

The Rydal Academy

Physical Intervention Policy and Guidance

Accepted by: The Rydal Academy LGB February 2013

Approving Body: Local Governing Body

Committee: LGB

Review Cycle: 3 years

Last reviewed: March 2016

Date for next review: April 2019

The following policy has been written taking into account the recommendations from the document – **Use of reasonable force Advice for head teachers, staff and governing bodies - July 2013 – Department for Education**

It is the aim of this policy to:

- ensure that any use of Physical Restraint within the school reflects guidance from the DfE and professional Codes of Practice
- develop and sustain an ethos/culture and practice in school which protects the dignity and safety of both pupils and staff
- create and maintain a safe and secure learning environment
- promote a shared understanding that although always the last resort, Physical Control is an option that staff, authorised by the Head teacher, may have to take
- achieve outcomes that reflect the best interests of pupils whose behaviour is of immediate concern and others affected by the behaviour requiring intervention

Positive personal and professional relationships between staff and pupils are vital to ensure good order in the school. It is recognised that the majority of pupils in The Rydal Academy 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 recognises that Physical Restraint may at times be necessary, after all proactive and preventative approaches have been exhausted. It is also acknowledged, however, that in exceptional circumstances, staff may need to take action in situations where the use of Physical Restraint may be required. This policy recognises that pupils and staff have a right to work in a safe environment which promotes respectful behaviour.

The vast majority of pupils The Rydal Academy behave well and conduct themselves in such manner as to bring credit to themselves, their parents or carers and the school. However, a small number of pupils may not meet the standards of behaviour and conduct the school expects of them for a wide variety of reasons.

The School Behaviour Policy recognises the achievements and positive behaviour of pupils and ensures that these are recognised, shared and celebrated. It also recognises that consequences and sanctions may need to be applied.

However, there may be circumstances where preventative strategies have failed and some form of Physical Intervention may be unavoidable.

What is reasonable force?

- The term 'reasonable force' covers the broad range of actions that involve a degree of physical contact with pupils.
- Force is usually used either to 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 student needs to be restrained to prevent violence or injury
- 'Reasonable in the circumstances' means using no more force than is needed
- As mentioned above, schools generally use force to control pupils and to restrain them. Control means either passive physical contact, such as 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.

Who can use reasonable force?

- All members of school staff have a legal power to use reasonable force
- This power applies to any member of staff at the school
- **In The Rydal Academy this does not apply to volunteers or parents**

When can reasonable force be used?

- Reasonable force can be used to prevent pupils from hurting themselves or others, from damaging property, or from causing disorder
- In a school, force is used for two main purposes – to control pupils or to restrain them
- The decision on whether or not to physically intervene is down to the professional judgement of the staff member concerned and should always depend on the individual circumstances
- Every possible step should have been taken to prevent the situation, and to try to avoid the use of any Physical Restraint. Any force required should be reasonable and kept to a minimum

The following list is not exhaustive but provides some examples of situations where reasonable force can and cannot be used.

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 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 outbursts.

Schools cannot:

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

The 1996 Education Act (Section 550A) stipulates that reasonable force may be used to prevent a pupil from doing, or continuing to do any of the following:

- engaging in any behaviour prejudicial to maintaining good order and discipline at the school or among any of its pupils, whether the behaviour occurs in a classroom during a teaching session or elsewhere (this includes authorised out-of-school activities)
- self-injuring or placing himself or herself at risk
- injuring others
- causing damage to property, including that of the pupil himself or herself
- committing a criminal offence (even if the pupil is below the age of criminal responsibility)

Types of Incidents

- where action is necessary in self-defence or because there is an imminent risk of injury
- where there develops an increasing risk of injury, or significant damage to property
- where a pupil is behaving in a way that is significantly compromising good order or discipline.

Examples of situations which fall within one of the first two categories are:

- a pupil attacks a member of staff or another pupil
- pupils are fighting
- a pupil is engaged in increasingly at-risk behaviour
- a pupil is causing, or at risk of causing injury, damage by accident, by rough play, or by misuse of dangerous materials or objects
- a pupil is running in a corridor or on a stairway in a way which he or she might have or cause an accident likely to injure him or herself
- a pupil absconds from a class or tries to leave school

Examples of situations which fall into the third category are:

- a pupil persistently refuses to comply with a directive to leave a classroom in an escalating situation
- a pupil is behaving in a way that is **seriously** disrupting a lesson.

