

Physical Restraint Procedures

Purpose of Procedures

All school staff members have a legal power to use reasonable force to prevent pupils committing a criminal offence, injuring themselves or others or damaging property, and to maintain good order and discipline.

Members of staff should not put themselves at risk. An individual would not be seen to be failing in their duty of care by not using force to prevent injury if doing so threatens their own safety.

Before using force staff should use a range of strategies to prevent an issue endeavouring to engage the pupil in a calm and measured tone, making clear that their behaviour is unacceptable and setting out how the pupil could choose to change their behaviour. Staff should not give the impression of acting out of anger or frustration, or to punish a pupil, and should make it clear that they only intend to use physical intervention as a last resort to ensure that the situation is addressed as safely as possible. The use of force must always be proportionate to the level of risk and should always be reduced at the earliest possible time.

Aims

In schools force is generally used for two different purposes – to control pupils and to restrain them.

- Control can mean either passive physical contact (e.g. standing between pupils or blocking a pupil's path) or active physical contact (e.g. leading a pupil by the hand or arm, or ushering a pupil away by placing a hand in the centre of the back).
- When members of staff use "restraint" they physically prevent a pupil from continuing what they were doing after they have been told to stop. The use of restraint techniques is usually used in more extreme circumstances, such as when two pupils are involved in a fight and physical intervention is needed to separate them.

The use of physical restraint

Whenever possible staff should make every effort to not use restraint. Emergency call should be used where possible to summon a member of the senior or student support team to work with staff and students in securing a positive and safe outcome.

- Restraint should only be used in circumstances where there are good grounds for believing that the pupil is placing him/herself or other people in immediate danger or where there is a likelihood of significant damage to property.
- Restraint should be used rarely to secure compliance with staff instructions; other methods should always be considered first.



- If physical restraint is likely to be necessary it is included in the Individual Education Plan (IEP) together with information on: de-escalation strategies; the manner in which the pupil will be held; how support can be summoned if needed; any medical factors to be considered.

Types of Restraint

- Restraint occurs whenever a member of staff, using intentional force, physically restricts a pupil's movement against the pupil's will. This may mean restraining a pupil or moving him/her by physical means. The procedures of restraints apply to pupils of either sex and of any age.
- Restraint can be: a) Partial, restricting and preventing particular movements.
b) Total, as in the case of immobilisation.

Partial Restraint

Partial Restraint covers a wide range of techniques which can be applied in degrees to meet particular circumstances. It may involve:

- Physically moving a pupil from a situation where there is an imminent risk of a violent incident and where the pupil has refused to respond to a reasonable verbal request.
- Holding pupils to restrict their movements.
- Retaining a pupil in a confined area in order to prevent individuals or property being damaged. (It is illegal to lock a pupil in a room or cupboard which they cannot leave of their own volition).

Total Restraint

Total restraint is where pupils are held in such a way which prevents them from moving. This could mean a pupil being held on the floor. This is an extreme form of restraint and would be used only when an assault was thought to be a serious risk to the child or to others.

Staff should be aware that for some pupils the use of physical restraint may act as a positive re-enforcer for their behaviour.

The Legal Framework

- (i) Section 550A of the Education Act 1996 allows teachers, and other members of staff at a school who are authorised by the head teacher, to use such force as is reasonable in circumstances where the pupil may need to be prevented from engaging in behaviours which are likely to cause injury to themselves, others or damage to property. The guidance extends this to maintaining good order and discipline, for both on-site and offsite activities.
- (ii) There is no legal definition of reasonable force. The Criminal Law Act (1967) allows any person to use such force as is reasonable in the circumstances to prevent an offence (e.g. physical assault) being



committed. Reasonable minimal force must be a matter of personal judgement.

- (iii) The use of any degree of force or restraint is unlawful if the circumstances do not warrant the use of physical force. The degree of force employed *must* be in proportion to the circumstances of the incident and the potential consequences.
- (iv) The law requires that force should be used only when every other approach has been tried and all practical methods to de-escalate the situation have been employed. Where a member of staff has clearly over-reacted and the use of force was unreasonable or excessive, he/she may be liable to disciplinary, civil or criminal proceedings.
- (v) In cases of physical restraint, a written report will be kept on the child's file and this will need to include:
 - How the incident began and progressed including a description of the pupil's behaviour.
 - What was said by each party?
 - The steps taken to defuse/calm the situation.
 - The type of restraint used and with what degree of force, and for how long.
 - The pupil's response and outcome of the incident.
 - Injuries sustained by the pupil, another pupil, or a member of staff and any damage to property.

It is recommended that this report be written within 12 hours of an incident occurring, and that the pupil is checked by a member of staff independent of the incident to ascertain if injuries have been sustained. Bingley Grammar will inform parents of an incident involving their child as soon as possible, and give them the opportunity to discuss it. The Headteacher will need to consider whether to inform parents straight away or at the end of the school day, and whether this should be done in writing or verbally.

Complaints

- (i) The possibility that a complaint may be lodged by a parent whose child has been physically restrained cannot be ruled out. This is less likely if the parents are party to the planning which has taken place and are informed about the necessary actions, in agreement and informed appropriately should an incident occur.

In circumstances where a complaint is lodged it would be for a disciplinary panel or the court to decide whether the use and degree of force was reasonable in all the circumstances. To meet such circumstances it is important that the school has procedures for managing complaints. It is expected that the member of staff involved would make time available to meet with the pupil and his/her parents/carers to discuss the incident.



Such meetings should also be attended by the Headteacher or a senior member of staff. Assistance may also be sought from a governor, Education Welfare Officer or member of a voluntary organisation to support pupils and parents/carers.

Training Implications

It is the responsibility of the Headteacher to ensure that staff are fully informed of the school procedure and understand what authorisation entails.

Guidance to staff will be given but no specific training as there are no government approved training techniques for physical restraint.

Additional advice and support on managing behaviour can be provided through the Educational Psychology Service or Behaviour Support Service and Bradford LA.

Originator: DCW

Partner Governor:

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