

## Hadrian Learning Trust

### Physical Intervention and Restraint Policy

This policy is developed from advice contained in the 2013 DfE guidance document - [Use of Reasonable Force - Advice for Headteachers, Staff and Governing Bodies](#)

#### 1. The legal framework

Section 93 of the Education & Inspections Act 2006 allows 'teachers and other persons who are authorised by the Head Teacher who have control or charge of students to use such force as is reasonable in all the circumstances to prevent a student from doing, or continuing to do, any of the following:-

- causing injury to his/herself or others
- committing an offence
- damaging property with the potential to cause or sustain harm
- prejudicing the maintenance of good order & discipline where safety may be compromised.

Examples where reasonable force may be used:

- to remove disruptive children from the classroom where they have refused to follow an instruction to do so and safety is likely to be compromised; (only in exceptional circumstances, in most instances the class would be moved);
- to prevent a student behaving in a way that disrupts a school event or a school trip or visit;
- to prevent a student leaving the classroom where allowing the student to leave would risk their safety or lead to behaviour that disrupts the behaviour of others;
- to prevent a student from attacking a member of staff or another student, or to stop a fight in the playground or corridors;
- to restrain a student at risk of harming themselves through physical means.

In addition to the general power to use reasonable force described above headteachers and authorised staff can use such force as is reasonable given the circumstances to conduct a search for the following "prohibited items" knives and weapons, alcohol, illegal drugs, stolen items, tobacco and cigarette papers, fireworks, pornographic images, any article that has been or is likely to be used to commit an offence, cause personal injury or damage to property. Force cannot be used to search for items banned under the school rules and student consent is needed

#### Physical contact with students other than reasonable force

It is not illegal to touch a student. There are occasions when physical contact, other than reasonable force, with a student is proper and necessary. Examples of where touching a student 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 student;
- When a student 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. All of the above should be person-centred and within the boundaries of the child's capabilities, taking into account specific considerations, such as special educational needs.

## 2. Our approach

At HMS and QEHS we aim to avoid the need for physical intervention and regard this as a last resort in a 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 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 students' safety and wellbeing. Staff are not expected to place themselves in situations where they are likely to suffer injury as a result of their intervention.

Our policy for physical intervention is based upon the following values:-

- Everyone attending or working in this school has a right to:
- recognition of their unique identity;
- be treated with respect and dignity;
- learn and work in a safe environment; and
- be protected from harm, violence, assault and acts of verbal abuse.

Students attending this school and their parents have a right to:

- individual consideration of student needs by the staff who have responsibility for their care and protection;
- expect staff to undertake their duties and responsibilities in accordance with the school's policies;
- be informed about school rules, relevant policies and the expected conduct of all students and staff working in school; and
- be informed about the school's complaints procedure.

It is also based on 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 relevant member of staff as soon as possible (see Appendix 1)
- Parents will be informed of each incident.

## 3. 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, allows the student to regain self-control. It should never take a form which could be seen as punishment.

Particular attention will be given to individuals' needs which arise from any additional needs or disability.

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 student to whom it is being applied. For the purposes of this policy the following definition for reasonable force applies

1. The term 'reasonable force' covers the broad range of actions used by most teachers at some point in their career that involve a degree of physical contact with students.
2. Force is usually used either to control or restrain. This can range from guiding a student to safety by the arm through to more extreme circumstances such as breaking up a fight or where a student needs to be restrained to prevent violence or injury.

3. 'Reasonable in the circumstances' means using no more force than is needed.
4. As mentioned above, schools generally use force to control students and to restrain them. Control means either passive physical contact, such as standing between students or blocking a student's path, or active physical contact such as leading a student by the arm out of a classroom.
5. Restraint means to hold back physically or to bring a student under control. It is typically used in more extreme circumstances, for example when two students are fighting and refuse to separate without physical intervention.
6. 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 student.

Wherever possible, teachers should try to deescalate situations through verbal instruction to avoid the need for use of reasonable force/physical restraint. 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 and when inaction would be irresponsible. When physical restraint becomes necessary:

#### DO

- Attempt to resolve the incident by asking calmly and clearly to 'stop - doing what they are doing'
- Use the minimum force necessary
- Involve another member of staff if possible
- Tell the student what s/he must do for you to remove the restraint (this may need frequent repetition)
- Use simple and clear language
- Use the advice from the 'Safer Handling' training as closely as possible.
- Relax your restraint in response to the student'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 student
- Involve other students in the restraint
- Touch or hold the student 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 student in a way which will restrict blood flow or breathing e.g. around the neck
- Slap, punch, kick or trip up the student
- Use physical restraint or intervention as a punishment

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 headteacher has temporarily put in charge of students such as unpaid volunteers or parents accompanying students on a school organised visit.

#### 4. 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 student. The head teacher 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 student 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 the development

of a personalised support plan, which may include an anger management programme, or other strategies agreed by the SENDCO. This may require additional support from, other services. In some circumstances an EHA may be appropriate to help identify an additional need for a particular child.

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 Student Restraint Report Form (Appendix 1) 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.

A relevant member of pastoral staff/SENDCO will contact parents as soon as possible after an incident, to inform them of the actions that were taken and why, and to provide them with an opportunity to discuss it. Informing parents will take place on the same day, unless there are exceptional circumstances and these should be recorded on the incident form,

## **5. Risk Assessments**

If we become aware that a student 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 students and staff

## **6. Complaints and Allegations**

A clear physical intervention and 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.

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

We will review this policy annually, as DfE guidance is updated and in relation to particular incidents that may occur.

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Reviewed and updated: July 2022

**Appendix 1 - Student Restraint Report Form**

<b>RECORD OF PHYSICAL INTERVENTION OR RESTRAINT</b> (please also complete the body chart to illustrate where student held and any injuries sustained)	
Date of incident:	Time of incident:
Student Name:	Year group:
Member(s) of staff involved:	
Adult witnesses to restraint:	
Student witnesses to restraint:	
Outline of event leading to restraint; explain what happened in the build-up, both immediate and any historical factors:	
Outline of incident of restraint; specifically explain what happened, being honest and factual. Explain the restraint method used:	
Outcome/consequence of the restraint; explain what happened afterwards:	
Description of any injury(ies) sustained by student and any subsequent treatment (and record on body chart below)	
Signature of member of staff completing report:	Date:

**MANAGEMENT FOLLOW-UP**

Date parent/carer informed of incident:

Time:

By whom informed:

Outline of parent/carer response:

Brief description of any subsequent investigation/complaint or action:

Signature of member of staff following up:

Date:

Body Chart Please mark where student held plus any injuries you are aware of, incurred as a consequence of restraint.

