



## ROEDEAN MOIRA HOUSE PHYSICAL RESTRAINT 2018-19

### Physical Restraint

This policy is for the whole school including the Early Years Foundation Stage (EYFS)

### Purpose

The purpose of this policy is to safeguard the wellbeing of pupils and staff when an incident requires the use of physical intervention. Its intention is to develop and encourage consistent and safe practices in the use of physical restraint. Staff should not hesitate to act in an emergency provided they follow this guidance; however, they should always satisfy themselves that the action they take would be considered justifiable by a wider audience of their professional colleagues.

### Definition

- Force is usually used either to control or restrain. This can range from guiding a pupil to safety by the arm through to more extreme circumstances such as braking up a fight or where a student needs to be restrained to prevent violence or injury.
- 'Reasonable in the circumstances' means using no more force than is needed. Reasonable force can be used to prevent pupils from hurting themselves or others, from damaging property or from causing disorder.
- Control means either passive physical contact, such as standing between pupils or blocking a pupil's path, or active physical contact such as leading a pupil by the arm out of a classroom.
- Restraint means to hold back physically or to bring a pupil under control. It is typically used in more extreme circumstances, for example, when two pupils are fighting and refuse to separate without physical intervention.
- Injury means 'significant injury'; this would include: actual or grievous bodily harm, physical or sexual abuse, risking the lives of, or injury to, themselves or others by wilful or reckless behaviour, and self-poisoning.
- It must be shown that, on any occasion where physical restraint is used, there were strong indicators that if immediate action had not been taken injury would have followed.
- School staff should always try to avoid acting in a way that might cause injury, but in extreme cases it may not always be possible to avoid injuring the pupil.

### Who can use reasonable force?

- All members of School staff have a legal power to use reasonable force. This power applies to any member of staff at the School. It can also apply to people whom the Principal has temporarily put in charge of pupils such as unpaid volunteers or parents accompanying students on a School organised visit.
- 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.

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### **When can reasonable force 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 two stop a fight in the playground.
- Restrain a pupil at risk of harming themselves through physical outbursts.

Schools cannot use force as a punishment.

### **When might force be used?**

- We will physically separate pupils found fighting or if a pupil refuses to leave a room when instructed to do so, they may be physically removed.
- When leading a child to safety by the arm.
- When it is necessary to prevent violence or injury.
- We will make reasonable adjustments for disabled children and children with Special Educational Needs.

### **Complaints about the use of force**

- All complaints about the use of force will be thoroughly, speedily and appropriately investigated.
- Where a member of staff has acted within the law - that is, they have used reasonable force in order to prevent injury, damage to property or disorder - this will provide a defence to any criminal prosecution or other civil or public law action.
- When a complaint is made the onus is on the person making the complaint to prove that her allegations are true - it is not for the member of staff to show that he/she acted reasonably.
- Suspension must not be an automatic response when a member of staff has been accused of using excessive force. We will refer to the 'Managing Allegations against Staff' guidance where an allegation of using excessive force is made against a teacher.
- We will consider carefully whether the circumstances of the case warrant a person being suspended until the allegation is resolved or whether alternative arrangements are more appropriate.
- If a decision is taken to suspend a teacher, we will ensure that the teacher has access to a named contact who can provide support.
- The School Council will consider whether a teacher has acted within the law when reaching a final decision on whether or not to take disciplinary action against the teacher.
- As employers, we have a duty of care to our employees. It is important that we provide appropriate pastoral care to any member of staff who is subject to a formal allegation following a use of force incident.



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### When it is OK to touch a pupil?

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:

- Holding the hand of the child at the front/back of the line when going to assembly or when walking together around the School
- 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
- To give First Aid

### Guidance: During an incident

In any application of physical restraint, the minimum reasonable force should be used to calm the situation. Help should be summoned from colleagues; other pupils should never be involved in restraint.

The pupils should be approached calmly but firmly. Where possible, explain the consequences of refusing to stop the behaviour and continue to communicate with the pupil throughout the incident; it should be made clear that the physical contact or restraint will stop as soon as it ceases to be necessary. A calm and measured approach is needed and a teacher must never give the impression that he/she has lost his/her temper or is acting out of anger or frustration - or to punish the pupil.

The method of restraint employed must use the minimum force for the minimum time and must observe the following requirements:

Restraint must NOT:

- Involve hitting the pupil
- Involve deliberately inflicting pain on the pupil
- Restrict the pupil's breathing
- Involve contact with sexually sensitive areas

During any incident the restrainer should:

- Offer verbal reassurance to the pupil
- Cause the minimum level of restriction of movement
- Reduce the danger of any accidental injury

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Physical intervention can take several forms. It might involve staff:

- Physically interposing between pupils
- Blocking a pupil's path
- Holding
- Pushing
- Pulling
- Leading a pupil by the hand or arm
- Shepherding a pupil away by placing a hand in the centre of the back, or (in extreme circumstances) using more restrictive holds

### Some Do's and Don'ts

#### DO

- Tell the pupil what you are doing and why and use the minimum force necessary
- Be aware of any feelings of anger
- Involve another member of staff if possible
- Continue to talk to the pupil in a calm way
- Provide a soft surface if possible
- Be aware of any accessories worn by you or the pupil
- Hold the pupil's arm by her side
- Tell the pupil what she must do for you to remove the restraint, use simple and clear language

#### DON'T

- Act in temper
- Involve yourself in a protracted verbal exchange with the pupil
- Try to manage on your own
- Stop talking even if the pupil does not reply
- Straddle the pupil
- Push arms up the back
- Touch the pupil near the throat or head
- Put pressure on joints
- Involve other pupils in the restraint

### Recording Incidents

It is important that a written report is kept on PASS on any occasion where force is used; the member of staff concerned should advise the Principal or a senior member of staff immediately following the incident and provide a written report on PASS as soon as possible afterwards. The report should include:

- The name(s) of the pupil(s) involved
- When and where the incident took place
- The name(s) of any other staff or pupils who witnessed the incident
- The reason that force was necessary
- How the incident began and progressed
- The pupil's response and the outcome of the incident
- Details of any injury suffered by the pupil/another pupil/member of staff and any damage to property



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Staff may find it helpful to seek advice from their professional association or a senior colleague when writing a report.

### **Related policies and documents**

This policy should be read in conjunction with the following policies and documents:

- Employee Handbook
- Staff Handbook
- Code of Conduct for Employees
- Health Safety Handbook
- Boarding Staff Handbook
- National Minimum Standards for Boarding Schools
- ISI Handbook for the Inspection of Schools, Regulatory Requirements
- Teachers' Standards
- Departmental Handbook
- Keeping Children Safe in Education
- Safeguarding Policy
- Pastoral Care Policy
- Complaints Policy (Parents)
- Complaints Policy (Pupils)

POLICY REVIEWED BY SCHOOL: May 2018

POLICY REVIEWED BY SCHOOL COUNCIL: June 2017

NEXT REVIEW: June 2019