

PHYSICAL RESTRAINT POLICY

‘Seek Ye First the Kingdom of God...’

Matthew 6.33

At St. Patrick’s it is an aspect of our mission to have high expectations in all that we do including pupil behaviour. We also recognise our responsibility and duty to care for and support one another as adults and pupils. In general it is important that adults working in school avoid physical contact with pupils but it is neither desirable nor possible to have a total ‘no contact’ policy as there are a variety of situations where this would not be responsible (e.g. providing first aid, demonstrating use of a musical instrument, demonstrating sports techniques).

One such occasion where contact may be necessary is where there is a need for appropriate physical restraint or the use of reasonable force, both of which are permitted in law (DFE Use of Reasonable Force Non Statutory Guidance 2012) to prevent pupils from hurting themselves or others, from damaging property in such a way that it could cause serious injury to themselves or others or from causing disorder. It is recognised that in practice the use of reasonable force will be a rare event. This policy should be seen in conjunction with the right to search pupils.

Reducing the likelihood of a situation arising where use of force may be required

Although preventative measure will not always work, there are a number of steps which we will take to help reduce the likelihood of situations arising where the power to use force may need to be exercised:

- Creating a calm, orderly and supportive school climate that minimises the risk and threat of violence of any kind.
- Developing effective relationships between pupils and staff that are central to good order.
- Taking a structured approach to staff development that helps staff to develop the skill of positive behaviour management, managing conflict and also to support each other during and after an incident.
- Recognising that challenging behaviours are often foreseeable.
- Effectively managing individual incidents. It is important to communicate calmly with the pupil, using non-threatening verbal and body language and ensuring the pupil can see a way out of a situation.

- Wherever practicable, warning a pupil that force may have to be used before using it.

Purpose

The purpose of this policy is to outline what we as a school will do if there is ever the need to use force by:

- i) Explaining the rights of staff to use reasonable force when necessary
- ii) Explaining the nature of reasonable force
- iii) Setting out the circumstances in which reasonable force may be justified
- iv) Explaining the reporting and recording procedure
- v) Setting out the complaints process

Guidelines

i. The rights of staff

All members of staff have a legal power to use reasonable force within the limitations of this policy and there may be occasions when failure to do so could breach the duty of care towards pupils. The school will support staff where a member of staff uses reasonable force within the context of this policy.

ii. What is reasonable force?

Force can be used to either control or restrain. 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 and is typically used in more extreme circumstances. Regarding both control and restraint, 'reasonable force' means using no more force than is needed. Staff should always try to avoid acting in a way that might cause injury but it may not always be possible to avoid injury to a pupil.

iii. When can reasonable force be used?

- a) Reasonable force can be used to prevent pupils from hurting themselves or others, from damaging property in such a way that it could cause serious injury to themselves or others or from causing disorder. The decision on whether or not to use reasonable force is down to the professional judgement of the staff member concerned and should always depend on the individual circumstances. There is no need for parental consent prior to using reasonable force. In using reasonable force, reasonable adjustments need to be made for disabled pupils and pupils with a statement of special educational need.

It is not possible to provide a comprehensive list of all the situations in which it might be appropriate to use reasonable force and they will in practice be rare. Some examples of where reasonable force may be necessary to use are to:

- Remove disruptive pupils from a classroom where they have refused to follow an instruction to do so
- Prevent a pupil behaving in a way that seriously disrupts a school event
- Prevent a pupil leaving a classroom where allowing them to leave would seriously 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
- Restrain a pupil at risk of harming themselves through physical outbursts
- Physically separate pupils found fighting

Wherever possible, assistance should be sought so as to avoid one to one situations. Any other pupils at risk should be removed from the situation.

b) It is always unlawful to use force as a punishment and there are certain restraint techniques which present an unacceptable risk when used on young people. It is not therefore acceptable to:

- Use the 'seated double embrace' which would involve two members of staff forcing a person into a sitting position and leaning them forward while a third monitors breathing
- Use the 'double basket hold' which involves holding a pupil's arm across their chest
- Use the 'nose distraction technique' which involves a sharp upward jab under the nose

c) Except in an emergency, only trained staff should use restraint techniques on identified vulnerable pupils with behavioural difficulties. These are identified by the SEN department and reviewed regularly.

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Reporting and Recording

Any incident involving the use of physical force with pupils **MUST** be reported to the Director responsible for Pastoral Care & Guidance as soon as practically possible (or to another senior member of staff in their absence). Any incident involving the use of physical force must be written up in full. The Director responsible for Pastoral Care & Guidance will decide on how best to report the incident to parents/carers.

The pupil's parents will be informed of the incident and given the opportunity to come into school to discuss the incident. The incident record will go in the pupil's records and the incident file.

St Patrick's School has an open and accepting attitude towards children as part of its responsibility for pastoral care. We hope that parents and pupils will feel free to discuss any concerns with them.

Complaints

All complaints about the use of force will be investigated thoroughly, speedily and appropriately by a person appointed by the Headteacher. When a complaint is made the onus is on the person making the complaint to prove that the allegations are true.

Where there is an allegation against a member of staff of using excessive force the school will use the staff disciplinary policy but suspension will not be an automatic consequence of the allegation.

The school will ensure that appropriate pastoral care is made available to any member of staff who is subject to a formal allegation following a use of force incident. Where the decision is taken to suspend a member of staff, the Governing Body will consider whether a teacher has acted within the law when reaching a decision on whether or not to take disciplinary action.

Where a member of staff has acted within the law – to use reasonable force in order to prevent injury, damage or disorder – this will provide a defence to any potential criminal prosecution or civil action.

This policy has been written by C Humble

Date reviewed: April 2017

Date Agreed by Governors:

Date to be reviewed: April 2019 (or earlier if necessary)