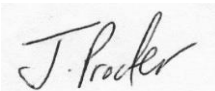


Physical Intervention Policy

| | | |
|-----------------------------------|---|--------------------|
| Review cycle | 1 / 2 / 3 years | Date: January 2023 |
| Approved by | Executive Headteacher | |
| Changes made in this review cycle | | |
| Linked policies | Safeguarding and Child Protection Staff Behaviour and Code of conduct | |
| Signed |  | Date: January 2023 |
| Position | Executive Headteacher | |
| Date of next Review | January 2025 | |

General Policy Aims

Staff at Pioneer Federation recognise that the use of reasonable force is only one of the last in a range of strategies available to secure pupil safety/well-being and also to maintain good order and discipline. Our policy on Physical Intervention should therefore be read in conjunction with the following policies:

- Code of Conduct
- Young person plans
- Young person risk assessments
- Keeping Children Safe in Education
- Child Protection and Safeguarding Policy
- Health and Safety Policy, Procedures and Guidance notes

The contents of this document conform to the guidance set out by NVC Awareness <https://nvcawareness.co.uk> Guidance for restrictive physical interventions.

Values and Principles

The management of challenging behaviour is often complex, and due to the difficulties in providing support in these difficult and sensitive situations it is essential that the management of challenging behaviour is provided within the following principles. We will:

- Try to understand the cycle of each individual's challenging behaviour
- Change the environment to meet the needs of people using the service
- Assist people in generating coping and tolerance strategies
- Teach people new skills
- Acknowledge and reward appropriate behaviours
- Respond appropriately, sensitively and respectfully to challenging situations
- Support everyone involved in challenging situations

Specific Aims of the Physical Intervention Policy

- To protect every person in the school community from harm
- To protect all pupils against any form of physical intervention that is unnecessary, inappropriate or excessive
- To provide adequate information and training for staff so that they are clear as to what constitutes appropriate behaviour and to deal effectively with violent or potentially violent situations

Why Use Physical Intervention?

Physical intervention should avert danger by preventing or deflecting a child's action or perhaps by removing a physical object, which could be used to harm him/herself or others. It is only likely to be needed if a child appears to be unable to exercise self-control of emotions or behaviour.

It is not possible to define every circumstance in which physical intervention restraint would be necessary or appropriate and staff will have to exercise their own judgement in situations which arise within the above categories. Staff should always act within the School's Policy on behaviour and discipline, particularly in dealing with disruptive behaviour.

Failure to physically intervene with a pupil who is subsequently injured or injures another, could, in certain circumstances, lead to an accusation of negligence and possible prosecution. At the same time staff are not expected to place themselves in situations where they are likely to suffer injury or leave themselves open to accusations of misconduct.

Alternative Strategies

There are some situations in which the need for physical intervention is immediate and where there are no equally effective alternatives (e.g. if a pupil is about to run across a road). However, in many circumstances there are alternatives, e.g. use of assertiveness skills such as:

- The *broken record* in which an instruction is repeated until the pupil complies
- Use of a distracter, such as a loud whistle, to interrupt the behaviour (such as a fight) long enough for other methods of verbal control to be effective
- Withdrawal of attention (audience) e.g. if an action such as damage to property is threatened
- Other techniques designed to defuse the situation, such as the avoidance of confrontation, or use of appropriate and considered humour (in these cases the incident can be dealt with later when emotions are no longer running high)
- The employment of other sanctions consistent with the School's policy on behaviour.

Use of Physical Interventions

Physical restraint should be applied as an act of care and control with the intention of re-establishing verbal control as soon as possible and, at the same time, allowing the pupil to regain self-control. It should never take a form which could be seen as a punishment.

Staff are only authorised to use reasonable force in applying physical restraint, although there is no absolute definition of this, as what constitutes reasonable force depends upon the particular situation and the pupil to whom it is being applied. However, as a general rule, only the force necessary to stop or prevent the behaviour should be used, in accordance with the guidelines below.

There are some forms of physical intervention, which may involve minimal physical contact, such as blocking a pupil's path. However, in some circumstances, direct physical contact may then be necessary.

In all circumstances other methods should be used if appropriate or effective. Physical restraint should be a last resort.

