



Blenheim

Physical Contact, Touch and the Use of Physical Restraint Policy

Approved by: Headteacher

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Note: This policy will remain in force until a new policy is approved

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The Trustees of Blenheim High School believe that all students need to be safe, know how to behave, and know that the adults around them are able to manage them safely and confidently. For a very small minority of students the use of physical restraint may be needed, and, on such occasions, acceptable forms of intervention will be used and should be consistent with, policies on Behaviour Management, Health & Safety, Child Protection and Safeguarding, the Equality Policy and Medical Needs including Intimate Care.

The majority of students behave well and conform to the expectations of our school. We have responsibility to operate an effective behaviour policy that encompasses preventative strategies for tackling inappropriate behaviour in relation to the whole school, each class, and individual students.

1. Use of Physical Restraint

The Education and Inspections Act 2006 confirmed the right of staff to use 'reasonable force' for the purpose of preventing a student from:

- committing a criminal offence;
- injuring themselves or others;
- causing damage to property;
- engaging in any behaviour that is prejudicial to maintain the good order and discipline at the school.

Whilst there is no legal definition of "reasonable force", there are two important factors to be considered:

- the use of force can be regarded as reasonable only if the circumstances of an incident warrant it;
- the degree of force must be in proportion to the circumstances of the incident and the seriousness of the behaviour or consequences it is intended to prevent.

2. What is Reasonable Force?

1. The term 'reasonable force' covers the broad range of actions used by most teachers at some point in their career that involve a degree of physical contact with pupils.
2. Force is usually used either to control or restrain. This can range from guiding a pupil to safety by the arm through to more extreme circumstances such as breaking up a fight or where a student needs to be restrained to prevent violence or injury.
3. 'Reasonable in the circumstances' means using no more force than is needed.
4. As mentioned above, schools generally use force to control pupils and to restrain them. Control means either passive physical contact, such as standing between pupils or blocking a pupil's path, or active physical contact such as leading a pupil by the arm out of a classroom.
5. Restraint means to hold back physically or to bring a pupil under control. It is typically used in more extreme circumstances, for example when two pupils are fighting and refuse to separate without physical intervention.
6. School staff should always try to avoid acting in a way that might cause injury, but in extreme cases it may not always be possible to avoid injuring the pupil.

3. Who Can Use Reasonable Force?

- All members of school staff have a legal power to use reasonable force.
- This power applies to any member of staff at the school. It can also apply to people whom the headteacher has temporarily put in charge of pupils such as unpaid volunteers or parents accompanying students on a school organised visit.

4. When Can Reasonable Force Be Used?

Reasonable force can be used to prevent pupils from hurting themselves or others, from damaging property, or from causing disorder.

The decision on whether or not to physically intervene is down to the professional judgement of the staff member concerned and should always depend on the individual circumstances.

The following list is not exhaustive but provides some examples of situations where reasonable force can and cannot be used.

5. Staff Can Use Reasonable Force To:

- remove disruptive children from the classroom where they have refused to follow an instruction to do so;
- prevent a pupil behaving in a way that disrupts a school event or a school trip or visit;
- prevent a pupil leaving the classroom where allowing the pupil to leave would risk their safety or lead to behaviour that disrupts the behaviour of others;
- prevent a pupil from attacking a member of staff or another pupil, or to stop a fight in the playground; and
- restrain a pupil at risk of harming themselves through physical outbursts.

Staff Cannot:

- use force as a punishment – it is always unlawful to use force as a punishment.

6. Guidance on the Use of Physical Force

Physical restraint should only be used as a last resort when all other strategies for diffusing the situation have been tried first. (See appendix A for de-escalation strategies). Whenever possible, the age, level of understanding and gender of the student should be considered. In addition, staff should be mindful of any student who is known to be vulnerable (e.g. LAC, EHCP, have an allocated Social Worker).

Examples of behaviour that could lead to physical restraint:

- physical attack by a student on another student or adult;
- deliberate damage to school property;
- a student behaving in a way which places others at risk, e.g. pushing, tripping on a staircase or rough play
- preventing a student running into a busy road;

- refusal by a disruptive student to leave the classroom (Head Teacher or other authorised members of staff only unless the students is injuring themselves or others).

