

*'Loving to Learn, Learning to Love'*



## **Physical Intervention and Restraint Policy**

**Last Approved:** October 2021

**Review Date:** October 2022

## Introduction

At St. Mark's CE Primary School, we are committed to a positive behaviour policy, which encourages children to make positive behaviour choices. We do however recognise that children sometimes do make the wrong choices. On rare occasions, this may result in a situation that requires some form of physical intervention by staff. Our 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 the Executive Headteacher, Mrs M. Johnstone or in her absence, the Head of School, Mr L. Nicholls as soon as possible
- 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 Headteacher 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 should be read in conjunction with other related policies in school. These include:

- Behaviour Management Policy
- Anti-Bullying Policy
- Special Educational Needs Policy
- Health and Safety Policy
- Whistleblowing Policy
- Allegations made against members of Staff

Here at St. Mark's CE Primary School the Executive Headteacher has empowered the following members of staff to use reasonable force:

- Teachers and any member of staff who has control or charge of pupils in a given lesson or circumstance have permanent authorisation.
- Other members of staff such as site management and administrative teams also have the power to use reasonable force if a circumstance should arise in which immediate action should be taken.

Members of staff who have been MAPA trained are authorised to use the restraints taught. They will be expected to attend a refresher course to update their skills and renew their certification every 12-15 months. They should, wherever possible, be called if it is necessary to use physical restraint.

### **Minimising the Need to Use Reasonable Force**

As a school, we are firmly committed to creating a calm and safe environment which minimises the risk of incidents arising that might require the use of reasonable force. We use the PSHE curriculum, following the PSHE Association Scheme, to explore and strengthen emotional responses to situations.

We will only use force as a last resort and strongly believe in de-escalating any incidents as they arise to prevent them from reaching a crisis point. Staff will be skilled in promoting and rewarding positive behaviour and will utilise various appropriate techniques in the management of a class environment.

Staff will only use reasonable force when the risks involved in doing so are outweighed by the risks involved by not using force.

### **Our approach**

At St. Mark's CE Primary School we aim to avoid the need for physical intervention and regard this as a last resort in a tiny minority of situations. We always aim to deal with behaviour using a positive approach and therefore this policy should be read in connection with our Behaviour Policy.

It is not possible to define every circumstance in which physical restraint or intervention would be necessary or appropriate and staff will have to exercise their own judgement in situations which arise within the above categories. Staff should always act within the school's policy on behaviour and discipline, particularly in dealing with disruptive behaviour.

Staff should be aware that when they are in charge of children during the school day, or during other supervised activities, they are acting in *loco parentis* and have a 'Duty of Care' to all children they are in charge of. They must, therefore, take reasonable action to ensure all pupils' safety and well-being.

Staff are not expected to place themselves in situations where they are likely to suffer injury as a result of their intervention.

### **Use of physical restraint**

Physical restraint should be applied as an act of care and control with the intention or re-establishing verbal control as soon as possible and, at the same time, allowing the pupil to regain self-control. It should never take a form which could be seen as punishment.

Staff are only authorised to use reasonable force in applying physical restraint, although there is no absolute definition of this. What constitutes reasonable force depends upon the particular situation and the pupil to whom it is being applied. However, as a general rule, only the force necessary to stop or prevent danger should be used, in accordance with the guidelines below.

In all circumstances, alternative methods should be used as appropriate with physical intervention or restraint, a last resort.

When physical restraint 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

#### **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, around the chest
- Slap, punch, kick or trip up the pupil
- Use physical restraint or intervention as a punishment

#### **Actions after an incident**

Physical restraint often occurs in response to highly charged emotional situations and there is a clear need for debriefing after the incident, both for the staff involved and the pupil. **The Executive Headteacher or in her absence, the Head of School should be informed of any incident as soon as possible** and will take responsibility for making arrangements for debriefing once the situation has stabilised. An appropriate member of the teaching staff should always be involved in debriefing the pupil involved and any victims of the incident should be offered support, and their parents informed.

If the behaviour is part of an ongoing pattern it may be necessary to address the situation through targeted strategies which may include an anger management programme, an individual behaviour management plan or other interventions agreed by the SENCO. This may require additional support from, other services, for example, Behaviour Support, SEND services or the Educational Psychologist.

In some circumstances a multi-agency approach may be appropriate to help identify an additional need for a particular child. I.e. Early Help Assessment

It is also helpful to consider the circumstances precipitating the incident to explore ways in which future incidents can be avoided.

***All incidents should be recorded immediately on the Pupil Restraint Report Form (Appendix A). All sections of this report should be completed so that any patterns of behaviour can be identified and addressed.***

***In the event of any future complaint or allegation this record will provide essential and accurate information.***

***A copy should be filed in the child's appropriate file and in a central school file in order to inform individual and school risk assessments. All records such be kept securely.***

A member of the Senior Leadership Team will contact parents as soon as possible after an incident, normally on the same day, to inform them of the actions that were taken and why, and to provide them with an 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

## **Physical contact with pupils in other circumstances**

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.

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

- a. Holding the hand of the child at the front/back of the line when going to assembly or when walking together around the school;
- b. When comforting a distressed pupil;
- c. When a pupil is being congratulated or praised;
- d. To demonstrate how to use a musical instrument;
- e. To demonstrate exercises or techniques during PE lessons or sports coaching;
- f. To give first aid.

All staff should be aware of the possible misinterpretation of actions such as this, so wherever possible any such contact should only be used where another member of staff is present, or the contact made in such a way that it cannot be misinterpreted. Staff should be particularly aware of cultural and gender issues around physical contact#

## **Complaints and Allegations**

A clear restraint policy, adhered to by all staff and shared with parents, should help to avoid complaints from parents. It is unlikely to prevent all complaints, however, and a dispute about the use of force by a member of staff might lead to an investigation, either under the complaints disciplinary or allegation management procedures.

*Stoke-on-Trent Child Protection and Safeguarding Procedures* will be followed when dealing with allegations against staff.

It is our intention to inform all staff, pupils, parents and governors about these procedures and the context in which they apply.

## **References**

Use of reasonable force in schools Ref: DFE-00295-2013

Care and Control Guidelines 2006 ER CFAS

“Keeping Children Safe in Education” 2020 issued under Section 175 of the Education Act (2002) Updated January 2021

- See also Managing Allegations against Adults Working with Children and Young People (LADO policy)
- [Safeguarding Practice Guidance - Staffordshire Safeguarding Children Board \(staffsscb.org.uk\)](http://staffsscb.org.uk)
- [http://webapps.stoke.gov.uk/uploadedfiles/Leaflet%20 8 %20Safer Working Education Settings%20Sept%202016.pdf](http://webapps.stoke.gov.uk/uploadedfiles/Leaflet%208%20Safer%20Working%20Education%20Settings%20Sept%202016.pdf)

We will review this policy on a yearly basis.

**Signed**.....  
Executive Headteacher

**Signed**.....  
Co-Chair Local Governing Board

**Date**.....



## Appendix A

### St. Mark's Record of Physical Intervention or Restraint

#### RECORD OF PHYSICAL INTERVENTION OR RESTRAINT

**Date of incident:**

**Time of incident:**

**Pupil Name:**

**D.O.B:**

**Member(s) of staff involved:**

**Adult witnesses to restraint:**

**Pupil witnesses to restraint:**

**Outline of event leading to restraint:**

**Outline of incident of restraint (including restraint method used):**

**Outcome of restraint:**

**Signed: .....**  
**Member of staff**

**Signed: .....**  
**Executive Headteacher**

**Date: .....**