



Physical Contact & Restraint Policy

This Policy also includes Before & After School Provision

Aims

The Proprietors and staff of Kirkstone House School fully recognise the contribution it makes to safeguarding and promoting the welfare of children. We recognise that all staff, including volunteers, have a full and active part to play in protecting our pupils from harm.

Our aim is to ensure that we provide a caring, positive, safe and stimulating environment which promotes the social, physical and moral development of the individual child. The school recognises the importance of working within the framework for Every Child Matters: Change for Children and the five outcomes outlined within it:

- To Be Healthy
- To Stay Safe
- To Enjoy and Achieve
- To Make a Positive Contribution
- To Achieve Economic Well-Being

In order to achieve the school's aims and the ECN outcomes, there is a clear Behaviour Policy and Code of Conduct for Pupils. This is also underpinned by a clear Rewards and Sanctions Policy.

In dealing with discipline, we recognise that physical intervention will be used infrequently, that is as a last resort to maintaining a safe environment, however, this Restraints Policy is necessary in ensuring that we operate professionally and in accordance with DfEE guidelines.

Kirkstone House School is committed to ensuring that all staff and adults with responsibility for pupils' welfare and safety will deal professionally with all incidents involving aggressive or reckless behaviour and only use physical intervention as a last resort in line with DFEE advice. If used at all it will be in the context of a respectful, supportive relationship with the pupil.

Physical Restraint

The Education and Inspections Act 2006 defines to whom the power to restrain applies:



- To any teacher who works at the school.
- To any other person whom the headmistress has authorised to control or take charge of pupils. Specific mention is made of support assistants.

The power to use reasonable force applies to school premises or elsewhere such as on educational visits.

In exceptional circumstances, where there is immediate risk of injury, a member of staff may need to take any necessary action that is consistent with the concept of 'reasonable force'.

Reasonable force relates to what is reasonable in the circumstances; i.e. that no more force is needed than necessary.

The use of reasonable restraint should always be the last resort for teachers and support staff. However, the aim of the policy is to provide clear, precise advice and guidance so that there can be no confusion relating to its use.

Staff members of Kirkstone House School should not put themselves at risk of injury. In these circumstances, the teacher should remove the other pupils who may be at risk and seek assistance from a colleague or colleagues and if necessary telephone the police. Staff should inform the pupil(s) that they have sent for help. Until assistance arrives, staff should continue to attempt to defuse the situation orally and try to prevent the situation from escalating.

Types of Incidents

There are a wide variety of situations in which reasonable force might be appropriate, or necessary, to control or restrain a pupil. They will fall into three broad categories:

- where action is necessary in self-defense or because there is an imminent risk of injury;
- where there is a developing risk of injury, or significant damage to property;
- where a pupil is behaving in a way that is compromising good order and discipline.

Examples of situations that fall within one of the first two categories are:

- a pupil attacks a member of staff or another pupil;



- pupils are fighting;
- a pupil is engaged in, or is on the verge of committing, deliberate damage or vandalism to property;
- a pupil is causing, or at risk of causing, injury or damage by accident, by rough play, or by misuse of dangerous materials or objects;
- a pupil is running in a corridor or on a stairway in a way in which he or she might have or cause an accident likely to injure him or herself or others;
- a pupil absconds from a class or tries to leave school (N.B. 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 may include:

- a pupil persistently refuses to obey an order to leave a classroom;
- a pupil is behaving in a way that is seriously disrupting a lesson.

The decision to physically intervene with a pupil, is down to the professional judgement of the staff member concerned and should always depend on individual circumstances.

No parental consent is required to use force on a pupil.

No member of staff can use force as a punishment.

The Proprietors of the school are informed of the number of incidents involving the use of reasonable force /restraint on an annual basis.

Application of Force

Physical intervention can take several forms. It might involve staff:

- physically interposing between pupils;
- blocking a pupil's path;
- holding;
- pushing;
- pulling;
- leading a pupil by the hand or arm;
- shepherding a pupil away by placing a hand in the centre of the back; or
- (in extreme circumstances) using more restrictive holds.

In exceptional circumstances, where there is an immediate risk of injury, a member of staff may need to take any necessary action that is consistent with the concept of 'reasonable force': for example to prevent a young pupil running off a pavement onto a busy road, or to prevent a pupil hitting someone, or throwing something.



In other circumstances staff should not act in a way that might reasonably be expected to cause injury, for example by:

- holding a pupil by the neck or collar, or in a way that may restrict their ability to breathe
- slapping punching or kicking the pupil
- twisting or forcing limbs against a joint
- tripping up a pupil
- holding or pulling a pupil by the hair or ear
- holding a pupil face down on the ground

The Range of Interventions: How May Pupils be Restrained?

Before intervening physically, staff should wherever practicable, tell the pupil who is misbehaving to stop, and what will happen if he or she does not. The staff member should continue to attempt to communicate with the pupil throughout the incident and should make it clear that physical contact or restraint will stop as soon as it ceases to be necessary. In such cases only the minimum force necessary will be used whilst maintaining a calm and measured approach.

Action

- Staff intervening with pupils will seek assistance from other members of staff at as early a stage as possible since single handed intervention increases risk of injury to both parties and does not provide a witness
- All staff who become aware that another member of staff is intervening physically with a pupil has a responsibility to provide a presence and to offer support and assistance should this be required.
- Before intervening in a non-emergency, consideration must be given as to whether or not other staff are able to assist.
- Where possible, staff who have not been involved in the initial confrontation leading up to an incident may be in better position to intervene or restrain a pupil if this proves necessary.
- A pupil's behaviour may be adversely affected by the presence of an audience. Wherever possible staff should take measures to ensure that the audience is removed. If this is not possible, the pupil will be removed from the audience. The pupil and member/s of staff will withdraw to a quiet, but not completely private place.



