



# HOCKLEY HEATH ACADEMY

## Physical Restraint and Intervention Policy

REVIEWED	NOVEMBER 2017
NEXT REVIEW DATE	NOVEMBER 2020
RATIFIED	NOVEMBER 2017
REVIEWED BY	ROULLA GABRIEL PRINCIPAL

## **1. Aims**

The aims of this policy are to:

- explain the rights of staff to use physical restraint when necessary;
- explain the circumstances in which physical restraint may be justified;
- set out the recording and reporting system; and
- explain the various responsibilities.

## **2. Powers of members of staff to restrain pupils by use of force**

a. The Education and Inspections Act 2006 confirmed the right of staff to use 'such force as is reasonable' for the purpose of preventing a pupil from:

- committing an offence;
- causing personal injury to, or damage to the property of, any person (including themselves); and
- prejudicing the maintenance of good order and discipline.

b. The explanatory notes to the Act give an example of 'reasonable force' – leading a pupil by the arm to enforce an instruction to leave the class. However, nothing in the law concerning the use of reasonable force legitimises corporal punishment.

c. Where a school has pupils with known severe behavioural difficulties, only trained members of staff are allowed to use restraint techniques. No member of staff should physically restrain pupils exhibiting extremes of behaviour unless so trained.

## **3. Right to search pupils**

a. The Violent Crime Reduction Act 2006 gives the Headteacher, and any member of the School staff authorised by the Headteacher, who has reasonable grounds for believing that a pupil may have with him/her or in his/her possession a knife or offensive weapon, the right to search that pupil.

b. The Headteacher must ensure that the person carrying out the search is of the same gender as the pupil and the search must be carried out in the presence of another adult also, if possible, of the same gender as the pupil.

The pupil cannot be required to remove any clothing other than outer clothing and if the pupil's possessions are searched this must also be done in the presence of another adult.

The person carrying out the search is able to use such force as is reasonable in the circumstances for exercising that power.

c. The Headteacher cannot normally 'require' the school staff to conduct the searches, only 'authorise' them to do so.

d. If a search reveals any 'offensive weapons' or knives, or 'evidence in relation to an offence' the school MUST inform the police immediately. The school has no discretion in this, not even if the school wishes to resort solely to internal discipline procedures.

#### **4. Circumstances where physical restraint may be justified**

a. Physical restraint should only be used as a last resort; other non-physical strategies for diffusing the situation must be tried first.

b. Whenever possible, the age, level of understanding and gender of the pupil should be considered. In addition staff should be mindful of any pupil who is on the Child Protection Register.

c. The Governing Body appreciates that in some instances (such as stopping a pupil who is running down a corridor) staff may have to act quickly, and without having the time to consider all the circumstances.

d. Examples of behaviour likely to lead to restraint:

- physical attack by a pupil on an adult/other pupil;
- deliberate damage to school property;
- a pupil behaving in a way which places others at risk, e.g. pushing, tripping on a staircase, rough play or running in a corridor;
- preventing a pupil running into a busy road;
- refusal by a disruptive pupil to leave the classroom.

e. Restraint is NOT a punishment and must not be used as such:

- ASSISTANCE should be sought whenever possible.
- the pupil(s) should be told that this has been done.
- any other pupils who are at risk should be removed.
- the use of restraint in a one-to-one situation should be avoided, witnesses are important.

f. Restraint should not lead to injury: staff SHOULD NOT:

- hold a pupil around the neck or collar, or in a way that might restrict breathing;
- slap, punch or kick;

- twist or force limbs against a joint;
- trip;
- hold or pull by the hair or ear; or
- hold a pupil face down on the ground.

## **5. Physical contact with vulnerable pupils**

a. It is accepted that some more vulnerable pupils, and particularly those with Special Educational Needs, require more physical contact than other pupils in order to assist with their everyday learning. This is entirely appropriate and proper for staff, but it is crucial that they only do so in ways appropriate to their professional role and in accordance with the school's policies on which restraint techniques may be used and by whom.

b. Specific arrangements should be:

- understood and agreed by all concerned;
- justified in terms of the pupil's needs;
- consistently applied;
- open to scrutiny; and
- reviewed regularly.

c. When physical contact is made with pupils this should be in response to their needs at the time, of limited duration and appropriate given their age, stage of development, gender, ethnicity and background.

d. If a member of staff believes that an action could be misinterpreted, the incident and circumstances should be recorded as soon as possible on the School's Incident Log (see appendix A) and, if appropriate, a copy placed on the pupil's file.

## **6. Staff Code of Conduct**

Staff at this School are expected to:

- be aware that even well intentioned physical contact may be misconstrued by the pupil, an observer or by anyone to whom this action is described;
- always be prepared to explain actions and accept that all physical contact will be open to scrutiny;

- follow the Government guidance in respect of physical contact with pupils and meeting medical needs of pupils; and
  - ensure that all incidents are reported and logged in the School's Incident Log.
- b. Staff may legitimately intervene using physical restraint to maintain good order and discipline and prevent a pupil from:
- committing a criminal offence;
  - injuring themselves or others;
  - causing damage to property;
  - engaging in behaviour prejudicial to good order;
- c. Staff should have regard to the health and safety of themselves and others.
- d. In all cases where physical intervention is deemed necessary, the incident and subsequent actions should be documented and reported.
- e. Under no circumstances should physical force be used as a form of punishment.
- f. Staff at this school must:
- always seek to defuse situations; and
  - always use minimum force for the shortest period necessary.

## **7. Equal Opportunities**

Only trained staff are authorised to use permitted restraint techniques on pupils with disabilities who may exhibit behavioural difficulties.

## **8. Responsibilities**

The Governing Body is responsible for preparing and reviewing this Policy. The Headteacher is responsible for the implementation and monitoring of this policy within the school. All staff shall be made aware of this policy and have a duty to ensure that it is implemented.

## **9. Monitoring and Review**

- a. The Headteacher will:
- ensure that a recording and reporting system is in place and is maintained;

- ensure that a senior member of staff is in charge of the Incident Log (see Appendix 1) and reports regularly to the Leadership Team.
  - report incidents and the outcome to the Governing Body.
- b. The Governing Body will review the policy every three years.

### **PHYSICAL RESTRAINT INCIDENT LOG**

DATE	TIME	STAFF MEMBER
PUPIL NAME	CLASS	PLACE OF INCIDENT
ADULT WITNESSES	PUPIL WITNESSES	REASON FOR FORCE
INCIDENT LEADING TO RESTRAINT		
PUPIL BEHAVIOUR (WHAT WAS SAID; STRATEGIES USED TO DIFFUSE SITUATION; FORCE USED; HOW IT WAS APPLIED; HOW LONG FOR)		
PUPIL RESPONSE		
DETAILS OF ANY INJURY/DAMAGETO PROPERTY.		
SENIOR MEMBER OF STAFF SUMMONED		

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THIS FORM MUST BE COMPLETED ON THE DAY OF THE RESTRAINT AND A COPY PROVIDED FOR THE HEADTEACHER.

DRAFT