



## Force and Restraint Policy

At Frances Olive Anderson C of E Primary School we encourage pupils to make positive behaviour choices. However, pupils sometimes do make the wrong choices. On rare occasions this may result in a situation that requires some form of physical intervention by staff.

Our Restraint Policy is based upon the following principles:

- Physical intervention is only used as the last resort when other appropriate strategies have failed.
- Any physical contact is only the minimum required.
- Physical intervention is used in ways that maintain the safety and dignity of all concerned.
- Incidents are recorded and reported to the Head teacher
- Parents are informed of each incident.

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

### The Legal Framework

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

- Causing an injury to his/herself or others
- Committing an offence
- Damaging property
- Prejudicing the maintenance of good order and discipline.

This policy has been written with DFE 'Use of reasonable force' advice for Head teachers, staff and governing bodies July 2013 (see appendix 2).

### Definition of Reasonable Force and Restraint

The DFE guidance (2013) on the 'Use of Reasonable Force' defines and explains these terms in the following way:

- The term 'reasonable force' covers a broad range of actions used by most teachers at some point in their career that involves a degree of physical contact with pupils.
- Force is usually used to either control or restrain. This can range from guiding a pupil to safety by the arm through to more extreme circumstances such as breaking up a fight or where a pupil needs to be restrained to prevent violence or injury.
- 'Reasonable in the circumstances' means using no more force than is needed.
- Control means either passive physical contact, such a 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.



- School staff should always try to avoid acting in a way that might cause injury, but in extreme cases it may not be always possible to avoid injuring the pupil.

Outlawed techniques, chapter 8, 'Positive Handling in Schools' course handbook 2018, which could compromise airways or the expansion of lungs have been highlighted to all and will not be used in any circumstance. Safe techniques are highlighted in chapter 6 of the same course handbook 2018. Training will be refreshed when required and updates from School Staff Safety Training are received via e mail – these are cascaded to all staff.

The DFE Guidance 2013 on 'Use of Reasonable Force' states that 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, trip or visit;
- Prevent a pupil from leaving the classroom where allowing the pupil to leave would risk their own safety or lead to behaviour which disrupts the behaviour of others;
- Prevent a pupil from attacking a member of staff or another pupil, or to stop a fight in the playground;
- Restrain a pupil at risk of harming themselves through physical outbursts.

School cannot:

- Use force as a punishment – it is always unlawful to use force as a punishment.

In addition to the general power to use reasonable force described above, Head teachers 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 and any article that has been or is likely to be used to commit an offence, cause personal injury or damage to the property.

Force cannot be used to search for items banned under school rules i.e. toys or football cards.

## Our Approach

At Frances Olive Anderson C of E Primary school, all teaching staff and two TAs have been trained by School Staff Safety Training in Positive Handling in September 2018. However, all members of staff who can use reasonable force have a legal power to use it. This applies to any member of staff in school. It can also apply to people whom the Head teacher has temporarily put in charge of pupils such as unpaid volunteers or parents accompanying pupils on an organised school trip.

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 Whole School Behaviour Policy.

It is not possible to define every circumstance in which physical restraint would be necessary or appropriate. Staff exercise their own professional judgement in situations which arise within the above categories. Staff act within our school's policy on our Whole School Behaviour Policy, particularly in dealing with disruptive behaviour. Once again it is stressed that physical intervention is only used when all other strategies have failed to have the desired effect on a pupil's behaviour.



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N.B. 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 include the following:

- 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.

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 (*Statutory Framework for the Early Years Foundation Stage – Apr 17*).

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

Please also see the schools Safeguarding and Child Protection Policy.

Staff are 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 therefore take reasonable action to ensure the safety and well-being of all pupils. This being said staff are not expected to place themselves in situations where they are likely to suffer injury as a result of their intervention.

### **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 pupil. The Head teacher is informed of any incident as soon as possible and takes responsibility for making arrangements for debriefing once the situation has stabilised. An appropriate member of the teaching staff debriefs the pupil concerned: the debrief includes consideration of the circumstances that precipitated the incident and exploring ways in which future incidents can be avoided. Any other individuals involved in the incident are offered support.

