



FORCE AND PHYSICAL RESTRAINT POLICY

The Governors of Frances Olive CE Primary School have drawn up this policy to ensure the correct implementation of DfEE circular 10/98, relating to section 550A of the 1996 Education act, 'The Use of Force to Control or Restrain Pupils.'

This policy, which forms part of our whole school Discipline & Behaviour policy, must be adhered to by all members of staff.

AIM:

The aim of this policy is to identify what forms of physical contact are allowed, to make all staff aware of the circumstances in which physical intervention might be appropriate and to identify factors that staff should bear in mind when deciding whether to use physical force. It also serves as a mechanism for informing parents of the legal situation surrounding the use of force in school.

RATIONALE:

Corporal punishment

The school does not authorise, in any way, the use of corporal punishment to discipline children. As section 550A states 'The law forbids a teacher to use any degree of physical contact which is deliberately intended to punish a pupil, or which is primarily intended to cause pain, injury or humiliation.'

Authorised use of force

Wherever possible, staff should attempt to use 'verbal' strategies for dealing with difficult situations. There are however certain instances when the use of physical force may be the only option to ensure the safety of both individual or groups of pupils or staff. Section 550A allows teachers and other persons who are authorised by the head teacher to use such force as is reasonable to prevent a pupil from doing, or continuing to do, any of the following:

- Committing a criminal offence.
- Injuring themselves or others.
- Causing damage to property - including the pupils' own property
- Engaging in any behaviour prejudicial to maintaining good order and discipline, either on school premises or on an educational visit.

To be consistent with our Behaviour policy, all members of staff are authorised by the head teacher and Governors to use reasonable force under the above circumstances. Parents and voluntary helpers who may be helping either in school or on educational visits, must only use reasonable force in situations where there is a significant risk of injury either to an individual child, other children or themselves.

The 1998 revised Education Act section 8 advises that such incidents are planned for. As soon as we are aware that a pupil may need to be restrained in anyway, a risk assessment will be carried out. This will be shared with all members of staff who are likely to be involved. This is also shared with parents. The risk assessment will include a plan for actions to be taken for that the individual if it is becoming apparent that de-escalation is not working

Physical force is not justified to prevent a trivial misdemeanour, or in a situation that could be resolved without force.

Reasonable force

There is no legal definition of reasonable force, so it is not possible to set out conclusively when staff are justified in using force or the degree of force that should be applied. However any force used should always be the **minimum needed** to achieve the desired result and should also be in relation to the age and physical size of the pupil.

Application of Force

Once again it is impossible to establish set rules regarding what type of contact is justified in different situations, however the following are the types of contact that are warranted, subject to the principle of reasonable force being used.

- Physically intervening between pupils who may be fighting
- Blocking the path of a pupil who may be about to commit a criminal offence
- Holding a pupil by the upper arm if they are in physical danger or are causing severe disruption
- Leading a pupil away from a conflict situation by holding the hand or upper arm
- Shepherding a pupil away by placing a hand in the centre of the back

Under no circumstances should staff or authorised personnel act in a way that might deliberately cause injury, for example by:

- Holding a pupil by the neck, collar or any other way that might restrict breathing
- Slapping, punching or kicking a pupil
- Twisting or forcing limbs against a joint
- Tripping up a pupil
- Holding a pupil by the hair or ear
- Holding a pupil face down on the ground

Recording incidents

It is important that staff immediately report any incident of physical contact that takes place between themselves and a pupil, to the Head teacher or most senior member of staff in school at the time. This should be followed by completing a full report of the incident, using the proforma in Appendix A. Parents will also be informed of any incident involving their child and will be given an opportunity to discuss the incident at the earliest possible convenience.

Physical contact with pupils in other circumstances

There are inevitably some other occasions when physical contact with children is necessary. In particular, physical contact may be necessary during P.E or D&T lessons, or if a member of staff has to give first aid.

For children in the Early Years or children with medical needs the normal process of changing a nappy/clothing should not raise child protection concerns, and there are no regulations to indicate that a second member of staff should be present to ensure that abuse does not take place. However, at Frances Olive Anderson C of E Primary School, the 'Intimate Care' policy states that two members of staff will be present when intimate care is being given to protect the child, staff members and parents.

DBS checks are carried out to ensure the safety of children with staff employed in settings and schools. Staff are encouraged to remain highly vigilant for any signs or symptoms of improper practice, as they do for all activities carried out on site. (*Local Authority Guidance - Promoting Personal, Social and Emotional Development in the Early Years (A25) - Feb 2008*)

Staff should be particularly aware of cultural and gender issues around physical contact.

Please also see: Child Protection policy for further guidance.

Reviewed March 2017
Agreed by the Pupil and Staffing Committee April 2017
To be reviewed March 2019 or sooner if necessary¹

Appendix A
Lea Frances Olive Anderson Church of England Primary School

Record of an incident of force to control or restrain a pupil

Name of pupil involved: _____

Date the incident took place? _____

Where did the incident take place?

Name of any other staff or pupils who witnessed the incident:

The reason that force was necessary:

How the incident began / progressed:

Details of pupil's behaviour:

What was said by different parties:

Steps taken to defuse or calm the situation:

The degree of force used / how it was applied / for how long:

What was the pupils response and the outcome of the incident:

Details of any injury suffered by the pupil, another pupil or a member of staff and or damage to property

Signed _____ Print Name _____

Date _____