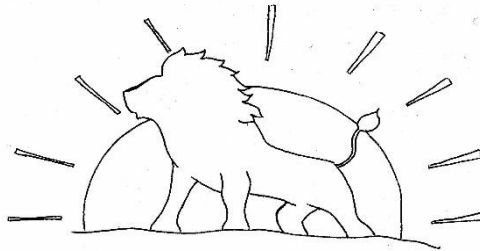
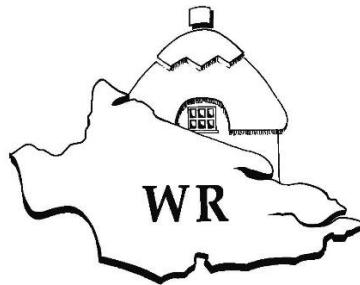


# Physical Restraint Policy

Northwick Park MAT



Northwick Park Primary and Nursery



...working together

Approved by: LGBs

Date: Reviewed October 24

Next Review Date: October 27

# **Physical Restraint Policy**

## **The Legal Framework**

Physical Restraint should be limited to emergency situations and used only as a last resort. Under the Children Order 1995, it is only permissible as described under the heading "Physical Control". Article 4 of the Education Order 1998 clarifies powers that already exist in common law. It enables teachers and other members of staff in the school, authorised by the CEO/Head of School, to use such force as is reasonable in the circumstances, to prevent a pupil from:

- Committing an offence.
- Causing personal injury to a person or damage to the property of any person.
- Engaging in any behaviour prejudicial to the maintenance of good order and discipline at the school or among its pupils, whether during a teaching session or otherwise.

The Trust follows the following guidance from the Department for Education:

<https://www.gov.uk/government/publications/use-of-reasonable-force-in-schools>

<https://www.gov.uk/government/publications/searching-screening-and-confiscation>

## **Accessible Schools**

In accordance with the SEN and Disability Act 2001 we will take 'reasonable steps' to ensure that disabled children or prospective children are not placed at a substantial disadvantage compared to their non-disabled peers.

This policy operates alongside the school's policies on behaviour, special needs, anti-bullying, equal opportunities and child protection.

In line with the Northwick Park Trust Vision Statement, we are committed to ensuring that all our pupils and staff are able to work together in a supportive and caring environment, demonstrating a mutual respect, so that teaching and learning can take place in order to maximise a child's potential.

In the rare circumstances that it becomes appropriate to use physical restraint, it will be used as an act of care and not punishment and staff will follow the guidelines outlined below.

## **Why Use Restraint?**

Physical restraint 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 and behaviour.

It is not possible to define every circumstance in which physical 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 Trust's policy on behaviour and discipline, particularly in dealing with disruptive behaviour. Staff should be 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 should, therefore, take reasonable action to ensure pupils' safety and well-being. Failure to physically restrain a pupil who is subsequently injured or injures another, could, in certain circumstances, lead to an accusation of negligence. At the same time staff are not expected to place themselves in situations where they are likely to suffer injury as a result of their intervention.

## **Circumstances When Physical Restraint Might Be Appropriate**

- Where action is necessary in self-defence or because there is an imminent risk of injury to persons or of significant damage to property.
- Where a pupil attacks another pupil or a member of staff.

- Where a child absconds from a class or tries to leave the school, in circumstances where that child could be at risk if not kept in the classroom or school.

Staff will need to rely on their professional judgement about when it is right to intervene. It will be necessary to balance the level and duration of their intervention against the seriousness and likely consequences of the incident.

### **Written Consent**

Where a pupil has a serious, long-term behaviour problem, the school will seek written consent from parents/legal guardians. This will state that they are in agreement that their child may need restraining in certain circumstances where they are a danger to themselves, to others or they are damaging property. A risk assessment will be conducted to mitigate risk and outline the restrain techniques that may be employed.

### **Training**

The Trust employs three staff who are trained Price Restraint Trainers. These staff have trained the majority of teachers and support staff in safer handling and restraint practices. The expertise of our Price Trainers is called upon when composing risk assessments and to support staff.

Our Trust aims to identify, address and review the training needs of school staff, with a view to developing a shared awareness of:

- how and when to intervene
- how to prevent, defuse and/or resolve disputes, including the appropriate deployment of de-escalation and conflict resolution skills and techniques. All staff are trained in Trauma Perceptive Practice and Emotion Coaching techniques

Appropriate training will be available for all staff in line with the Trust's policy and guidelines.

### **Alternative strategies**

There are some situations in which the need for physical restraint is immediate and where there are no equally effective alternatives (e.g. When a pupil is about to run across a road). However, in many circumstances there are alternatives e.g. the 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 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 Trust's policy on behaviour

### **When physical restraint becomes necessary:**

***All actions taken by staff must be reasonable, justifiable and proportionate to the risk/behaviour.***

### **DO**

- Tell the pupil what you are doing and why and listen to and acknowledge their responses
- Remain calm and continue to try to calm the child
- Use the minimum force necessary
- Involve another member of staff if possible

- Use a range of non-physical interventions aimed at calming and defusing situations in order to prevent further escalations
- Tell the pupil what s/he must do for you to remove the restraint (this may need frequent repetition)
- Use simple and clear language
- Hold limbs above a major joint if possible e.g. above the elbow
- Relax your restraint in response to the pupil's compliance

### **DON'T**

- Involve yourself in a prolonged verbal exchange with the pupil
- Attempt to reason 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
- Be careful not to bend fingers or catch hair when restraining
- Hold the pupil in a way which will restrict blood flow or breathing
- Act when in a heightened emotional response yourself (involve another staff member if you fear loss of control)
- Ever restrain on the floor

If possible, an adult should not intervene in an incident without help. For example, when dealing with a physically large child or with a group of children, or if the adult believes he or she may be at risk of injury, the adult should remove other children who may be at risk and summon assistance from a colleague or colleagues, or where necessary phone the police. The adult should inform the child(ren) that help is on the way. Until help arrives the adult should continue to defuse the situation orally and prevent it from escalating.

