

Kirk Smeaton Church of England Primary School

Pupil Restraint - Physical Intervention



Person responsible: Hannah Cuddy

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Background and Guidance to Pupil Restraint

Introduction

The DfES indicates that governing bodies should have a policy on the use of force to control or restrain pupils. It is suggested that this is included in the school's discipline policy, making it clear to staff, parents and pupils what is acceptable and what is not. There has been a cautious response from the teachers' associations and unions to the introduction of the legislation in 1996 that permits the use of force to restrain pupils in certain circumstances. This is because the DfES advice has not been tested at law and restraining a pupil could still be construed as an assault. But all schools should include in their pupil discipline policy the school's position on its use as well as guidance on the use of force to control or restrain pupils. For example, where there is a fight between pupils, members of staff should always ensure there is a colleague present, where possible, before any action is taken and witness statements must be taken immediately by authorised members of staff.

Legislation

The Education Act 1996 forbids corporal punishment, but allows all teachers to use reasonable force to stop a pupil from:

- committing a criminal offence;
- injuring themselves or others;
- damaging property;
- acting in a way that is counter to maintaining good order and discipline at the school. The Act does not cover more extreme cases, such as action in self-defense or in an emergency, when it might be reasonable for someone to use a degree of force.

Definition of Reasonable Force

There is no legal definition of 'reasonable force' so it is not possible to set out comprehensively when it is reasonable to use force, or the degree of force that may reasonably be used. It will always depend on all the circumstances of the case.

There are three considerations that need to be made:

1. The use of force can be regarded as reasonable only if the circumstances of the particular incident warrant it; therefore physical force could not be justified to prevent a pupil from committing a trivial misdemeanour or in a situation that clearly could be resolved without force.
2. The degree of force employed must be in proportion to the circumstances of the incident and the seriousness of the behaviour or the consequences it is intended to prevent. Any force used should always be the minimum needed to achieve the desired result.
3. Whether it is reasonable to use force, and the degree of force that could reasonably be employed, might also depend on the age, understanding and gender of the pupil. It is clear, however, that force cannot be used as a disciplinary sanction to punish a pupil because corporal punishment is unlawful in all schools under section 131 of the School Standards and Framework Act 1998.

Authorisation and Training

All staff can restrain pupils if necessary. This might include teaching assistants, midday supervisors, specialist support assistants, education welfare officers, people accompanying pupils on visits, and so on. All staff are trained in positive handling techniques.

Records

Detailed and up-to-date records should also be kept of incidents where restraint is used. It is always advisable to inform parents of such an incident and to allow an opportunity to discuss it.

Records of incidents should include:

- the name(s) of the pupil(s) involved;
- when and where the incident took place;
- why the use of force was deemed necessary;
- details of the incident, including all steps taken to diffuse the situation and resolve it without force;
- the nature of the force used and the pupil's response;
- the outcome of the incident; and

- a description of any injuries suffered by the pupil or others and/or any property damaged during the incident. Care should be taken to avoid restraining actions that might be construed as physical assault such as holding a pupil round the neck, by the collar, thereby restricting the pupil's breathing. Where possible, no member of staff should try to resolve a situation unaided and should be supported by another member of staff.

Guidance for Staff

Examples of situations where restraining force can be used include:

- when a pupil attacks a member of staff;
- when a pupil attacks another pupil;
- when a pupil is causing, or at risk of causing, injury or damage by accident, by rough play, or by misuse of dangerous materials or objects (for example on the sports field);
- when a pupil persistently refuses to obey an order to leave a classroom;
- when a pupil is seriously disrupting a lesson.

The above advice is based on DfES circular 10/98 Section 550A of the Education Act 1996: The Use of Force to Control or Restrain Pupils. The following advice comes from North Yorkshire Education Authority

Generally:

It is better to defuse than intervene

- Be sure that there is a whole-school policy on violence and that everyone knows the same drill;
- Our established code is; if a member of staff needs help immediately a child/adult will make the school office aware and staff there will coordinate the help;
- Drill everyone in leaving both classroom and, if necessary, playground (if unsafe);
- Talk over episodes together. Find out what you think might have been a good response in difficult situations;
- Establish a culture of openness. Don't hide behind a notion of professionalism;
- It is unprofessional not to report incidents.



On breaking up a fight:

- Get rid of non-combatants: violence thrives on witnesses;
- Don't put yourself at risk; alert colleagues, enlist their help;
- Assess a situation first;
- Be calm, don't take it personally;
- Use verbal intervention first;
- Think about surprise and noise as more useful than force; a bucket of cold water may be much more effective than another body in the fray.

On misuse of dangerous materials:

- minimise the number of people who may be affected and protect yourself as much as possible.

On stopping a pupil absconding:

- Remember if you stop a pupil leaving the premises, think what you do next as you cannot imprison him or her, do not run after the absconder, keep calm and follow if possible at a discrete distance. In a worst-case scenario call the police.

Non-physical Intervention Techniques

Do	Don't
Appear calm and relaxed Keep the pitch and volume of your voice down.	Don't appear afraid or unsure of yourself.
Feel comfortable with the fact that you are in control (if you control yourself, you control the situation).	Don't appear bossy, arrogant, nor assume an "I don't give a damn about you" attitude.
Project a calm assured feeling that you will see the situation through to a peaceful end not matter what happens.	Don't raise your voice.
Talk with the pupil.	Don't appear to expect an attack or you will have one!
Be very matter of fact if the pupil becomes agitated.	Don't give commands.
Monitor breathing (chest movements telegraph an aggressive response).	Don't make demands.