Whilst by their nature, it is difficult to plan for instances where physical force may be necessary staff must give regard to the following factors:

- Only the minimum reasonable force necessary will be used to prevent severe distress or injury and this should be in keeping with nature of the incident.
- Assistance should be sought whenever possible and the student(s) should be told that this has been done.
- Any other students who are at risk should be removed.
- The use of restraint in a one-to-one situation should be avoided, witnesses are important.

Any physical force should not lead to injury: staff SHOULD NOT intentionally:

- hold a student around the neck or collar, or in a way that might restrict breathing;
- slap, punch or kick;
- twist or force limbs against a joint;
- trip;
- hold or pull by the hair or ear; or
- hold a student face down on the ground.

7. Recording and Reporting the Use of Physical Restraint

In all cases where physical intervention has taken place, the incident and subsequent actions should be documented and reported to the Headteacher as soon after the event as possible and no later than on the same day that the incident occurred (appendix C).

8. Physical Contact with Students

There are occasions when staff will have cause to have physical contact with students for a variety of reasons. Examples of where touching a pupil might be proper or necessary, include:

- when comforting a distressed pupil (so long as this is appropriate to their age);
- when demonstrating how to use a musical instrument;
- when demonstrating exercises or techniques during PE lessons or sports coaching;
- when giving first aid.

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

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

If a member of staff believes that an act of physical contact could be misinterpreted, the incident and circumstances should be recorded as soon as possible on CPOMs and with the Assistant Headteacher – Designated Safeguarding Lead.

9. Physical Contact and the Right to Search Students

Information on the right to search students and possible resulting physical contact can be found in the **Behaviour Policy**.

10. Risk Assessments

If a student is identified for whom it is felt that Restrictive Physical Intervention is likely, then a Risk Assessment will be completed. This will help the student and staff to avoid difficult situations through understanding the factors that influence the behaviour and identifying the early warning signs that indicate foreseeable behaviours that may be developing (see appendix B for Surrey County Council risk assessment template).

The plan will include:

- involving parents/carers and students to ensure they are clear about what specific action the school may take, when and why
- a risk assessment to ensure staff and others act reasonably, consider the risks, and learn from what happens
- a record needs to be kept in school of risk reduction options that have been examined and discounted, as well as those used
- managing the student, strategies to de-escalate a conflict, and stating at which point a risk assessment is to be used
- identifying key staff who know exactly what is expected. It is best that these staff are well known to the student
- ensuring a system to summon additional support
- identifying training needs

11. Guidance and Training for Staff

Guidance and training are essential in this area. We need to adopt the best possible practice. In Blenheim High School this is arranged at a number of levels including:

- awareness for Trustees, staff and parents
- behaviour management for all staff
- managing conflict in challenging situations specific training on Physical Restraint.

12.Complaints

It is intended that by adopting this policy and keeping parents and Trustees informed we could avoid the need for complaints. All disputes that arise about the use of force by a member of staff will be dealt with according to Blenheim's Child Protection and Safeguarding policy.

What happens if a pupil complains when force is used on them?

- All complaints about the use of force should be thoroughly, speedily and appropriately investigated.
- 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 when a complaint is made the onus is on the person making the complaint to prove that their allegations are true – it is not for the member of staff to show that he/she has acted reasonably.
- Suspension must not be an automatic response when a member of staff has been accused of using excessive force. Schools should refer to the “Dealing with Allegations of Abuse against Teachers and Other Staff” guidance (see the ‘Further sources of information’ section below) where an allegation of using excessive force is made against a teacher. This guidance makes clear that a person must not be suspended automatically, or without careful thought.
- Schools must consider carefully whether the circumstances of the case warrant a person being suspended until the allegation is resolved or whether alternative arrangements are more appropriate.
- If a decision is taken to suspend a member of staff, the school should ensure that the member of staff has access to a named contact who can provide support.
- The Board of Trustees should always consider whether a teacher has acted within the law when reaching a decision on whether or not to take disciplinary action against the teacher.
- As employers, schools and local authorities have a duty of care towards their employees. It is important that schools provide appropriate pastoral care to any member of staff who is subject to a formal allegation following a use of force incident

Appendix A: De-escalation strategies

De-escalation strategies should be tried first in most cases.

