

Physical Restraint Policy

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12.01.2021	0.1	Scheduled Review	Update name & logo. J Bowman	SCC
18.05.21	0.2	Review by Intelligensa Ltd	Removal of obsolete legislation. Changes made to bring the policy in line with current law.	
18.06..21	1.0	Scheduled Board review	Ratified	

Policy on the use of physical intervention with pupils (including restraint)

At The Staffordshire Schools Multi Academy Trust, we share values and beliefs based on Christian principles in close association with the Anglican tradition and practice of the Church of England.

We believe each person is special and we provide equal opportunities for each individual member of our School family to develop to his or her full potential within guidelines of acceptable behaviour and a set of values, which will fit each child for life and the society in which they live. The achievements of each child are celebrated and the family, the Trust and the whole community is valued and respected.

The aim of the staff and Directors is to create a happy and stimulating learning environment in which children are helped to develop their natural curiosity and academic ability, as well as to learn physical, intellectual, social and aesthetic skills. We aim to foster and nurture the children's spiritual and moral growth and they are encouraged to adopt friendly, caring and considerate attitudes to one another and a respectful, polite manner to adults while, at the same time, developing a sense of self-reliance, self respect and a sensitivity to other people around them and in the wider community. We help them to understand and acquire a moral and social code of behaviour to Christian standards.

The education which we provide at the Trust contributes to the requirement of the Education Reform Act 1988 that the School Curriculum should:-

(a) "promote the spiritual, moral, cultural, emotional and physical development of pupils and society"; and "prepare such pupils for the opportunities, responsibilities and experiences of adult life".

The Trust Behaviour Policy outlines how staff at the Trust create and maintain good order and relationships through positive approaches. These approaches are successful for the vast majority of the time. This policy on the use of restrictive physical interventions supplements the main behaviour policy. Both should be read in conjunction with the Trust SEN policy, the Health & Safety policy, and the Safeguarding policy.

Purpose of this policy

This policy aims to give all members of the Trust community clear guidance so that any physical intervention that they undertake is carried out in a way that supports the values and principles described above. In particular, it aims to describe the circumstances in which restrictive physical intervention is an appropriate response and how staff will fulfil their responsibilities in those circumstances.

The Headteacher will be responsible for ensuring that staff and parents are aware of the policy. He will ensure that any necessary training/awareness-raising takes place so that staff know their responsibilities.

Physical touch

The staff at the Trust believe that physical touch is an essential part of human relationships. In our Trust, adults may well use touch to prompt, to give reassurance or to provide support in PE.

To use touch/physical support successfully, staff will adhere to the following principles. It will:

- be non-abusive, with no intention to cause pain or injury
- be in the best interests of the child and others
- have a clear educational purpose (e.g. to access the curriculum or to improve social relationships)
- take account of gender issues

At our Trust, the Headteacher of each school is responsible for ensuring that relevant staff are aware of any pupil who finds physical touch unwelcome. Such sensitivity may arise from the pupil's cultural background, personal history, age etc.

What do we mean by 'physical intervention'?

In our Trust, we distinguish between:

Non-restrictive physical interventions. (Touch/ physical contact is a small but important and natural part of teacher-pupil relationships in our Trust).	The child's movement is not restricted or the child is held supportively but released immediately should they wish
Restrictive physical interventions	Such an intervention prevents, impedes or restricts movement or mobility. It may involve restraint or the use of force to direct.

and between:

Emergency/unplanned interventions	These occur in response to unforeseen events
Planned interventions	In these staff use, when necessary, pre-arranged strategies and methods which are based on a risk assessment and recorded in an individual plan for the management of a pupil

When is restrictive physical intervention permissible at The Staffordshire Schools Multi Academy Trust

Restrictive physical intervention is rarely used at the Trust. However, it may be necessary to prevent a pupil injuring themselves or others (For example, pupils playing in a dangerously rough manner) or to

prevent them damaging property (For example, pupils throwing a heavy object at/near to expensive computer equipment). [Section 93 Education & Inspections Act 2006 <https://www.legislation.gov.uk/ukpga/2006/40/section/93>].

Section 93 allows the use of “such force as is reasonable in the circumstances for the purpose of preventing a pupil from doing (or continuing to do) any of the following, namely—

- (a) committing any offence,
- (b) causing personal injury to, or damage to the property of, any person (including the pupil himself), or
- (c) prejudicing the maintenance of good order and discipline at the school or among any pupils receiving education at the school, whether during a teaching session or otherwise.”

However, the use of restrictive physical intervention for this purpose is acceptable at the Trust only in rare circumstances..

