



COUNTESS
GYTHA
PRIMARY
SCHOOL

Physical Intervention Policy 2018

Date Adopted:

Next Review Date:

Signed _____

on behalf of the Governing Body

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INTRODUCTION

It is important that we have a policy about the use of reasonable force to control or restrain pupils. All members of staff who may have to intervene physically with pupils must clearly understand the options and strategies open to them. This policy clarifies what is acceptable and what is not and will need to be brought to the attention of the governing body, parents and children.

Countess Gytha Primary School has developed its policy to reflect its statutory duties and pastoral responsibilities. It has referred to the procedures and advice to be followed and drawn upon the guidance from circular No. 10/98 - Section 550A of the Education Act 1996: The Use of Force to Control or Restrain Pupils.

When referring to this policy it is essential that it is read in conjunction with the school's policy document: Child Protection Policy and Procedures.

School policy and the law forbids a teacher to use any degree of physical contact which is deliberately intended to punish a pupil, or which is intended to cause pain or injury or humiliation.

1. SECTION 550A

1.1 The Education Act 1997 clarified the position about the use of physical force by teachers, and others authorised by the Headteacher, to control or restrain pupils. The clarification was made by adding a section (Section 550A) to the Education Act 1996.

1.2 This new section came into force on 1st. September 1998 and applies to all schools. It restates principles derived from common law and statute that have, in the past, been misunderstood. Where necessary reasonable force can be used to control or restrain pupils. Physical contact with pupils may also be appropriate or necessary in other circumstances.

2. OVERVIEW OF THE USE OF PHYSICAL CONTACT BETWEEN STAFF AND PUPILS, INCLUDING RESTRICTIVE PHYSICAL INTERVENTIONS

2.1 There are occasions when staff will have cause to have physical contact with pupils for a variety of reasons, for example:

- to comfort a pupil in distress (so long as this is appropriate to their age);

- to gently direct a pupil;
- for curricular reasons (for example in PE, Drama etc.);
- in an emergency to avert danger to the pupil or pupils;
- in rare circumstances, when Restrictive Physical Intervention is warranted.

2.2 In all situations where physical contact between staff and pupils takes place, staff must consider the following:

- the pupil's age and level of understanding;
- the pupil's individual characteristics and history;
- the location where the contact takes place (it should not take place in private without other witnesses present).

2.3 Physical contact should never be made as a punishment, or to inflict pain. A distinction needs to be made between this and seclusion, time out and withdrawal (and indeed between each of these). All forms of corporal punishment are prohibited. Physical contact should not be made with the participants neck, breasts, abdomen, genital area, other sensitive body parts, or to put pressure on joints. It should not become a habit between a member of staff and a particular pupil.

2.4 The policy on physical contact between staff and pupils should be taken in conjunction with other school policies, in particular Health and Safety, Safeguarding and Child Protection, Behaviour and the school's Equality Duty Statement. Should there be any form of Restrictive Physical Intervention then there must be a written report completed.

Any staff member using Restrictive Physical Intervention must have received appropriate training.

2.5 Any complaints about Restrictive Physical Intervention should be dealt with using the school's complaints procedures. In serious cases of allegations, the Child Protection procedures should be used.

2.6 Restrictive Physical Intervention of pupils should only be used to avert an immediate danger to (a) the pupil themselves, (b) to other pupils or adults, (c) to property. No more force than is reasonably necessary under the circumstances should be used.

3. POLICY STATEMENT

Teachers and those authorised by the Headteacher, who have control or charge of children, are allowed to use reasonable force to prevent a child from doing the following:

- committing a crime including behaving in a way that would be an offence if the child were not under the age of criminal responsibility;
- causing injury to themselves or others;
- causing damage to property including their own;
- causing serious disruption, to the extent that good order and discipline could not be maintained.

The policy is only applicable when an authorised person is on the school premises, or has lawful control or charge of the child concerned on an authorised out of school activity.

4. POLICY AND PROCEDURES

4.1 Staff Training

All staff will be trained in Restrictive Physical Interventions by going through this policy. This is to ensure all staff know the following:

- Procedures to avoid conflict
- Procedures to diffuse situations
- Implementing plans for children at risk
- Procedures for restrictive intervention

We will update this training and train new staff at regular intervals.

4.2 Type of Incident

Situations where reasonable force may be necessary or appropriate fall into three broad categories:

A) Where action is necessary either in self- defence or because there is an imminent risk of injury.

B) Where there is a developing risk of either injury or significant damage to property.

- a child attacks a member of staff, or another child;
- children are fighting;
- a child is committing or about to commit damage or vandalism to property;
- a child is causing or likely to cause injury or damage by accident, rough play, or misuse of dangerous materials or objects;
- a child is running in the building in a way which could cause injury to themselves or others;
- a child absconds from a class or tries to leave school. Applicable only if a child could be at risk if not kept in class or school.

