**Ashurst Wood Primary School**

**Physical Intervention and Use of Reasonable Force Policy**



The Little School with a Big Heart

Reviewed by Governors September 2021

Review date: Autumn Term 1 2022

**PHYSICAL INTERVENTION & USE OF REASONABLE FORCE POLICY**

 **1 INTRODUCTION**

At Ashurst Wood Primary School we are committed to a behaviour policy which encourages children to make positive behaviour choices. On rare occasions circumstances may result in a situation that requires some form of physical intervention by staff.

Our policy for physical intervention is based on the following principles:

* Physical intervention should be used only as a last resort when other appropriate strategies have failed.
* Any physical contact should be only the minimum required.
* Physical intervention must be used in ways that maintain the safety and dignity of all concerned.
* Incidents must be recorded and reported to the Headteacher as soon as possible
* Parents will be informed of each incident

**2 THE LEGAL FRAMEWORK**

Section 93 of the Education & 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 the circumstances to prevent a pupil from doing, or continuing to do, any of the following:-

* Causing injury to him/herself or others
* Committing an offence
* Damaging property
* Compromising the maintenance of good order & discipline

**Definition of ‘Reasonable’**

The use of force can be regarded as ‘reasonable’ only if;

* The circumstances of the particular incident warrant it
* The degree of force used is in proportion to the incident and is no more than is needed

Otherwise, any force is unlawful.

Force is used either to control or restrain and can range from leading a student by the arm through to more extreme circumstances such as breaking up a fight or restraining a student to prevent violence /injury.

Further guidance is provided in the document “Use of reasonable force” (DFE-00295-2013) which may be accessed at this web address:

<https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/355362/use_of_reasonable_force.pdf>.

This provides further examples of the circumstances for use of reasonable force to:

* prevent pupils from hurting themselves or others, from damaging property, or from causing disorder;
* 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 or a school trip or visit;
* prevent a pupil leaving the classroom where allowing the pupil to leave would 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, or to stop a fight in the playground;
* restrain a pupil at risk of harming themselves through physical out bursts.

**We cannot and do not use force as a punishment.**

In addition to the general power to use reasonable force, the Headteacher 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;
* any article that has been or is likely to be used to commit an offence, cause personal injury or damage to property.

**3 OUR APPROACH**

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 conjunction with our Behaviour Policy.

It is not possible to define every circumstance in which physical restraint would be necessary or appropriate and staff exercise their own judgement in situations which arise within the above categories.

Staff always act within the School’s policy on behaviour and discipline, particularly in dealing with disruptive behaviour.

Staff are made 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 have charge of. They must, therefore, take reasonable action to ensure all pupils’ safety and wellbeing.

Staff are not expected to place themselves in situations where they are likely to suffer injury as a result of their intervention.

**4 USE OF PHYSICAL RESTRAINT**

Physical restraint will only ever be applied as an act of care and control with the intention or re-establishing verbal control as soon as possible and, at the same time, allows the pupil to regain self-control.

Staff are only authorised to use reasonable force in applying physical restraint, although there is no absolute definition of this. What constitutes reasonable force depends upon the particular situation and the pupil to whom it is being applied.

We aim to ensure all staff have the opportunity to participate in “Team Teach” training.

Staff should apply the training they received in Team Teach to de-escalate where possible then use the appropriate holds as practised in the training. However, as a general rule, only the force necessary to stop or prevent danger should be used, in accordance with the guidelines below.

In all circumstances, alternative methods should be used as appropriate with physical intervention or restraint, a last resort.

When physical restraint becomes necessary we:

* tell the pupil what you are doing and why;
* use the minimum force necessary;
* involve another member of staff if possible;
* tell the pupil what s/he must do for you to remove the restraint and repeat as needed;
* use simple and clear language;
* hold limbs above a major joint if possible e.g. above the elbow;
* relax restraint in response to the pupil’s compliance.

We do not:

* act in anger (help may be sought from another member of staff);
* engage in a prolonged verbal exchange with the pupil;
* involve other pupils in the restraint;
* touch or hold the pupil in a way that could be viewed as sexually inappropriate conduct;
* twist or force limbs back against a joint;
* bend fingers or pull hair;
* hold the pupil in a way which will restrict blood flow or breathing e.g. around the neck;
* slap, punch, kick or trip up the pupil;
* use physical restraint or intervention as a punishment.

**5 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 headteacher will always be informed of any incident as soon as possible and will take responsibility for making arrangements for debriefing once the situation has stabilised. An appropriate member of the teaching staff should always be involved in debriefing the pupil involved and any victims of the incident should be offered support, and their parents informed.

If the behaviour is part of an ongoing pattern it may be necessary to address the situation through the development of an individual support and development plan which may include an anger management programme, or other strategies agreed by the SENCO. An additional handling protocol will also be drawn up in these circumstances.

Where necessary additional support from outside agencies will be sought.

It is also helpful to consider the circumstances precipitating the incident to explore ways in which future incidents can be avoided.

Incidents will be recorded on CPOMs. A copy of the record should be included in the child’s file.

A copy of the record should be filed in the child’s appropriate file and in a central school file in order to inform individual and school risk assessments.

A member of the leadership team will contact 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.

**6 RISK ASSESSMENTS**

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 will address:

* 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.

**7 COMPLAINTS OR ALLEGATIONS**

Adherence to this policy, by all staff should help 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, either under the complaints, disciplinary or allegation management procedures.

It is our intention to inform all staff, pupils, parents and governors about these procedures and the context in which they apply.

**8 REVIEW**

This policy will be reviewed annually and amended if necessary.

**APPENDIX 1**

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| Ashurst Wood School Logo Blue | **PHYSICAL INTERVENTION & USE OF REASONABLE FORCE****RECORD of POSITIVE PHYSICAL HANDLING/RESTRAINT** |  |

|  |  |
| --- | --- |
| Child/Young Person’s Name: | Date: |
| Time: | Location of Incident: | Report compiled by: |
| Antecedents (events leading up to the incident) |
| Behaviour (how did the pupil behave – 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) |

|  |
| --- |
| What De-Escalation techniques were used prior to Physical Controls? (Tick below) |
| Verbal advice and support Reassurance Calm talking/stanceTime out directedTime out offered | Choices/Limits/ConsequencesDistractionPlanned ignoringTake up timeNegotiation  | HumourContingent touchTransfer adultSuccess reminderOther (please specify)  |
| Why was the decision made to use restraint? (please tick) To prevent child/young person from causing injury to him/herself?  To prevent child/ young person from causing injury to others?   To prevent child/young person from causing damage to property?  To prevent child/young person from causing serious disruption?  To prevent child/young person from running away?  Other? (please specify)  |
| Description of Physical restraint Holds Used (please include the approximate time span of any holds) |
| Child’s ViewsReport read and discussed with child: Yes NoChild/Young person agrees with content: Yes No If No, what is the child’s view?If Yes, does the pupil have any comment? |
| Did the child/Young person suffer any injuries as a result of the incident? Yes NoIf Yes, give location and description of injury |
| Did staff or others suffer any injuries as a result of this incident? Yes NoIf Yes, give location and description of injury |
| Post Incident Information |
| Was any post-incident support offered and given to the child/young person? De-brief with adult Other (please specify) Offer declined by child/Young person | Was any post incident support requested by and given to a member of staff/other adult? De-brief with a colleague De-brief with the Headteacher Occupational Health Counselling Other (please specify) Not requested |
| Parent(s Views |