



# USE OF RESTRAINT POLICY

<i>H.E. Adams</i>	
Signed	
Position HEADTEACHER	CHAIR OF GOVERNORS
Staff meeting:	
Reviewed by Finance, Personnel and Premises Committee	
12.5.15 29.6.17	
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## **1:1 Legal Framework**

Section 550A of the Education Act 1996 allows teachers, and other members of staff at a school who are 'authorised' by the Headteacher, to use such force as is reasonable in circumstances where the pupil may need to be prevented from engaging in behaviour that is 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 off-site activities.

There is no legal definition of reasonable force. The Criminal Law Act (1967) allows any person to use such force as is reasonable in circumstances to prevent an offence (eg. Physical assault) being committed. Reasonable minimal force must be a matter of personal judgement.

## **1:2 What is Physical Restraint?**

Physical Restraint should be limited to emergency situations and used only in the last resort. Under the Children (NI) Order 1995, it is only permissible as described under the heading "Physical Control".

Article 4 of the Education (N.I.) Order 1998 clarifies powers that already exist in common law.

It enables teachers and other members of staff in the school, authorised by the Headteacher, to use such force as is reasonable in the circumstances, to prevent a pupil from:

Committing an offence

Causing personal injury to, or damage to the property of, any person (including the pupil himself);  
or

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.

Physical restraint is the positive use of force in order to protect a young person from harming themselves, others, or damaging property. Physical restraint is normally only necessary to prevent a young person causing harm to themselves or to others, damaging property, or committing some criminal act, which risks harm to people or property, when verbal commands will not control the behaviour.

On rare occasions there is no alternative to restraining young people physically in their own and others interests and safety. In such instances no more than minimum necessary force should be used, taking in to account all of the circumstances. Such an intervention should only be made when it is likely to be effective. In ideal circumstances, more than one adult should be present. The purpose of intervention is to restore safety therefore restraint should not be continued for longer than is necessary. Physical contact and restraint should never be used in anger. Staff are not expected to restrain a young person if by doing so they will put themselves at risk. Brief periods of withdrawal away from the point of conflict to a calmer environment may be more effective for an agitated young person than holding or restraining.

## **1:3 What does it mean to restrain a child?**

Physical restraint is the positive application of force with the intention of protecting the child from harming himself or others or seriously damaging property. The proper use of physical restraint requires skill and judgement, as well as knowledge of non-harmful methods of restraining.

## **1:4 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. Physical restraint skillfully applied may be eased by degrees as the child calms down in response to the physical contact. It is only likely to be needed if a child appears to be unable to exercise self-control of emotions and behaviour.

## **2:1 General aims**

The staff in Bradfield Dungworth Primary School recognise that the use of reasonable force is only one of the strategies available to secure pupil safety/well-being and also to maintain good order and discipline.

Our policy on the use of reasonable force is part of our overall Behaviour Policy and closely related to work in Safeguarding Children.

## **2:2 The aims.**

To protect every person in the school community from harm

To protect all pupils against any form of physical intervention which is unnecessary, inappropriate, excessive or harmful.

To provide adequate information and training for staff so they are clear as to what constitutes appropriate behavior and to deal effectively with violent or potentially violent situations

## **3:1 Risk Assessment**

Although most young people at Bradfield Dungworth Primary School will never require any form of physical restraint, staff may have to deal with some young people who exhibit disturbed, distressed and distressing behaviour.

We will attempt to reduce risk by managing:

- The environment
- Body language
- The way we talk
- The way we act

## **3:2 Environmental Risk Assessment**

We will complete a risk analysis within the school and put in place strategies to minimise these risks in identified locations.

## **3:3 Individual Risk Assessment**

If we become aware that a pupil is likely to behave in a disruptive way that may require the use of reasonable force, it is our intention to plan how to respond if the situation arises. Such planning needs to address:

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

Involving the parents to ensure that they are clear about the specific action the school might need to take;  
Briefing staff to ensure they know exactly what action they should be taking.

#### **4:1 Procedures**

In the event of physical restraint having been used it is important to consider the strategies, which are deemed acceptable, and the recording procedures that should be in place.

#### **4:2 Action Steps:**

Tell the pupil who is misbehaving to stop and state possible consequences of failure to do so;

If possible summon another adult;

Continue to communicate with the pupil throughout the incident;

Make it clear that restraint will be removed as soon as it ceases to be necessary;

Appropriate follow-up action should be taken, which may include:

Providing medical support

Providing respite for those involved

A calm measured approach to a situation is needed and staff should never give the impression that they have lost their temper or are acting out of anger or frustration when handling a problem.

#### **4:3 Recording**

Staff should record all incidents of restraint in accordance with School Policy and report these to the Headteacher or Assistant Headteacher.

Details should include: Name of pupil(s)

Staff member(s) involved

Factors necessitating physical intervention

The strategies which were employed prior to using physical intervention

How physical intervention was effected

Outcome of restraint

Any other action taken in the management of the incident

Parents/carers should be contacted as soon as possible and the incident explained to them. This action should also be recorded.

#### **5:1 Complaints**

We all have a duty of care to the young people in our school and cannot escape our legal responsibilities by avoiding taking appropriate and necessary action.

Involving parents when an incident occurs with their child, together with a clear policy adhered to by the staff, should help to avoid complaints from parents. It will not 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.

Staff, subjected to physical violence or assault, have the right to be supported in making a formal complaint to the police and, if necessary, taking private action against an assailant.

It is our intention to inform all staff, pupils, parents and governors about these procedures and the context in which they apply.

We will review this policy on a bi annual yearly basis.

Remember that adhering to the principles and procedures referred to in this policy statement, is part of effective practice and should minimise risk to young people in our care and enhance our own self-protection.

### **6:1 Statement for Parents**

We will inform all parents/carers of our policy on Physical Restraint. The statement will be included on the website. The statement will highlight:

Our emphasis on care and protection for everyone within our school community

Our belief that restraint will be needed on very rare occasions

Our endeavor to handle situations with care and responsibility

The responsibilities of staff, pupils and parent/carers in resolving situations

### **7.1**

#### **Appendix 1**

When might it be appropriate to use reasonable force?

Examples of situations that fall into one of the first two categories are 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 absconds from a class or tries to leave school (NB this will only apply if a pupil could be at risk if not kept in the classroom or at school).

Examples of situations that fall into the third category are:

a pupil persistently refuses to obey an order to leave a classroom.

a pupil is behaving in such a way that is seriously disrupting a lesson.

## **Appendix 2**

All teachers need to be aware of strategies and techniques for dealing with difficult pupils and steps which they can take to defuse and calm a situation.

Move calmly and confidently.  
Make simple, clear statements.  
Intervene early.  
Try to maintain eye contact.

If necessary summon help before the problem escalates.  
Remove audience from the immediate location.

Assistance should be sought when dealing with: an older pupil, a physically large pupil, more than one pupil, or when the teacher believes that s/he may be at risk of injury.

In those circumstances where the member of staff has decided that it is not appropriate to restrain the pupil without help they should:

- remove other pupils who might be at risk, summon assistance from colleagues, where necessary, telephone the police, inform the pupil(s) that help will be arriving,
- Until assistance arrives, the member of staff should continue to attempt to defuse the situation orally, and try to prevent the incident from escalating.

**Appendix 3**

**Bradfield Dungworth Primary School**

**RECORD OF 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 Teacher-in-charge:

Date:

Signature of Headteacher:

Date:

Brief description of any subsequent inquiry/complaint or action:

