

## **PHYSICAL INTERVENTIONS / RESTRAINT OF PUPILS POLICY**

### **A. Key Objectives**

- The key objective of this policy is the maintenance of the safety of all pupils and staff.
- It aims to prevent serious breaches of school discipline.
- It also aims to prevent serious damage to property occurring.

### **B. Minimising The Need To Use Force**

1. At Newbridge it is important to create a calm environment that minimises the risk of incidents occurring that might require force to be used. Pupils should be taught how to manage conflict and strong feelings.
2. It is important to try to stay in control, avoid confrontation and de-escalate potential conflict if it arises. Force should only be used when the risks involved in doing so are outweighed by the risks involved in not using force.
3. The school's behaviour policy sets out the sorts of strategies and approaches which staff should use to decrease the likelihood of challenging behaviour occurring, and to defuse incidents and avoid the need for physical intervention. This includes the use of Assertive Discipline and agreed approaches with individual pupils who have been involved in incidents causing concern.
4. It is important for all staff to be aware of any specific arrangements for individual pupils on whom risk assessments and positive handling plans should be in place.

### **C. Staff Authorised To Use Force**

1. Section 93 of the Education and Inspections Act 2006 enables school staff to use such force as is reasonable in circumstances to prevent a pupil from doing, or continuing to do, any of the following:
  - committing an offence
  - causing personal injury to, damage to the property of, any person (including the pupil him/herself) or
  - prejudicing the maintenance of good order and discipline at the school or among any pupils receiving education at the school, whether during a teaching session or otherwise.
2. The power may be used where the pupil (including a pupil from another school) is on the premises or elsewhere in the lawful control or charge of the staff member (for example, on a school visit).
3. At Newbridge, all members of staff work with and for pupils and are therefore deemed to have lawful control or charge of pupils and are authorised to use force to restrain pupils when necessary.
4. Other people who are invited by the school to be in the position of having control or charge of pupils are also given temporary authorisation to have this power. This includes staff employed by the CYPs, School Sports Partnership, specialist staff (eg music tutors), escorts, or voluntary helpers.

### **D. Deciding Whether To Use Force**

1. Staff and all authorised others should only use force when:
  - the potential consequences of not intervening are sufficiently serious to justify considering the use of force;
  - the chances of achieving the desired result by other means are low; and
  - the risk associated with not using force outweigh those of using force.

2. Staff will be kept informed about pupils who present particular risks to themselves or others (as a result of SEN and/or disabilities and/or other personal circumstances such as domestic violence) by written information and notices at Staff Briefings. Staff may be invited to attend specially convened meetings to discuss handling plans or other relevant information.
3. Staff should minimise the highest risks by calling for assistance from a member of SLT and/or alerting the Office to call the police if a weapon is involved, or suspected of being involved, and the pupil seems unlikely to hand it over or resist a search.

#### **E. Risk Assessments**

1. An individual risk assessment should be made when it is known that force is more likely to be necessary to restrain a particular pupil, such a pupil whose SEN and/or disability is associated with extreme behaviour.
2. An individual risk assessment is also essential for pupils whose SEN and/or disabilities are associated with:
  - a. communication impairments that make them less responsive to verbal communication;
  - b. physical disabilities and/or sensory impairments;
  - c. conditions that make them fragile, such as haemophilia, brittle bone syndrome or epilepsy; or
  - d. dependence on equipment such as wheelchairs, breathing or feeding tubes.
3. If the situation involves an older pupil, a large pupil, more than one pupil or if the member of staff believes he or she may be at risk of injury, the member of staff should take steps to remove other pupils who might be at risk and summon assistance from other staff, or where necessary, phone the police.

#### **F. Using Force**

1. Any force used should be reasonable and the minimum required for the shortest possible time to achieve the desired result. If it is judged necessary, then:
  - a. give a clear oral warning to the pupil that force may have to be used;
  - b. care should be taken not to use excessive force;
  - c. any form of restraint that is likely to injure a pupil (particularly anything that could constrict breathing) should only be used in extreme emergencies where there is no viable alternative;
  - d. adults need to be sensitive to issues of gender and to their own strength and body weight;
  - e. staff should always be avoid touching or restraining a pupil in a way that could be interpreted as sexually inappropriate conduct; and
  - f. as far as possible, force should not be used unless or until another responsible adult is present to support, observe and call for assistance.
2. Under the Disability discrimination Act 1995 schools must:
  - a. not treat a disabled pupil less favourably, for a reason relating to his or her disability, than someone to whom that reason does not apply, without justification; and
  - b. take reasonable steps to avoid putting disabled pupils at a substantial disadvantage to pupils who are not disabled (known as the reasonable adjustments duty).
3. Reasonable force may also be used in exercising the statutory power, introduced under Section 45 of the Violent Crime Reduction Act 2006, to search pupils without consent for weapons where there are reasonable grounds for suspicion that the pupil has a weapon. However, where resistance is expected, staff are advised not to search, but to call the police.
4. It is always unlawful to use force as a punishment.

