



PHYSICAL INTERVENTION & CONTACT WITH PUPILS POLICY

(2014)

This policy has used the following as a resource base:

- Section 93: Power of members of staff to use force. Education and inspections act 2006
- The section re-enacts section 550A of the 1996 Act with minor changes
- Safe and effective intervention – Use of reasonable force March 2013

This policy should be read in conjunction with the policy on searching pupils /confiscation of property

Aims

The aims of this policy are to:

- Explain staff rights to use physical restraint when necessary
- Explain the circumstances in which physical restraint may be justified
- Set out the recording and reporting system
- Explain the various responsibilities.

Objectives of the policy are:

- Maintaining the safety of pupils and staff
- Preventing serious breaches of school discipline
- Preventing serious damage to property
- The need to preserve children and young people's rights

Minimising the need to use force

Restraint should be a last resort and in order to reduce the need for its use the school will continue in:

- Creating a calm environment that minimises the risk of incidents that might require using force arising
- Using social and emotional well-being approaches to teach pupils how to manage conflict and strong feelings
- De-escalating incidents if they do arise
- Only using force when the risks involved in doing so are outweighed by the risks involved in not using force
- Use risk assessments and positive handling plans for individual pupils

Powers of members of staff to detain students by use of force

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)
- Prejudicing the maintenance of good order and discipline

There is no legal definition of reasonable force but 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.

Where a school has pupils with known severe behaviour disorder, only trained staff are allowed to use restraint techniques. The member of staff must be trained in the technique that is to be used. No staff can physically restrain pupils exhibiting extremes of behaviour unless so trained.

Deciding on whether to use force

Staff should only use force when:

- The potential consequences of not intervening were sufficiently serious to justify considering use of force
- The chances of achieving the desired result by other means were low; and the risk associated with not using force outweighed those of using force.

Circumstances where physical restraint may be justified

Physical restraint should only be used as a **last resort**; other non-physical strategies for diffusing the situation must be tried first.

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.

If there is need to restrain a child with known behavioural difficulties, only staff trained in appropriate restraint techniques should **normally** attempt to restrain such students (staff training will be offered).

The Governing Body appreciates that in some instances (such as stopping a child who is running down a corridor) staff may have to act quickly, and without having the time to consider all the circumstances.

Examples of behaviour likely to lead to restraint:

- Physical attack by a student on an adult/student
- Deliberate damage to school property
- A student behaving in a way which places others at risk, eg pushing, tripping on a staircase, rough play or running in a corridor
- Preventing a student running into a busy road
- Refusal by a disruptive student to leave the classroom
- To prevent issues of self-harm

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

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

Restraint should not lead to injury - staff **SHOULD 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
- Hold a student face down on the ground

Physical contact with vulnerable students

Normally all staff should avoid physical contact with pupils. But it is accepted that some more vulnerable pupils, and particularly those with special educational needs, require more physical contact than other pupils in order to assist 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** should **normally** use restraint techniques on vulnerable pupils with behavioural difficulties, and the techniques which may be used are only the ones that the member of staff is trained to use.

When physical contact is made with pupils 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.

If a member of staff believes that an action could be misinterpreted, the incident and circumstances should be recorded as soon as possible on the school's incident sheets and, if appropriate, a copy placed on the pupil's file.

Post incident support

Following an incident where physical restraint has been necessary the school will help in supporting the staff and pupils involved in incidents, including meeting the immediate physical needs and rebuilding relationships, and ensuring that lessons are learned from the incident.

Reporting and recording

All incidents where physical intervention has been used will need to be recorded on Annex 1 at the end of this policy. Annex 2 should be used for assessing and managing foreseeable risks for children who present challenging behaviours. In these incidents a Behaviour Management Plan is needed.

Staff Code of Conduct

Staff at Ysgol Bryn Elian are expected to:

- Be aware that even well intentioned physical contact may be misconstrued by the pupil, an observer or by anyone to whom this action is described
- Always be prepared to explain actions and accept that all physical contact be open to scrutiny
- Be aware of the government guidance in respect of physical contact with pupils and meeting medical needs of children
- Ensure that all incidents are reported and logged in the school's Incident Log

Staff may legitimately intervene using physical restraint to:

- Prevent a pupil from committing a criminal offence
- Injuring themselves or others
- Causing damage to property
- Engaging in behaviour prejudicial to good order
- Maintain good order and discipline

Staff should have regard to the health and safety of themselves and others.