### **Ways in Which Staff May Use Reasonable Force**

Whilst there is no legal definition of reasonable force, DfES Circular 10/98 advises that 'the degree of force employed must be in proportion to the circumstances of the incident and the seriousness of the behaviour or the consequences it is intended to prevent'.

### **The use of physical force is unlawful if the circumstances do not warrant it.**

Physical force cannot be justified in a situation that could be resolved without force, for example to prevent a pupil from committing a trivial misdemeanour.

### **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 senior leadership team should be informed verbally of any incident as soon as possible and all interventions should be recorded on the school CPOMS system. (Child Protection Online Monitoring System) The senior leadership team 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 a behaviour management plan and a risk assessment, which may include an anger management programme, or other strategies advised by the SENCO or other agency. A behaviour plan

should always be discussed and agreed with the parent/carer. It is also helpful to consider the circumstances precipitating the incident to explore ways in which future incidents can be avoided. All incidents should be recorded (CPOMS) immediately. All sections of this 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.

### **Planning for the Needs of Individual Children**

Our school aims to identify, in consultation with parents/carers, any children whose behaviour is considered more likely to require a physical or restraining intervention or response, and to consider the needs of those pupils in relation to:

- any individual medical, social, behavioural, SEN or cultural factors
- any Education, Health and Care Plans (EHCPs) Pastoral Support Programmes or Personal Education Plans in place for the pupil

### **Other Physical Contact with Children**

Our Trust believes that some use of appropriate, positive contact with children can contribute to its development of a safe and friendly school. Some physical contact may be necessary or unavoidable when staff are working with:

- younger children who may need encouraging or guiding
- children with special needs who may need physical prompts or help
- children requiring first aid
- children receiving coaching in sport or as part of another curriculum activity
- children in distress
- younger children or children with specific needs who require intimate care. If children outside of the nursery require intimate care an Intimate Care Plan and Toileting plan will be written and discussed with parents.

Our staff will make professional and sensitive judgements about the nature and extent of their physical contact with pupils. We will have particular regard for cultural sensitivities and gender differences, for the needs of adolescent pupils and for those who may be particularly vulnerable following previous trauma or abuse.

### **Record-Keeping**

Our Trust schools will keep a record of all incidents where physical restraint has been necessary. This written record will be completed within one working day following the incident and discussed with the Headteacher or nominated person who will also decide how and when to report the incident to the pupil's parents/carers. The adult involved may seek guidance from a senior colleague and/or their Trade Union representative before filling in their report. If the incident included a physical or verbal assault on an adult or another child, the LA's accident reporting form CS1/CS2 will also be completed. We will discuss the incident with any children or staff who were present and, where appropriate, collect a written account from them. All incidents are uploaded to CPOMS. In line with our commitment to working with parents, we aim to maintain an open dialogue for the duration of relevant process which may follow the incident.

### **Complaints**

Complaints following a dispute about the use of force by an adult should, in the first instance, be referred to the CEO/Head of School. This will generally result in an investigation, which will take account of the written or verbal reports which have been collected. Where disputes cannot be resolved

informally within the school, complaints should be pursued in accordance with the school's complaints procedures.

### **Implementation**

The CEO/Head of School is responsible for:

1. Ensuring that all the staff are familiar with LA guidelines and the school policy.
2. Ensuring that all relevant staff have received training in non-physical interventions in order to reduce the need for physical restraint.
3. Ensuring that named personnel have received training in physical restraint techniques.
4. Monitoring and reviewing the implementation of the school's policy.

## **When might it be appropriate to use reasonable force?**

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/himself or others
- A pupil is acting in a way that may cause injury or danger to themselves or others
- A pupil absconding from a class or trying to leave 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 order to leave an area
- A pupil behaves in such a way that seriously disrupts a lesson.

**RECORD OF PHYSICAL INTERVENTION OR RESTRAINT**

**Date of incident:**

**Time of incident:**

**Pupil Name:**

**D.o.B:**

**Member(s) of staff involved:**

**Adult witnesses to restraint:**

**Pupil witnesses to restraint:**

**Outline of event leading to restraint:**

**Outline of incident of restraint (including restraint method used):**

**Outcome of restraint:**

**Description of any injury(ies) sustained by injured pupil and any subsequent treatment:**

**Date parent/carer informed of incident: Time:**

**By whom informed:**

**Outline of parent/carer response:**

**Signature of staff completing report:**

**Date:**

**Signature of Year Group Leader:**

**Date:**

**Signature of CEO/SLT:**

**Date:**

**Brief description of any subsequent inquiry/complaint or action:**