware that even well intentioned physical contact may be misconstrued by the student, an observer or by anyone to whom this action is described;
- always be prepared to explain actions and accept that all physical contact will be open to scrutiny;
- be aware of the Government guidance in respect of physical contact with students and meeting medical needs of students; and
- ensure that all incidents are reported and logged in the School's Incident Log.

b. Staff may legitimately intervene using physical restraint to maintain good order and discipline and prevent a student from:

- committing a criminal offence;
- injuring themselves or others;
- causing damage to property;
- engaging in behaviour prejudicial to good order

c. Staff **must** have regard to the health and safety of themselves and others.

d. In all cases where physical intervention is deemed necessary, the incident and subsequent actions **must** be documented and reported.

- e. Under no circumstances must physical force be used as a form of punishment.
- f. The use of unwarranted physical force is likely to constitute a criminal offence.
- g. Staff at this school must:
  - adhere to the School's Physical Intervention Policy;
  - always seek to defuse situations; and
  - always use minimum force for the shortest period necessary.

### **Staff guidelines**

All teachers need to be aware of strategies and techniques for dealing with difficult students and take whatever measures they can take to defuse and calm a situation. E.g.

- Move calmly and confidently;
- Make simple, clear statements;
- Intervene early;
- If necessary summon help before the problem escalates;
- Remove audience from the immediate location;
- Use minimum force necessary and always be mindful of the safety of the student.

There are situations where staff should avoid physical intervention without help. Assistance should be sought when dealing with:

- A physically large student;
- More than one pupil; or
- When the teacher believes that s/he may be at risk of injury.

In those circumstances where the member of staff has decided that it is not appropriate to physically intervene with the student without help they must :

- Remove the other students who might be at risk;
- Summon assistance from colleagues;
- Where necessary, telephone the police;
- Inform the student(s) that help will be arriving;
- Until assistance arrives, the member of staff should continue to attempt to defuse the situation orally, and try to prevent the incident from escalating.

### **Training and support**

The Headteacher will ensure that appropriate training is provided for key staff annually and for all staff at least every two years. The Headteacher will ensure that the system enables account to be taken of the records in the Incident Log and elsewhere.

### **Equal Opportunities**

In implementing this policy all staff must take account of the school's Equality Policy. Only trained staff are authorised to use permitted restraint techniques on students with disabilities who may exhibit behavioural difficulties.

## **Complaints**

We all have a duty of care to the young people in our school and cannot escape our legal responsibilities by avoiding taking appropriate and necessary action. Involving parents when an incident occurs with their child, together with a clear policy adhered to by the staff, and should help to avoid complaints from parents. It will not prevent all complaints, however, and a dispute about the use of force by a member of staff might lead to an investigation, either under disciplinary procedures or by the Police and Social Services department under child protection procedures.

- Staff, subjected to physical violence or assault has the right to be supported in making a formal complaint to the police and, if necessary, taking private action against an assailant.
- It is our intention to inform all staff, pupils, parents and governors about these procedures and the context in which they apply.
- We will review this Policy on a yearly basis.
- Remember that adhering to the principles and procedures referred to in this Policy statement is part of effective practice and should minimise risk to young people in our care and enhance our own self-protection.

## **Responsibilities**

The Governing Body is responsible for preparing and reviewing this Policy. The Headteacher is responsible for the implementation and monitoring of this policy within the school. All staff shall be made aware of this policy and have a duty to ensure that it is implemented.

## **Monitoring and Review**

a. The Headteacher will:

- ensure that a recording and reporting system is in place and is maintained;
- ensure that a senior member of staff is in charge of the Incident Log (see Appendix) and reports regularly to the Leadership Team.
- report incidents and the outcome to the Governing Body.

b. The Governing Body will review the policy every year. The next review will be January 2023.

## **ASSOCIATED RESOURCES**

<http://www.education.gov.uk/schools/pupilsupport/behaviour/behaviourpolicies/f0077153/use-of-reasonable-force>

<http://www.education.gov.uk/schools/pupilsupport/behaviour/f0076897/screening>

<http://www.education.gov.uk/aboutdfe/advice/f0076882/ensuring-good-behaviourinschools/allegations-of-abuse-against-staff>

<http://www.homeoffice.gov.uk/publications/police/operationalpolicing/pac/codes/?view=Standard&pubID=810826>