Whatever strategies are used take care to remember:

- Talking quietly and in a low-key manner can reduce the 'heat' in a situation.
- Consider your body language, avoid threatening body posture and be aware of the non-verbal messages your body is communicating.
- Be positive about the young person; do not call them names or make derogatory remarks.
- Don't make promises you can't keep.
- Don't make threats you can't keep.
- Do the things that you have promised.
- Consider the level of eye contact you make with the young person. Too much could be threatening, too little could make it appear that you don't care or you are frightened /uninterested.
- Tell students to stop the inappropriate behaviour.
- Try to calm the situation.

If force is necessary

- The member of staff should continue trying to communicate with the student throughout the incident, making it clear that physical contact or restraint will stop as soon as it is no longer necessary.

IT IS CRUCIAL THAT THE TEACHER TAKES A CALM AND MEASURED APPROACH. THEY MUST NEVER APPEAR TO LOSE HIS OR HER TEMPER OR TO ACT OUT OF ANGER OR FRUSTRATION SIMPLY TO PUNISH THE STUDENT CONCERNED.

Appendix B: Individual child or young person risk assessment

Surrey County Council – child or young person risk assessment

A plan for assessing and managing foreseeable risks for children or young people who are likely to need Restrictive Physical Intervention

School: _____

Name of Child: _____

Class group: _____

Name of teacher: _____

Name of parents/carers: _____

Name of Support Service Member/s: _____

Identification of Risk	
Describe the foreseeable risk (i.e. what specific behaviours have occurred)	
Is the risk potential or actual? (i.e. has this happened before)	
List who is affected by the risk	

Assessment of Risk	
In which situations does the risk occur?	
How likely it is that the risk will arise? (i.e. how often has it happened before)	
If the risk arises, who is likely to be injured or hurt?	
What kinds of injuries or harm are likely to occur?	
How serious are the adverse outcomes?	

Assessment completed by: _____

Signature: _____

Date: _____

Agreed Plan and School Risk Management Strategy		
Focus of Measures	Measures to be employed	Level of risk
Proactive interventions to prevent risks		
Early interventions to manage risks		
Reactive interventions to respond to adverse outcomes		

Agreed by:

(Parent / carer) Date:

(Child - if appropriate)Date:

(Head teacher) Date:

(Class teacher)Date:

(Support Service Member/s) Date:

Communication of Plan and School Risk Management Strategy		
Plans and strategies shared with:	Communication Method	Date Actioned

Staff Training Issues		
Identified training needs	Training provided to meet needs	Date training completed

Evaluation of Plan and School Risk Management Strategy		
Measures set out	Effectiveness in supporting the child	Impact on risk
Proactive interventions to prevent risks		
Early interventions to manage risks		
Reactive interventions to respond to adverse outcomes		
ACTIONS FOR THE FUTURE		

Plans and strategies evaluated by:

Title:

Date:

Appendix C: Log of Incident Involving Physical Restraint

Date/Time of incident:	
Student name(s):	
Staff name(s):	
Location of incident:	

Adult Witnesses:	Student Witnesses:

Incident leading to restraint:

WHAT DE-ESCALATION TECHNIQUES WERE USED PRIOR TO PHYSICAL CONTROLS:

(tick the appropriate box below)

Defusing

Time out offer

Deflection

Time out directed

Distraction take up time

Changes of task

Appropriate Humour

Choices

Proximity control

Limits

Verbal advice/support

Consequences

Rule reminder

Another member of staff

Hurdle help

Planned ignoring

Other (please state)

Student response to de-escalation techniques (what was said, actions)

JUSTIFICATION FOR USE OF PHYSICAL CONTROLS:

(tick the appropriate box below)

To prevent/interrupt;

A criminal offence

Injury to student/staff/others

Serious damage to property

Disruptive behaviour

Student absconding

Other (please state)

NATURE OF RESTRICTIVE PHYSICAL INTERVENTION USED:
(Insert language relevant to training received and include estimate of duration of use of physical intervention)

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DETAILS OF ANY INJURY/DAMAGE:
(injury to whom and action taken as a result, e.g. first aid, medical treatment)

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ANY OTHER RELEVANT INFORMATION:

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SIGNATURE OF TEACHER INVOLVED:		DATE:	
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NAME OF SENIOR PERSON NOTIFIED:		TIME/DATE	
HEADTEACHER'S COMMENTS:			
SIGNATURE OF HEADTEACHER:		DATE:	