Stay close to the pupil and attend to him/her.	Don't maintain continuous eye contact.
Be patient and don't give up. Don't display emotion of any kind. If a pupil's agitation increases to the verge of attack:	Don't make threats! (especially any that you are not absolutely sure that you can carry through).
Remain seated as long as the pupil does.	Don't turn your back or leave.
Acknowledge his/her feelings.	Don't argue or disagree.
Always leave the pupil an avenue of escape.	Don't corner the pupil physically or psychologically.
Allow the pupil some space. If he/she attempts to escape, keep an eye on him/her.	Don't get up towards pupil – avoid crowding.
Stay near him/her, about one arm's length away, stand to the side.	Don't give up and don't move away. Learn how to relax your muscles and keep them under control.

Other Relevant Policies and Procedures

1. Exclusion appeals
2. Behaviour
3. Anti - Bullying

Principles Relating to the Use of Physical Restraint

1. Staff should have good grounds for believing that immediate action is necessary to prevent a pupil from significantly injuring himself or others, or causing serious damage to property.
2. Staff should take steps in advance to avoid the need for physical restraint, e.g. through dialogue and diversion, allowing space, talking, listening and humouring, cajoling and reasoning, diversion and distraction, and the pupil should be warned orally that physical restraint will be used unless he/she desists.
3. Only the **MINIMUM FORCE NECESSARY** to prevent physical injury or damage should be applied.
4. Every effort should be made to secure the presence of other staff before applying restraint. These staff can act as assistants and witnesses.
5. As soon as it is safe, restraint should be gradually relaxed to allow the pupil to regain self-control.
6. Restraint should be an act of care and control, not punishment.
7. Physical restraint should not be used purely to force compliance with staff instructions when there is no immediate risk to people or property.

General Principles Governing Interventions to Maintain Control

1. A distinction must be maintained between the use of 'one-off' intervention, which is appropriate in the particular circumstances, and using it repeatedly as a regular feature of a regime.
2. Staff must be able to show that the method of intervention was in keeping with the incident that gave rise to it.
3. The degree and duration of any force applied must be proportional to circumstances.
4. The potential for damage to persons and property in applying any form of restraint must always be kept in mind.
5. The failure of a particular intervention to secure a pupil's compliance should not automatically signal the immediate use of another more forceful form of intervention.
6. Escalation should be avoided if possible, especially if it would make the overall situation more destructive and/or unmanageable.
7. The age and social competence of the pupil should be taken into account in deciding what degree of intervention is necessary.
8. Consideration should be given to approaches to control that would be appropriate to that particular pupil.

Operational/procedural Points Relating to the Use of Physical Restraint

1. The circumstances and justification for using physical restraint must be recorded immediately.
2. Afterwards, the pupil should discuss and be counselled on why it was necessary to restrain him/her. He/she should also be given the chance to put his/her side of the story. This will take place using our withdrawal room procedure to record an incident.
3. The head teacher, or senior member of staff authorised to act for the head teacher, should discuss the incident with the teacher within 24 hours.
4. A full report of every incident should be prepared within 48 hours (the sooner the better).

5. Where it is clear that the teacher concerned needs further advice/support/training, the head teacher should take prompt action to see that it is provided.
6. Staff meetings should provide the opportunity for a 'post mortem' of the incident where discussion is essential to prevent the development of a culture where a physical response becomes routine.

Staff Training and Support

Managing pupils, particularly those pupils who exhibit challenging behaviour, is a very physically, emotionally and mentally demanding task. Pupils on this continuum can engender high levels of stress that must be recognised and managed appropriately. Staff will be given the opportunity to discuss incidents where physical restraint was employed and, in particular, to identify whether any alternative strategy might have been equally effective using non-physical intervention strategies.

This policy recognises an ongoing staff training need, with respect to management of behaviour and use of physical restraint. The whole staff will need ongoing updating of current information and strategies - teachers, teaching assistants, support staff etc.

Refresher training will be carried out every 3 years.

- March 18 (3 hour training session- NYCC)
- All day training completed Sept 21.

Record of Incident Involving the use of Physical Intervention with Children or Young People. To be completed on each occasion where physical intervention is used. This report should normally be completed as soon as practically possible after an incident

Name of child/young person:	
D.o.B:	
Date of Incident:	
Time of Incident	
Place:	
Physical Intervention is any form of physical contact with the intention of containing the behaviour of a child / young person	
Reporting Staff: Other Staff Involved:	
Staff Witness:	
Child/Young Person Witness:	
Precursors to incident	
Details of Post Incident Discussion with Child / Young Person	Location: Date: Time: Present:
Details of Post Incident Discussion with Staff	Location: Date: Time: Present:
What strategies were agreed for inclusion in the Behaviour Management Plan?	
Action Taken by Head	Parent / Carer(s) Informed Verbally: Date: Time: Follow-up Letter Date;
Action Taken by Head	Copies of Report Lodged / Sent to: Social Worker Child/Young Person's File Child Protection Unit Health and Safety Unit Other: (Please Specify) Other Professionals Informed: (Please enter details below) Name: Designation: Date:

Complete ABC chart;

Name..... Sheet number;

A ; Antecedents	B; Behaviour	C; Consequences
<p>Concise details of how the incident began.</p>	<p>The nature of the child/young persons behaviour</p>	<p>De-escalation techniques used prior to physical intervention</p> <p>E.g. Verbal Advice and Support Reassurance Calm Talking Humour Distraction Options Offered Step Away Support Systems Negotiation Non-threatening body Warning Instruction Other (Please Specify)</p>

Details of any Injury

Who was injured? Name	1.
	2.
Date	
Time	
Give brief details of injury	
Body map completed overleaf?	YES/NO
Medical treatment provided?	YES/NO
Accident form completed?	YES/NO
Comments	