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

Under no circumstances should physical force be used as a form of punishment.

The use of unwarranted physical force is likely to constitute a criminal offence.

Staff at Ysgol Bryn Elian must:

- Adhere to the school's physical intervention and contact with students policy
- Always seek to defuse situations
- Always use minimum force for the shortest period necessary

Training and Support

The Head will ensure that appropriate training is offered to staff on a regular basis.

The Head will ensure that the system enables account to be taken of the records in the Incident Log and elsewhere.

Responsibilities

The Governing Body is responsible for making and reviewing the policy.

The Head is responsible for the implementation of the policy in the school.

All staff have a duty to know the policy and to ensure that it is implemented.

Monitoring and Review

The Head will:

- Ensure that a recording and reporting system is in place and is maintained; in the form of a book kept in the Head Teacher's PA's office. This allows easy access for all staff.
- Report incidents and the outcome to the Governing Body.
- The Governing Body will review the policy every two years

Annex 1: Use of force to control or restrain pupils: INCIDENT REPORT FORM

Details of pupil or pupils on whom force was used by a member of staff (name, class)	
Date, time and location of incident	
Names of staff involved (directly or as witnesses)	
Details of other pupils involved (directly or as witnesses), including whether any of the pupils involved were vulnerable for SEN, disability, medical or social reasons.	
Description of incident by the staff involved, including any attempts to de-escalate and warnings given that force might be used.	
Reason for using force and description of force used.	
Any injury suffered by staff or pupils and any first aid and/or medical attention required	
Reasons for making a record of the incident	
Follow up, including post-incident support and any disciplinary action against pupils	
Any information about the incident shared with staff not involved in it and external agencies	
When and how those with parental responsibility were informed about the incident and any views they have expressed	
Has any complaint been lodged (details should not be recorded here)?	
Report compiled by: Name and role: Signature: Date:	Report countersigned by: Name and role: Signature Date:

Annex 2: Proforma for assessing and managing foreseeable risks

Name of child:	
Class group:	
Name of teacher:	
School:	Ysgol Bryn Elian

<u>Identification of Risk</u>	
Describe the foreseeable risk:	
Is the risk potential or actual? (Has there already been an incident?)	
List who is potentially affected by the risk:	
<u>Assessment of Risk:</u>	
In which situations does the risk usually occur?	
How likely is it that the risk will arise?	
If the risk arises, who is likely to be injured or hurt?	
What kinds of injuries or harm are likely to occur?	
How serious are the adverse outcomes?	

Assessment completed by:

Print Name:

Signature:.....

Date:

Risk Reduction Options			
Measures	Possible options	Benefits	Drawbacks
Proactive interventions to prevent risk			
Early interventions to manage risk			
Reactive interventions to respond to adverse outcomes			

Agreed Behaviour Management Plan and School Risk Management Strategy		
Focus of Measures	Measures to be employed	Level of Risk
Proactive interventions to prevent risk		
Early interventions to manage risk		
Reactive interventions to respond to adverse outcomes		

Agreed by:

Relationship to child

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Date:

Communication of Behaviour Management Plan and School Risk Management Strategy		
Plans and strategies shared with	Communication Method	Date Actioned

Staff Training Issues		
Identified training needs	Training provided to meet needs	Date training completed

Evaluation of Behaviour Management Plan and School Risk Management Strategy		
Measures set out	Effectiveness in supporting the child	Impact on risk
Proactive interventions to prevent risks		
Early interventions to manage risks		
Reactive interventions to respond to adverse outcomes		
ACTIONS FOR THE FUTURE		

Plans and strategies evaluated by:

Relationship to child

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Date:

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COPIES OF ALL THESE DOCUMENTATIONS NEED TO BE PASSED ON TO Miss T LEWIS FOR FILING IN THE CHILD PROTECTION FILE