When physical restraint becomes necessary:

DO:

- Tell the pupil what you are doing and why
- Use the reasonable force necessary to achieve the aim
- Involve another member of staff if possible
- Tell the pupil what she/he must do for you to remove the restraint (this may need frequent repetition)
- Use simple and clear language
- Relax your restraint in response to the pupil's compliance

AVOID IF POSSIBLE:

- Act in temper (involve another staff member if you fear loss of control)
- Involve yourself in a prolonged verbal exchange with the pupil
- Involve other pupils in the restraint
- Touch or hold the pupil in sexual areas
- Twist or force limbs back against a joint or beyond their normal range of movement
- Bend fingers or pull hair
- Hold the pupil in a way which will restrict blood flow or breathing e.g. around the neck

See appendix 1 for details of and images showing the key restraints.

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. **A member of the leadership team should 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 on-going pattern it may be necessary to address the situation through the development of a support plan which may include an anger management programme (possibly with external support), or other strategies agreed by the Executive Head Teacher and SENCo.

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

All incidents where physical restraint is employed should be recorded immediately. See template reporting form in **Appendix 2**. All sections of the report should be completed so that in the event of any future complaint a full record is available. 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.

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:

- Management of the pupil (e.g. reactive strategies to de-escalate a conflict, holds to be used if necessary)
- 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

Counselling and Support

Where an incident of challenging behaviour has occurred in a service, counselling and support should then be provided as appropriate.

Depending on the nature of the incident, this should include all or some of the following:

- Colleague and peer support
- Line management support and supervision
- Independent counselling
- Access to specialist support services as appropriate and available

It is the responsibility of the line manager to:

- Ensure that the appropriate levels of counselling support are identified after an episode of challenging behaviour. Consider employing an organisation that offers counselling to staff.
- Assess the risk of further episodes of challenging behaviour.
- Ensure guidance is in place and understood on how to manage the behaviour in the future.

Complaints

A clear physical intervention policy, adhered to by all staff and shared with parents, should help to 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 disciplinary procedures or by the Police and social services department under Child Protection procedures.

Training

All staff receive regular reminders of their responsibilities regarding physical intervention.

Senior leaders, INAs and key identified members of staff have received full physical restraint training and will be renewed annually.

The Legal Framework

Physical intervention should be limited to emergency situations and used only in the last resort. Section 93 of the Education and Inspections Act 2006 enables school staff to use such force as is reasonable in the circumstances to prevent a pupil from doing, or continuing to do, any of the following:

- Committing an offence (or, for a pupil under the age of criminal responsibility, what would be an offence for an older pupil)
- Causing personal injury to, or damage to the property of, any person (including the pupil himself); or
- Prejudicing the maintenance of good order and discipline at the school

The Act enables teachers and other members of staff in the school, authorised by the Headteacher as defined by Common Law and self-defence, to use such force as is reasonable in the circumstances.

Other physical interventions, e.g. guiding a child away from a situation may be employed in order to avoid emergency situations occurring.

Definition of Reasonable Force

The Department of Education (July 2013) defines reasonable force and when and how it may be justifiably be used:

What is Reasonable Force?

1. The term 'reasonable force' covers the broad range of actions by most teachers at some point in their career that involve a degree of physical contact with pupils.
2. 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.
3. 'Reasonable in the circumstances'. We follow the **HARP** acronym.
 - H- **H**onestly intent
 - A- **A**ppropriate absolutely necessary
 - R- **R**easonable to the circumstances.
 - P- **P**roportionate (to the perceived threat). *Force used must bear proportionate relationship to the threat. The relevant case law is - (Palmer [1971] 1 All E.R. 1077 and Clegg [1995] 1 All E.R. 334). Statutory Guidance regarding proportionality: S.76 of Criminal Justice and Immigration Act 2008 S.43 of Crime and Courts Act 2013*
4. As mentioned above, schools generally use force to control pupils and to restrain them. Control means either passive physical contact, such as blocking a pupil's path, or active physical contact such as leading a pupil by the arm out of a classroom.
5. Restraint means to hold back physically, or to bring a pupil under control. Is typically used in more extreme circumstances, for example when two pupils are fighting and refuse to separate without physical intervention.
6. School staff should always try to avoid acting in a way that might cause injury, but in extreme cases it may not always be possible to avoid injuring the pupil.

