

Emmanuel Christian School

Policy for Physical Intervention/Restraint of Pupils

In the unlikely event that a pupil admitted to ECSL would require physical restraint, the following guidelines are necessary. We would only consider the possibility of admitting a child that we knew would need regular physical restraint if he had 1:1 support. The following information is relevant when a situation in school requires control that is beyond that stated in the discipline policy.

Principles

- Physical intervention should be avoided wherever possible.
- Any physical contact should be only the minimum required.
- There are occasions when physical intervention is appropriate.
- Physical intervention must be used in ways that maintain the safety and dignity of all concerned.
- Incidents should be recorded in the Serious Incident Book and reported to the Chair of Governors.
- When justifying the use of force, staff will need to show that they first took reasonable steps to deal with a difficult situation without using force.

When can reasonable force be used?

1) Reasonable force can be used to prevent pupils from hurting themselves or others, from damaging property or from causing disorder.

2) In a school, force is used for two main purposes – to control pupils or to restrain them.

3) The decision on whether or not to physically intervene is down to the professional judgement of the staff member concerned and should always depend on the individual circumstances.

4) The following list is not exhaustive but provides some examples of situations where reasonable force can and cannot be used.

Schools can use reasonable force to:

- remove disruptive children from the classroom where they have refused to follow an instruction to do so;
- prevent a pupil behaving in a way that disrupts a school event or a school trip or 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.

Using Force to Prevent Injury to the Pupil and/or Others, or Serious Damage to Property

Tell the pupil that you are restraining him/her to avoid the pupil harming him/herself, others or property. Where other potential witnesses are present it is helpful if they hear you give this explanation.

If possible call for urgent assistance, at least to gain the presence of a credible adult witness.

Such physical interventions should be acts of care and control, not punishment. Only reasonable force should be used. The duration of such intervention should be the minimum necessary.

The types of force used should include:

- passive physical contact resulting from standing between pupils or blocking a pupil's path;
- active physical contact such as:
 - (i) leading a pupil by the hand or arm;
 - (ii) ushering a pupil away by placing a hand in the centre of the back;
 - (iii) in more extreme circumstances, using appropriate restrictive holds, which may require specific expertise or training (appropriate training if ever required)

Where there is a high or immediate risk of death or serious injury, any member of staff would be justified in taking any necessary action (consistent with the principle of seeking to use the minimum force required to achieve the desired result). Such situations could include preventing a pupil running off the pavement onto a busy road, for example.

Staff should always avoid touching or restraining a pupil in a way that could be interpreted as sexually inappropriate conduct.

Staff may need support and/or counselling after any incident. It may also be equally important to offer the pupil(s) support and the opportunity to discuss the incident.

Advice on physical contact with pupils

1) It is not illegal to touch a pupil. There are occasions when physical contact, other than reasonable force, with a pupil is proper and necessary.

2) Examples of where touching a pupil might be proper or necessary:

- Holding the hand of a younger child when crossing the road;
- When comforting a distressed pupil;
- When a pupil is being congratulated or praised;
- To demonstrate how to use a musical instrument;
- To demonstrate exercises or techniques during PE lessons or sports coaching; and
- To give first aid.

Action Following an Incident

Incidents where force has been used to restrain or control pupils are to be reported as soon as practicable to Chair of Governors in writing. The Chair of Governors will keep such written information securely and monitor the use of restraint.

The Chair of Governors may need to be the first to exercise judgement on whether the restraint used was reasonable, having made initial enquiries, although other procedures will apply if queries or complaints arise. Senior school leaders should support their staff when they use the power of physical restraint when used in accordance with this policy.

The parent/carer/guardian will be advised of an incident involving their child, either immediately or at the end of the day, according to the seriousness of the incident.

Risk Assessment

The potential consequences for all parties if physical intervention is not used must be weighted against the likely consequences if no action is taken.

Relevant factors include:

- Age of pupil – whatever action is taken must consider issues of age-appropriateness.
- Whether the pupil has special educational needs or a disability and therefore is particularly vulnerable.
- The safety of both the pupil and the member of staff concerned.
- The potential for causing distress – to either the pupil or the member of staff.
- Maintaining working relationships between staff and pupils.
- Ensuring that physical intervention is not used *habitually*.
- Ensuring that whatever action is proposed or taken maintains the duty of care.

Where a pupil frequently presents challenging behaviours that may require some form of physical restraint, then an action plan will be agreed upon between staff, parents / carers and the pupil

Staff Awareness

All adults who have regular contact with the children in the school setting should be familiar with the details of this policy and be able to make any request for help in implementing it to the Headteacher.

Below are the guidelines from the Department for Education about the use of reasonable force when restraining pupils.

Key points

- School staff have a legal power to use force and lawful use of the power will provide a defence to any related criminal prosecution or other legal action.
 - Suspension should not be an automatic response when a member of staff has been accused of using excessive force.
 - Senior school leaders should support their staff when they use this power.
- (Taken from DfE publication 'Use of reasonable force, advice for head teachers, staff and governing bodies' (July, 2013))
- See also relevant guidance in paragraphs 103-105 of Keeping Children Safe in Education 2018.

Review of Policy

This policy will be reviewed regularly by the Governing body.

Reviewed by staff and Governing Body May 2013

Reviewed by Headteacher and Chair of Governing Body May 2016

Reviewed by Governing Body June 2018