- Staff will be aware of the need to tell the pupil being restrained, in a calm and gentle manner that the reason for intervention is to keep the pupil and others safe. Staff will explain that when she/he calms down, they will be released.

In the unlikely event of a staff member needing to use restrictive physical intervention, the following points should be noted:

- restrictive physical intervention must be consistent with the concept of reasonable force.
- the circumstances must warrant the use of force;
- the degree of force employed must be in proportion to the circumstances of the incident and the minimum to achieve the desired result.
- avoid causing pain or injury;
- avoid holding or putting pressure on joints;
- in general hold long bones;
- do not hold a pupil face down on the ground or in any position that might increase the risk of suffocation.

Recording Incidents

Any member of staff involved in an incident requiring physical intervention must inform the Headmistress and write a detailed report of the incident to help prevent any misunderstanding or misrepresentation of the situation.

The report should be written within 24 hours and the notes should contain the following information:

- The name/s of members of staff who have used reasonable force
- The name/s of pupil/s involved
- When and where the incident took place
- Names of pupils and staff who witnessed the incident
- The reason that force was necessary
- The progress of the incident
 - behaviour of pupil which led up to the incident
 - any attempts to resolve the situation
 - what was said by pupils and staff
 - what degree of force was used
 - how it was applied
 - how long it was used for
- The pupil's response and eventual outcome
- Details of any injuries suffered by either staff or pupils
- Details of any damage to property
- Details of any medical treatment needed (An accident form will be completed)



- Details of any follow up including contact with parents/carers of the pupil involved
- Any other relevant details e.g. Police Involvement
- The Headmistress will record the incident in a bound book with numbered pages.

Debriefing Arrangements

- The pupil who has been restrained will be given time to become calm while staff continue to supervise them. When the pupil has regained complete composure, the Headmistress will discuss the matter with them in order to ascertain the reasons for its occurrence. If it is not possible to talk to the pupil on the same day, the de-brief will take place as soon as the pupil returns to school.
- Staff involved with the incident will be offered support.
- The Headmistress will inform parents and follow recording procedures.

Planning for Incidents

If the school is aware that a pupil is likely to behave in a way that may require physical control or restraint, we will plan how best to avoid this happening and to manage any incident effectively.

The school:

- recognises the fact that some pupils may be more prone to demonstrate aggressive behaviour or to try to leave school premises than others. This information will be considered in IEPs and in risk assessments.
- manages identified pupils effectively on a daily basis ensuring that there are procedures in place to deal with difficulties that may arise. There is the expectation that all staff will be consistent in following procedures.
- involves the parents to ensure that they are clear about the specific action the school may need to take should an incident arise.
- briefs staff to ensure that they know exactly what action should be taken and where appropriate provides training or guidance
- ensures that staff receive specific training in order to understand and meet the needs of pupils who have specific difficulties such as autism.



Informing Parents when Force has been Used

If there has been a serious incident when Force has been used to control or restrain a pupil, the Headmistress will always inform parents. This will also be recorded in the pupil's file and in a bound book used for the purpose of recording such incidents.

The Policy for Restraining Pupils is available to parents on request.

Pupil Complaints About the Use of Force

If a pupil complains about the use of force, the matter will be immediately investigated by the Headmistress. Where a member of staff has acted within the law, that is they have used reasonable force in order to prevent injury, damage to property or disorder, this will provide a defence to any criminal prosecution or other civic or public law action.

Appropriate pastoral care will be provided for any member of staff who is subject to a formal allegation following a use of force incident.

Physical Contact

It is not illegal to touch a pupil. There are occasions when physical contact is appropriate and necessary. However physical contact may be misconstrued by a pupil, parent or observer. Touching pupils, including well-intentioned gestures, can if repeated regularly lead to serious questions being raised.

Where Physical Contact may be Acceptable

There are occasions when physical contact with a pupil may be necessary, for example to demonstrate exercises or technique during PE lessons, during sports coaching or when providing first aid. Young children and children with special educational needs may need staff to provide physical prompts to help.

There may be occasions where a distressed pupil needs comfort and reassurance, which may include physical comforting such as a caring parent would give. Staff should use their discretion in such cases to ensure that what is normal and natural does not become unnecessary and unjustified contact, particularly with the same pupil over a period of time. Staff should use their own professional judgement when they feel a pupil needs. This kind of emotional support and should reflect the child's needs, age and level of maturity. Where a member of staff has a particular concern about the need to provide this type of



care and reassurance they should seek the advice and guidance of the Headmistress.

General Guidelines

As a general principle staff must not make gratuitous physical contact with their pupils. It is particularly unwise to attribute touching to their teaching style or as a way of relating to pupils.

There may be some children for whom touching is particularly unwelcome. For example, some pupils may be particularly sensitive to physical contact because of their cultural background or special needs or because they have been abused. Where appropriate, staff should receive information on these children, whilst ensuring that all matters of confidentiality and sensitivity remain of paramount importance. In addition, there should be a common approach where staff and pupils are of different sexes. Physical contact with pupils become increasingly open to question as pupils reach and go through adolescence and staff should also bear in mind that even innocent and well-intentioned physical contact can sometimes be misconstrued.

Links with other policies:

Safeguarding Policy
Behaviour Policy
Rewards and Sanctions Policy

Signed:

(Headteacher)

Policy Review Date: October 2018