## **F. Staff Training**

1. Decisions about training will be made by the SLT, the Pastoral Team and the SENCo, in conjunction with advice from parents, other schools and/or outside agencies where appropriate.
2. Training will be planned in accordance with the school's Professional Development policy.

## **G. Recording Incidents**

1. Every incident in which force has been used should be recorded using the attached recording form (Annex A).
2. The purpose of recording is to ensure policy guidelines are followed, to inform parents, to inform future planning as part of school improvement processes, to prevent misunderstanding or misinterpretation of the incident and to provide a record for any future inquiry.
3. Each member of staff directly involved in, or who witnesses an incident should complete a copy of the incident report and give it to the Headteacher who will check it and provide the member of staff involved with a copy of the final version.
4. Parents will not automatically be given a copy of the report, but it will provide a helpful basis for the information they receive.

## **H. Reporting Incidents**

1. The parent will be advised of an incident involving their child, either immediately or at the end of the day. Wherever possible it is best to telephone the parents as soon as possible after the incident before confirming details in writing.
2. A copy of the report will be held on the pupil's educational record, to which parents can be given access, on written request, within 15 days.
3. When recording such incidents, staff should bear in mind that, if this information is later passed to the police, it may be included in a CRB disclosure. Schools should retain records of such incidents until the member of staff has reached normal retirement age or for 10 years from the date of the allegation, if that is longer.
4. All injuries should be recorded in accordance with the school's procedures and will be reported to the LA and the Health & Safety Executive.
5. Where a member of staff is assaulted or suffers injury as a consequence of using reasonable force or restraint, the member of staff is advised to contact their professional organisation or trade union. Assaults on staff which result in physical injury will be reported without delay by the Headteacher to the LA and the Health & Safety Executive.

## **I. Post-Incident Support**

1. If injury or severe distress is suspected, prompt medical attention must be arranged, via First Aid procedures initially.
2. Staff and children should be given separate opportunities to talk about what happened in a calm and safe environment, when those involved have had an opportunity to regain their composure.
3. Debriefing staff and pupils may help in identifying exactly what happened, the effect on the participants, and possible ways of preventing the need to use force in the future.
4. It is good practice for parents to be involved in agreeing subsequent actions and support, particularly for pupils whose behaviour is associated with SEN and/or disabilities. Such plans should include strategies to prevent and deal with any recurrence of behaviour that could lead to the use of force.
5. A decision may need to be made whether to involve which, if any, multi-agency partners (eg the LA's children's services, CAMHS, YOT).
6. Where a pupil is responsible, they should be held to account so that he or she recognises and repairs the harm caused or which might have been caused. In some cases, an incident might lead to an exclusion.

## **J. Complaints And Allegations**

1. The legislation does not make staff immune to complaints or charges that they have acted inappropriately, and staff should be aware that they may need to justify their actions if they have used physical intervention. Any complaint or allegation that staff or other adults have acted inappropriately towards children will be dealt with through the school's complaints procedure and, if necessary, through other relevant procedures, eg local child protection procedures or the school's disciplinary procedure.
2. If there is the possibility of a claim for compensation, the complainant must be referred to the LA without delay.

## **K. Monitoring And Review**

1. The impact of this policy will be reviewed by the Headteacher following any incident where force has been used and any changes or developments will be made as deemed appropriate.
2. Any alterations to this policy required by changes to the law covering the restraint of pupils or use of force will be made as they arise.
3. This policy will be reviewed by Governors' Personnel and Pastoral Committee every three years.

May 2012

**NEWBRIDGE HIGH SCHOOL**

**RESTRAINT OF PUPILS – INCIDENT REPORT**

**DATE OF INCIDENT:**

**TIME OF INCIDENT:**

**LOCATION OF INCIDENT:**

**NAME(S) OF STAFF INVOLVED:**

**NAME(S) OF PUPIL(S) INVOLVED:**

**NAME(S) OF OTHER STAFF/PUPILS WHO WITNESSED INCIDENT:**

**BRIEF DESCRIPTION OF INCIDENT:**

(Please be objective and factual, outlining how incident began and progressed, details of pupil's behaviour, what was said by each of the parties, steps taken to defuse/calm situation, degree of force used, how applied, and for how long.) Please continue on a separate sheet if necessary.