Risk assessment

The use of a restrictive physical intervention will be the outcome of a professional judgement made by staff on the basis of this Trust policy, and common law. It is avoided whenever possible and will not be used for staff convenience.

Restrictive physical intervention will *only* be considered in emergency situations, or if other behaviour management options have proved ineffective or are judged to be inappropriate. Before deciding to intervene in this way, staff will weigh up whether the risk of not intervening is greater than the risk of intervening. Any actions will be carried out with the child’s best interests at heart. Physical intervention will never be used to punish a pupil or cause pain, injury or humiliation.

Staff are not expected to intervene physically against their better judgement nor are they expected to place themselves at unreasonable risk. In such circumstances, they must take steps to minimise risks. For example, by removing other pupils and calling for assistance.

Who may use restrictive physical interventions?

All staff have a legal power to use force under common law (Section 3 Criminal Law Act 1967, and Section 93 Education and Inspections Act 2006). However, at the Trust, we expect staff to use force as an absolute last resort.

Techniques Not to be Used

The Trust follows the Department for Education Guidance regarding techniques which will not be employed at the Trust.

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/444051/Use_of_reasonable_force_advice_Reviewed_July_2015.pdf advises that certain restraint techniques present an unacceptable risk when used on children and young people.

The techniques in question are:

- o the ‘seated double embrace’ which involves two members of staff forcing a person into a sitting position and leaning them forward, while a third monitors breathing;

- o the 'double basket-hold' which involves holding a person's arms across their chest; and
- o the 'nose distraction technique' which involves a sharp upward jab under the nose.
- Use of prone position (face down on the floor) or T Supine position (on their back) should not be performed

How staff at might intervene at The Staffordshire Schools Multi Academy Trust

When a restrictive physical intervention is justified, staff will use 'reasonable force'. This is the degree of force 'warranted by the situation'. It will 'be proportionate to the circumstances of the incident and the consequences it is intended to prevent'. Any force used will always be the minimum needed to achieve the desired result and for the shortest amount of time.

Staff will:

- use a reasonable amount of force for the minimum amount of time;
- avoid causing pain or injury; avoid holding or putting pressure on joints;
- in general hold long bones.
- *never* hold a pupil face down on the ground or in any position that might risk suffocation.

During an incident the member of staff involved will tell the pupil that their behaviour may be leading to restraint. This will not be used as a threat or said in a way that could inflame the situation. Staff will not act out of anger or frustration. They will adopt a calm, measured approach and maintain communication with the pupil at all times.

In an emergency, staff must summon assistance by sending a child to seek assistance from the Headteacher in the first instance, or the Senior Teacher if the Headteacher is unavailable.

The place of restrictive physical intervention within broader behavioural planning

If, through the Trust's special needs assessment procedures, it is determined that a restrictive physical intervention is likely to be appropriate to help a pupil make progress, a risk assessment will be carried out following the Trust's guidelines.

If appropriate, an individual management plan will then be drawn up for that pupil. This plan will aim to reduce the likelihood of the need for restrictive physical intervention as well as describing how such intervention will be carried out. This plan will be discussed with parents/carers. Arrangements for informing parents and for recording will be agreed. If the child involved has relevant health difficulties, medical colleagues will be consulted.

Before the plan is implemented, any necessary training or guidance will be provided for the staff involved. The Headteacher will be responsible for establishing staff needs and for organising necessary training.

What to do after the use of a restrictive physical intervention

After the use of a restrictive physical intervention, the following steps will be taken.

- details of the incident will be recorded by all adults involved *immediately* on the attached form. A copy will be sent to the Trust office.
- recording will be completed within 12 hours whenever possible. Staff will be offered the opportunity to seek advice from a senior colleague or professional representative when compiling their report.
- any injuries suffered by those involved will be recorded following normal Trust procedures.
- the Headteacher will check that there is no cause for concern regarding the actions of adults involved. If it is felt that an action has 'caused or put a child at risk of significant harm' the Headteacher will follow the Trust's Safeguarding procedures and also inform parents/carers.
- parents/carers will be informed as agreed for planned interventions or, for unplanned incidents, by *the Headteacher* on the day that it occurred. If the latter is initially done by phone, it will be followed up in writing. Parents/carers will be offered the opportunity to discuss any concerns that they may have regarding an incident.
- Support/debriefing will be available for adults and pupils who have been involved in any incident involving restrictive physical interventions. This will be provided by Headteacher.

The Headteacher will use the records kept to analyse patterns of behaviour and so decide whether responses are being effective. The Headteacher will report on this information to the Governing Body annually.

Complaints procedure

Any complaint will first be considered in the light of the Trust's Safeguarding procedures, following ACPC guidance. If Safeguarding procedures are not appropriate, the Trust's complaint procedures will be followed.