# Physical Interventions & Restraints Policy

**September 2022**

‘Because Children Deserve Better’

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| Reviewed By: Dawn Morley |
| Approved By: The Board |
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# Contents

# Aims

# Legislation & Guidance

# Physical Interventions

# Restraints

# Recording & Reporting

# Staff Training

# Linked Policies

# Appendices

# 

# Aims

This policy aims to provide a framework for the use of physical interventions, including restraints, required to create a school environment where everyone feels, and is, safe.

# Legislation & Guidance

Section 93 of the Education and Inspections Act 2006 and further guidance issued by the DfE in July 2013 (Use of reasonable force - Advice for headteachers, staff and governing bodies) 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 any 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 himself); or
* 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.

The statutory power conferred by Section 93 is in addition to the common law power of any citizen in an emergency to use reasonable force in self-defence, to prevent another person from being injured or committing a criminal offence. There is no legal definition of when it is reasonable to use force and each case must be judged on its circumstances and those exercising the power to use force must also take proper account of any particular special educational need and/or disability.

DfE Guidance and The Schools Standards and Framework Act 1998 state that **schools cannot use force as a punishment.** Also, whilst force can be used to search for and confiscate prohibited items it **cannot** be used to search for items banned under the school rules. (See Screening, Searching and Confiscation policy)

**Who can use reasonable force?**

The staff to which this power applies are defined in Section 95 of the Act as:

* All members of school staff have a legal power to use reasonable force.
* It can also apply to people whom the Head has temporarily put in charge of pupils such as unpaid volunteers or parents accompanying students on a school organised visit.

**The types of force which are deemed to be reasonable**

* Passive physical contact resulting from standing between two pupils or blocking a pupil’s path;
* Active physical contact such as leading a pupil by the hand or arm; ushering a pupil away by placing a hand in the centre of his back; or, in more extreme circumstances, using appropriate restrictive holds.

**Other physical contact with pupils**

The DfE says that it is not illegal to touch a pupil and that there are occasions when physical contact with a pupil is ‘proper and necessary’.

Examples of where touching a pupil might be proper or necessary include:

* Holding the hand of the child
* When comforting a distressed pupil.
* When congratulating or praising a pupil.
* When demonstrating physical skills e.g., musical instrument, during PE lessons, handwriting.
* When giving first aid.

**Minimising the Need to Use Force**

Use of force is only used as a last resort and procedures are in place in Pivot provisions to create a calm and orderly environment within a supportive school climate that lessens the risk and threat of violence of any kind. Effective relationships are developed between staff and pupils and PSHE and Zones of Regulation activities support pupils in managing conflict and coping with feelings. Staff are also given guidance and training in how to manage pupil behaviour.

# Physical Interventions

At Pivot we define a physical intervention as any reasonable use of force used to support a pupil who is building towards crisis. This can be a simple low level prompt touch or a restraint and everything in between. 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 and based on an assessment of risk. This assessment should include the risk to the pupil, themselves and others.

# Restraints

Restraint means to hold back physically or to bring a pupil under control using appropriate physical intervention. It is typically used in more extreme circumstances and is always in response to a safety concern. Pivot 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.

**What to do in circumstances when the use of physical restraint is needed**

* Staff should not hesitate to act in an emergency provided they follow the guidelines in this policy.
* Staff should always satisfy themselves that the action they take would be considered justifiable by a wider audience of professional colleagues.
* Approach the pupil calmly but firmly.
* Where possible, the consequences of refusing to stop the behaviour should be explained and it should be communicated to the pupil that physical contact or restraint will stop as soon as it ceases to be necessary.
* A calm and measured approach is required by staff throughout.
* In any application of physical restraint, the minimum reasonable force should be used to calm down the situation.
* Following a restraint pupils should be closely monitored by a member of staff and checked by a first aider once the situation is safe to do so.

# Recording & Reporting

Following an incident that required physical intervention staff should consider what and how this information needs recording and reporting depending on the type of intervention and in accordance with this policy.

**Recording Incidents**

* Minor or everyday use of reasonable force does not need to be recorded. For example, guiding a pupil into the building after break to ensure their safety.
* More serious incidents involving the use of physical restraint must be reported to the **Head and/or the Pastoral & Welfare Lead as soon as possible after the incident.** These must be recorded on Arbor ensuring you ‘add a physical intervention’ to the behaviour incident log and complete a ‘Restraint Record Sheet’ attaching it to the Arbor log.

**Informing others**

After a restraint the following people **must** be informed within **24 hours** of the incident, this would normally on the same day:

* Parent/Carers by phone call or email
* If the pupil has a social worker, they should be informed by phone call or email
* If the pupil is LAC, the Head of the Virtual School by phone call or email

**Post Incident Support**

Care is taken after an incident to ensure both staff and pupils are supported including meeting immediate medical needs, rebuilding relationships and reflecting on the incident so lessons can be learned. These restorative conversations should be documented in an appropriate way and included as part of the incident report for pupils. Staff should have a separate conversation with a senior member of staff using the form in appendix 1, these should be forwarded to HR and filed in their personnel files. Heads report incidents to the Directors and they monitor incidents where force has been used and consider the implications, agreeing any necessary actions required.

**Complaints and Allegations**

If a complaint is made it is considered in relation to the school’s complaints procedure and guidance on dealing with allegations of abuse by staff. Further guidance is available in ‘Use of Reasonable Force – Advice for Headteachers, Governing Bodies and Staff’ - DfE document.

# Staff Training

All staff working with pupils in Pivot provisions are expected to be trained in Team Teach Positive Behaviour Training: Level 2 as a minimum and some staff may be trained in Advanced Modules or hold Intermediate or Advanced trainer certificates. It is an expectation that new staff complete this training during their probation period if they do not hold a valid certificate on employment with Pivot.

Staff also receive further targeted training throughout their employment to support them to work effectively with our pupils in line with the Pivot Training & Development Statement.

# Linked Policies

This behaviour policy is linked to the following policies:

* Suspensions policy
* Safeguarding policy
* Child-on-Child Abuse policy
* Screening, Searching and Confiscation policy
* Behaviour & Relationship Policy
* Training & Development Statement

1. **Appendix 1**

**Staff Follow up meeting RPI Form**

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| --- | --- | --- |
| **Staff Name:** | | **Date:** |
| **Incident Date:** | | **SLT Initials:** |
| How are you feeling following the incident? | | |
| Have you been Injured? Yes / No (please circle)  If yes, how did the injury occur?  If yes, have you recorded it? (please tick) On Atlas On the RPI Form | | |
| What do you think could be implemented to avoid this happening again in the future? | | |
| How would you rate the effectiveness of the support offered during the incident?  Excellent Very Good Good Satisfactory Poor | | |
| Do you need any further support after this incident? | | |
| SLT Notes from meeting: | | |
| Staff Signature: | Full Name: | |
| SLT Signature: | Full Name: | |

Once completed please return to HR.