



## Broomwood Primary School



# Positive Handling (Physical Restraint) Policy

### Introduction

The policy has been developed in response to The Education and Inspections Act 2006 section 93, which reinforces and replaces previous guidance. It also takes cognisance of joint guidance issued by the DfES and Department of Health, and follows the guidance for 'The Use of Reasonable Force to Control or Restrain Pupils'.

The policy should be read in conjunction with other school policies and guidance relating to interaction between adults and pupils. The policy has been prepared for the support of all teaching and support staff, who come into contact with pupils and for volunteers working within the school to explain the school's arrangements for care and control. Its contents are available to parents and pupils. A statement about the School's Behaviour Policy is made to parents in the school prospectus. This statement includes information on the use of reasonable force to control or restrain pupils.

### Objectives

Good personal and professional relationships between staff and pupils are vital to ensure good order in school. It is recognised that the majority of pupils in our school respond positively to the discipline and control practised by staff. This ensures the well-being and safety of all pupils and staff in school. It is also acknowledged that in exceptional circumstances, staff may need to take action in situations where the use of reasonable, proportionate and necessary force may be required. Broomwood Primary School acknowledges that physical techniques are only a small part of a whole setting approach to behaviour management.

#### 1. The Law on the Use of Force

1.1 The law states that a member of school staff may use such force as is reasonable in the circumstances to prevent a pupil from doing, or continuing to; cause personal injury to, or damage to the property of, any persons including himself or others; committing any offence (or doing something that would be a criminal act if the child was of the age of criminal responsibility) or prejudicing the maintenance of good order and discipline at the school during a teaching session or otherwise.

1.2. However, all adults in school are advised that they are not required by the school to restrain children under any circumstances.

1.3. There remains a common law and child protection 'duty of care' upon all adults in school to protect the wellbeing of all children within school, and to intervene as they

personally feel appropriate in any given set of circumstances. The power of restraint operates in addition to this common law duty of care and in addition also to the common law power of any citizen to use reasonable force in self- defence.

1.4. Schools also have the power to be able to use force under the Violent Crime Reduction Act to search pupils without consent (authorised staff only).

## **2. Broomwood Primary School's Position Regarding the Use of Force/Restraint**

2.1 Staff at Broomwood Primary School accept that physical restraint is only used as a last resort when the action is in self-defence; where there is a developing risk of injury; significant damage to property; or where a pupil is behaving in a way that is compromising good order and discipline. Other strategies and techniques will be used before the application of restraint. Please refer to Broomwood Primary School's Behaviour Policy for further information on our behaviour expectations and the means by which we seek to reduce the likelihood of situations occurring where the use of force may be necessary.

2.2 Teachers in the school are authorised to use reasonable force to control or restrain pupils. Other individuals authorised at the Headteacher's discretion are teaching assistants.

2.3 Examples of situations where reasonable force might be appropriate are as follows:

- when a pupil attacks a member of staff
- when pupils are fighting
- when a pupil is deliberately damaging property
- when a pupil is causing or at risk of causing damage or injury by accident, by rough play or by misuse of dangerous materials or objects
- when a pupil is behaving in a way that is seriously disrupting a lesson
- when a pupil persistently refuses to leave an area

2.4 The power to restrain pupils applies on the school premises or elsewhere when under school control.

2.5 Any physical intervention used will always be the minimum needed to achieve the desired result.

2.6 If any of the named people are aware a situation is developing, the following steps should be taken in line with the school's behaviour policy: tell the pupil to stop, and inform them of the consequences should they continue:

- warn the child that physical restraint will be used if they do not do as they are asked
- keep calm and do not give the impression you have lost your temper
- send for assistance- situations where restraining may be necessary must have at least two people
- send other children away if possible

- tell the pupil that you are restraining him/her to avoid the pupil harming themselves, others or property. Where potential witnesses are present it is helpful if they hear you give this explanation
- physical intervention should be an act of care and control
- use only the minimum force necessary
- attempt to communicate with the child throughout the incident
- be sensitive of your own strength and body weight and to issues of gender
- inform the Headteacher if he or she has not been involved
- record the incident fully in the incident book

2.7 Appropriate force includes:

- physically interposing between pupils
- blocking a pupil's path
- holding
- leading a pupil by the hand or arm
- shepherding a pupil away by placing a hand in the centre of the back
- using more restrictive holds in extreme circumstances

2.8 Broomwood Primary School will ensure that staff are aware of any individual behaviour plans or specific needs of pupils, especially for any pupils with disabilities, which may impact on the range, type and appropriateness of any physical intervention.