If the behaviour is part of an ongoing pattern it will probably be necessary to address the situation through the development or review of an individual behaviour plan (IBP), which may include a risk assessment, an anger management programme and possible involvement of external agencies.

All incidents are recorded immediately on a Restraint Recording Form (Appendix 1). All sections of the report are completed so that any patterns of behaviour can be identified and addressed. In the event of any future complaint or allegation this record provides essential



and accurate information. A copy is filed in the child's appropriate file and a central copy is kept by the Head teacher.

A member of the teaching staff contacts parents as soon as possible after an incident, normally on the same day, to inform them of the actions that were taken and why, and to provide them with an opportunity to discuss it.

If we become aware that a pupil 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 (recorded on an IBP) addresses:

- 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 pupils and staff.

### **Complaints and Allegations**

This 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. In this situation, our Complaints Procedure will be followed.

If following preliminary investigations it is deemed necessary, the Head teacher will contact the LADO in line with our Child Protection Policy and Procedures.

It is our intention to inform all staff, pupils, parents and governors about these procedures and the context in which they apply. We will review this policy annually.

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

- Behaviour Policy
- Intimate Care Policy
- Child Protection & Safeguarding Policy
- Guidance for Safer Working Practice for Adults who Work with Children and Young People in School Settings (July 2018)

Approved by Full Governing Body: October 2021

To be reviewed: October 2022



Appendix 1

| Record of Physical Handling/ Restraint   |                       |                     |
|--|-----------------------|---------------------|
| Child's Young Person's Name:   |                       | Date:               |
| Time:  | Location of Incident: | Report Compiled by: |
| Antecedents ( events leading up to the incident):  |                       |                     |
| Behaviour (how did the pupil respond, describe what actually happened):                            |                       |                     |
| Consequences (how did staff intervene, how did the pupil respond, how was the situation resolved): |                       |                     |
| Names of those involved (staff and pupils):  |                       |                     |
| Names of Witnesses (staff and pupils):   |                       |                     |



|  |                                 |                         |
|--|---------------------------------|-------------------------|
| <b>What de-escalation techniques were used prior to physical controls? (tick below)</b>  |                                 |                         |
| Verbal advice and support { }  | Choices/limits/consequences { } | Humour { }              |
| Reassurance { }  | Distraction { }                 | Contingent touch { }    |
| Calm talking/stance { }  | Planned ignoring { }            | Transfer adult { }      |
| Time out directed { }  | Take up time { }                | Success reminder { }    |
| Time out offered { }   | Negotiation { }                 | Other (pls specify) { } |
| <p>Why was the decision made to use restraint?</p> <p>To prevent child/young person from causing injury to him/herself?</p> <p>To prevent child/young person from causing injury to others?</p> <p>To prevent child/young person from causing damage to property?</p> <p>To prevent child/young person from causing serious disruption?</p> <p>To prevent child/young person from running away?</p> <p>Other? (Please specify)</p> |                                 |                         |
| <p>Description of physical restraint holds used: (Please include approx.. time span of any holds)</p>  |                                 |                         |
| <p>Child's Views</p> <p>Report read and discussed with child Yes { } No { }</p> <p>Child/young person agrees with content Yes { } No { }</p> <p>If no, what is the child's/young person's view?/ If yes, does the pupil have any comment?</p>  |                                 |                         |
| <p>Did the child/young person suffer any injuries as a result of this incident?</p> <p>Injury location and description:</p>  |                                 |                         |
| <p>Did staff or others suffer any injuries as a result of this incident?</p> <p>Injury location and description:</p>   |                                 |                         |

**Post-Incident Information**

|  |   |
|--|---|
| <p>Was any post-incident support offered and given to the child/young person?</p> <p>a) Debrief with adult</p> <p>b) other (please specify)</p> <p>c) offer declined by child/young person</p> | <p>Was any post-incident support offered and given to member of staff/other adult?</p> <p>a) Debrief with colleague</p> <p>b) Debrief with head teacher</p> <p>c) Occupational health counselling</p> <p>d) Not requested</p> |
| <p>Parent (s) Views:</p>   |   |