Who can use reasonable force?

- Anyone has legal power to use 'reasonable force'.
- This power applies to any member of staff at the school. It can also apply to people whom the head teacher has temporarily put in charge of pupils such as unpaid volunteers or parents accompanying students on a school organised visit.

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.

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 a 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; and
- Restrain a pupil at risk of harming themselves through physical outbursts

When might it be appropriate to use reasonable force? *This list is not exhaustive.*

Examples of situations that may require restraint are when:

- A pupil attacks a member of staff, or another pupil
- Pupils fighting
- A pupil is causing, or at risk of causing, injury or damage by accident, by rough play, or by misuse of dangerous materials, substances or objects
- A pupil is running in a corridor or on a stairway in a way in which he/she might have or cause an accident likely to injure her/him or others
- A pupil absconding from a class or trying to leave a school (NB this will only apply if a pupil could be at risk if not kept in the classroom or at school)
- A pupil persistently refuses to obey an instruction to leave an area
- A pupil behaves in such a way that seriously disrupts a lesson

What about other physical contact with pupils? *This list is not exhaustive.*

It is not illegal to touch a pupil. There are occasions when physical contact, other than reasonable force, with a pupil might be proper and necessary.

Examples of where touching a pupil might be proper or necessary;

- Holding the hand of a 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; and
- To give first aid

Physical restraint – Lord Lamming CBE (when) Chief Inspector Social Services Inspectorate, Department of Health directed that “every effort should be made to secure the presence of other staff to ensure that any action taken is both safe and successful. It would be an error of judgement if a member of staff tried to restrain a young person without the proper assistance and in so doing caused injury to themselves or the young person because the intervention was handled ineptly”. *Reference – The Control of Children in the Public Care: Interpretation of the Children’s Act 1989 (11)*

All ‘planned’ physical intervention should ideally be carried out by two or more staff members. It is recognised that there may ‘unplanned’ circumstances where for duty-of-care reasons a staff member may dynamically risk assess the situation and make the decision to intervene before the arrival of a second staff member

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Guiding and Prompting



Guiding with lead hand



Prompting with rear hand



Escorting with both hands

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Bent Arm Escort



Correct hand positions



Take hold



Pull back, keep them close

Two Person Escort



2 person Bent Arm



2 person Straight Arm

Appendix 2- Reporting Form Template

Physical Restraint Incident Report

| | | | | |
|--|------------------|----------|----------------|--|
| Report completed by: | Date of incident | | Date of report | |
| Name of student | | | | |
| Date of birth | | Gender M | F | |
| Time restraint started | | | | |
| Time restraint ended | Approx. | | | |
| Name/s of staff member/s administering restraint | | | | |
| Trained in safe physical restraint? | Yes No | | | |
| Other staff /adults who witnessed | | | | |

| Place where restraint occurred | |
|--------------------------------|--|
| Classroom | |
| Corridor | |
| Assembly hall | |
| Outdoor area | |
| Toilet block | |
| Administration area | |
| Other (identify) | |

| Behaviour directed at | |
|--|--|
| Staff member – name | |
| Student – name | |
| Self – describe how they intended self-harm | |
| Property – describe potential injury to self or others | |

| Reason restraint was considered necessary | |
|--|--|
| Imminent danger, serious risk of injury – describe | |
| Actual injury – describe | |
| Other | |

Reflection

Events leading to the incident

Describe what was happening before the behaviour started to escalate. What was the student doing? What do you think might have triggered the behaviour? How were other students reacting to the student?

Statement of events:

Behaviour of the student

What did you notice about the student's behavior that alerted you that they were struggling to cope? Think about the way they looked, for example facial expressions, physical signs, language.

What did you try before the restraint?

Describe the alternative techniques and interventions tried to prevent the emergency, including a description of the de-escalation strategies you used. What was the response from the student?

The restraint method used

Describe the nature of the physical restraint. Include the type of hold and number of people required.

Monitoring

Describe how the student's physical and emotional distress was monitored while they were restrained.

After the restraint ended

Describe the mood of the student following the restraint. What help and support were they offered?

If there's a next time

What could be done differently in the future to prevent the need for restraint?

Follow Ups

How are you feeling and what support do you need?