2.9 Detailed written reports of any occasions where force is used are kept in an incident book which is in the office. This includes:

- Date/Time/Place
- Pupil involved
- Reason force is used
- Details of the incident
- Pupil's response
- Outcome of the incident
- Any injuries sustained
- Identities of witnesses

2.10 The Headteacher will keep such written information securely and monitor the use of restraint. He/she may also be the first to exercise judgement on whether the restraint used was reasonable, having made initial inquiries, although other procedures will apply if queries or complaints arise.

2.11 The Headteacher will advise the parent/guardian of any incident involving their child either immediately or at the end of the day according to the seriousness of the incident.

2.12 Where a member of staff is assaulted or suffers injury as a consequence of using reasonable force or restraint they are advised to contact their professional organisation or trade union.

### **3. Touching in Other Circumstances**

3.1 Broomwood Primary School recognises that touch can often be an effective communication tool. For example:

- when demonstrating a PE skill
- when providing first aid
- comforting a child in distress
- when supporting a child with SEN
- when giving praise or congratulations

3.2 In such situations, staff will apply sound professional judgement – touch will be appropriate and will avoid situations or contact that could be misinterpreted.

### **4. Visits Out of School**

Our equal opportunities policy states that all pupils should be included in all curriculum activities. However, Health and Safety remains a priority and staff should carry out risk assessments for pupils that may be a possible danger prior to each visit into the community. Due consideration should be given to the following:

- Is the pupil able to cope with the demands of the proposed visit?
- Are there sufficient, suitably trained staff - particularly if there should be an incident?
- How will you contact school to get extra help if necessary and how will you get back?

### **5. Whistle Blowing**

It is acknowledged that under some circumstances, physical intervention can be misapplied. Staff are reminded that part of their duty of care to pupils includes the requirement to report any such matters which cause them concern in relation to pupil management and welfare. Any such concerns should be raised with the Headteacher, or with the Chair of Governors, in order to allow concerns to be addressed and practice improved. The following documents will be taken into consideration:

- Child Protection Procedure (this may involve investigations by Police and/or Social Services)
- Staff or Pupil Disciplinary Procedure
- School Behaviour Policy
- Exclusions Procedure; in the case of violence or assault against a member of staff this may be considered

The member of staff will be kept informed of any action taken.

In the case of any action concerning a member of staff, he/she will be advised to seek advice from his/her professional association/union.

### **6. Complaints**

The availability of a clear policy about reasonable force and early involvement of parents should reduce the likelihood of complaints but may not eliminate them.

Where the nature of any complaint made by a pupil, parent or other person in relation to the use of physical hold within the school indicates that an allegation of mishandling by a member staff is warranted, the school's complaints policy will be followed. In such circumstances the investigation of the complaint/allegation and any resulting action in respect of child protection, disciplinary or other procedures will be carried out in accordance with the guidance received from the LA.

## EQUAL OPPORTUNITIES AND INCLUSION

The School welcomes and values disabled people taking an active part of school life. Broomwood Primary School is keen to make sure that we do not make it difficult for disabled children, young people and adults to be involved in every part of school life. We have a legal duty not to discriminate against disabled people and to comply with the Equalities Act 2010.

Broomwood Primary School recognises that disabled people are very diverse and include people with a physical impairment, visual impairment, hearing impairment, learning difficulty, specific learning difficulty (e.g. dyslexia), mental health issues, people who are deaf, British sign language users and people with long term health conditions.

Broomwood Primary School is committed to challenging discrimination and promoting equality at all levels and in all aspects.