Acceptable Measures of Physical Restraint

- The use of any Physical Restraint can only be deemed reasonable if:
- it is warranted by the particular circumstances of the incident
- it is delivered in accordance with the seriousness of the incident and the consequences which it is desired to prevent
- it is carried out as the minimum to achieve the desired result
- the age, understanding and gender of the pupil are taken into account
- it is likely to achieve the desired result.

Wherever possible, assistance should be sought from another member of staff before intervening.

Restrictive Physical Intervention may involve staff:

- physically positioning themselves between pupil - **physical presence**
- blocking a pupil's path - **restriction of access or exit**
- escorting a pupil or shepherding a pupil away - **physical diversion**

In extreme circumstances, trained staff may need to hold a pupil.- **physical control**

Power to search pupils without consent

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"³: 3 Section 550ZB(5) of the Education Act 1996

- 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.

Using force

A panel of experts identified that certain restraint techniques presented an unacceptable risk when used on children and young people. The techniques in question are:

- 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;
- the 'double basket-hold' which involves holding a person's arms across their chest; and
- the 'nose distraction technique' which involves a sharp upward jab under the nose.

These techniques are not acceptable at The Rydal Academy.

Recording

Where physical control has been used a record of the incident **must** be kept. This record should be made in the school incident book and folder (black bound book and folder kept in filing cabinet in SLT office) which will include:

- name of pupil;
- date, time and type of incident;
- a brief description of the incident and actions taken.

The Incident Book report must be completed as soon as possible after the incident, normally prior to staff going off duty and be signed by all staff involved, and the Headteacher.

Informing parents when force has been used on their child

It is good practice for schools to speak to parents about serious incidents involving the use of force and to consider how best to record such serious incidents. It is up to schools to decide whether it is appropriate to report the use of force to parents. At The Rydal Academy staff will endeavour to inform parents when physical restraint has been used.

- In deciding what is a serious incident, teachers should use their professional judgement and consider the:
- pupil's behaviour and level of risk presented at the time of the incident;
- degree of force used;
- effect on the pupil or member of staff; and
- the child's age/emotional state
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Other physical contact with pupils

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:

- 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.

Monitoring

Headteachers

Headteachers should monitor any use of Restrictive Physical Interventions by examining:

- the frequency of their use
- the justification for their use
- their nature
- their users
- the views of students concerning them

Headteachers must ensure that:

- the need to use Restrictive Physical Restraint is minimised
- Physical Restraint is used only in the appropriate circumstances
- only the appropriate degree of Physical Intervention is used in particular situations

Headteachers must also:

- report on the use of Physical restraint to the School's Governing Body;
- take appropriate action over issues of concern of either a general or specific nature; and
- make available on request the Major Incident Record File and Incident Book to the Authority's officers.

Governors

Governors should monitor the use of Restrictive Physical Intervention within the school ensuring that:

- the incidence of the use of Restrictive Physical Intervention is reported to them termly
- incidents comply with school policy
- trends are recognised
- action is taken to reduce the use of Physical Control.

Terminology

Physical Presence	Describes a situation in which staff stand close by or in front of a pupil momentarily, or temporarily in the way of a pupil. Physical presence is a means of both communicating authority and re-establishing safety and security.
Restriction of Access or Exit	Describes a situation in which staff stand in doorways or corridors to restrict a pupil's movement.. It is a means of preventing pupils accessing dangerous environments, or leaving a room when it is judged it would be prejudicial to the maintenance of a safe and secure learning environment for them to do so.
Time Out/Time to calm	Describes the removal of a pupil from an environment where he/she may be gaining reinforcement to maintain a behaviour to an area or room less likely to reinforce it with the purpose of enabling the pupil to regain self control. Any area or room used for time out must be unlocked and be monitored by staff.
Isolation	Describes the separation of a pupil from his/her peers and his/her supervision by a member or members of staff. This is with the purpose of providing him/her with continuous focused supervision and support. Pupils isolated from their peers and supervised by staff must not be in locked rooms.
Seclusion	Describes the forcible confinement and segregation of a pupil from his/her peers in situations that are unsupervised by staff. Seclusion is not permitted in this school.
Physical Diversion	Describes a means of deflecting a pupil from destructive and/or disruptive behaviour, for example, by holding a hand, placing a hand on the forearm, putting an arm around a shoulder or guiding by placing a hand on the back. It involves little force but serves to reinforce staff attempts to reason with the pupil.
Physical Control	Describes the positive use of reasonable minimum force to divert a pupil from committing a criminal offence, harming himself/herself or others, seriously damaging property or disruptive behaviour which prejudices the establishment and maintenance of a safe and secure learning environment. Physical control is normally limited to holding a pupil in a standing or sitting position.