C. Where a child is behaving in a way that is compromising good order and discipline.

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

4.3 Reasonable Force

There is no legal definition of reasonable force. The degree and reasonability of force will depend upon circumstances.

Physical force is **not** justified for:

- trivial misdemeanours;
- a situation that can be resolved without force.

The degree of force must:

- be in proportion to the circumstances of the incident;
- always be the minimum needed to achieve the desired result;
- take into account the age, understanding and sex of the child.

4.4 Practical Considerations

Before intervening physically a teacher must:

- a) Tell the child who is misbehaving to stop.
- b) Tell the child what will happen if he does not stop.
- c) Continue to talk with the child throughout the incident.
- d) Make clear that physical contact will stop when it ceases to be necessary.
- e) Retain a calm and measured approach.
- f) Not give the impression of loss of temper or that action is being taken out of anger, frustration or a need to punish the child.

It may be inappropriate for a teacher to intervene in an incident without help unless in an emergency. In such cases the teacher should:

- a) Remove other children who are at risk.
- b) Summon help from colleagues.
- c) Inform children that help has been sent for.
- d) Continue to attempt to defuse the situation orally.

4.5 Application of Force

Physical intervention can involve:

- coming between children;
- blocking a child's path;
- holding, pushing or pulling;

- leading a child by the hand or arm;
- shepherding a child away by placing a hand in the centre of the back;
- and in extreme circumstances, using more restrictive holds.

The above could take place in order to prevent a child running off a pavement on to a busy road, or to prevent a child hitting someone, or throwing something.

Prior to using physical intervention consider:

- Can the situation be dealt with using other strategies.
- Development of strategies for individual children which can be used to defuse or calm situations.
- Whether such action will exacerbate the situation.
- The age and level of understanding of the child.
- Whether the action is being used as a substitute for good behavioural management.

N.B. Staff should always avoid touching or holding a child in a way that might be considered indecent.

4.6 Self Defence

Everyone has the right to defend themselves against an attack provided they do not use a disproportionate degree of force to do so.

4.7 Authorised staff

All teachers at a school are allowed to use reasonable force to control or restrain pupils. The school additionally can authorise the following members of staff to control or restrain pupils when they have control or charge of children:

Teaching assistants.

Midday supervisors and assistants

4.8 Recording incidents

A detailed, written report of any occasion where force is used is required. This procedure would not be applicable in a minor or trivial incident.

Immediately following an incident the member of staff concerned should tell the Head teacher and provide a written report using Appendix A. This will include:

- The name of the child or children involved;
- Where the incident took place;
- Names of witnesses, staff or children;
- How the incident began and progressed. Include details of child's behaviour, what was said, steps taken to defuse or calm the situation, degree of force used and how applied;
- Child's response and outcome;
- Details of any injuries or damage to property.

Staff may consider informing their professional association.

Parents will be informed of any such incident. Wherever possible this will be done orally.

The Head Teacher will use form IR1 to report incidents to the Local Authority.

4.9 Complaints

Complaints from a parent could lead to an investigation either under the school's disciplinary procedures, by the Police or Social Services under child protection procedures.

Any complaint would take into account the school's policy on restraint and whether it had been followed.

5. SUMMARY: RESTRICTIVE PHYSICAL INTERVENTIONS – DOS AND DON'Ts FOR STAFF

Do:

- know the school policy and other related policy documents;
- discuss with the Headteacher if you are unsure about any aspects of the policy;
- be aware of pupils individual characteristics;
- always assess a situation before acting;
- always stay calm, and do not overreact;
- remember that you have an obligation to safeguard the welfare of pupils in your care;
- report concerns over physical contact between other staff and pupils to your line manager;
- record any serious incidents in the appropriate format as soon as possible;
- make sure you are not alone.

Don't:

- place yourself at risk through the actions you undertake;
- act in anger;
- have any physical contact with a pupil in a private situation;
- have frequent physical contact with the same pupil;
- allow situations to get out of control.

There should be a Plan of Action ready for any pupil who has or is likely to have challenging behaviour, and training/guidance should be available from the Head Teacher and from Support Services.

Restrictive Physical Intervention is a last resort when all other options have failed.

Countess Gytha Primary School

USE OF REASONABLE FORCE TO CONTROL OR RESTRAIN PUPILS INCIDENT SHEET

Name(s) of Pupil(s) involved:

Time and Date of incident:

Place where incident occurred:

Names of staff or other authorised adults involved:

Names of witnesses:

Staff:

Pupils:

Reason for force being used:

Description of the way in which the incident developed:

Pupil's Response:

Outcome of incident (injury/damage):