

drb Ignite Multi Academy Trust

Pupil Restraint Policy

Rationale

This Policy has been developed as part of the Trust's whole organisational approach to maintaining a strong *culture of safeguarding* in line with Keeping Children Safe in

Education 2021 (KCSiE 2021). It follows the Department for Education's guidance on the use of reasonable force in educational settings which can be accessed using the link below:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/444051/Use_of_reasonable_force_advice_Reviewed_July_2015.pdf

Trust vision

The drb Ignite Trust has been established through a shared belief that lives can be transformed by what goes on in school. We believe that the process of teaching and learning shapes futures.

The Trust's vision is:

all pupils achieve the highest standards of educational standards regardless of circumstance or background.

Understanding the need for physical intervention

The Trust and its schools are committed to positive behaviour approaches that encourage children to make good behaviour choices. These approaches are clearly communicated and understood by pupils, parents and staff.

We aim to maintain safe and secure environments where all pupils can learn. On rare occasions, circumstances may result in a situation that requires some form of physical intervention by staff. This Policy aims to ensure a consistent Trust wide response to any incidents that may occur and make clear adult responsibilities with regard to the physical intervention and restraint of pupils.

In all Trust school, we aim to avoid the need for physical intervention and regard this as a last resort in a minority of situations. We always aim to deal with behaviour using a positive approach and therefore this policy should be read in conjunction with the Trust's Behaviour Policy

It is not possible to define every circumstance in which physical restraint might be necessary or appropriate and staff will exercise their own professional judgement in situations which arise within the categories outlined in the Policy. Staff should always act within the Trust's policy on behaviour and discipline, particularly in dealing with disruptive behaviour. Staff should be constantly aware that when they are in charge of children during the school day, or during other supervised activities, they are acting in loco parentis and have a **Duty of Care** to all children they are responsible for. This means that they must take reasonable action to ensure all pupils' safety and wellbeing.

For note: Staff are not expected to place themselves in situations where they are likely to suffer injury as a result of any intervention.

Principles

Our policy for physical intervention and restraint is based on the following principles:

- Physical intervention must be used only as a last resort when other appropriate strategies have failed.
- Any physical contact should be only the minimum required.
- Physical intervention must be used in ways that maintain the safety and dignity of all concerned.
- Incidents must be recorded and reported to the headteacher as soon as possible.
- Parents will be informed of each incident.

Legal Framework

The legal framework outlined in *Section 93 of the Education & Inspections Act 2006* allows teachers and other persons who are authorised by the headteacher who have control or charge of pupils to use such force as is reasonable in the circumstances to prevent a pupil from doing, or continuing to do, any of the following:

- causing injury to his/herself or others
- committing an offence
- damaging property
- prejudicing the maintenance of good order & discipline

The DfE *Use of Reasonable Force* government guidance states:

- 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.
- Schools 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 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.
 - √ stop a fight in the playground.
 - √ restrain a pupil at risk of harming themselves through physical outbursts.

Roles and responsibilities

Headteacher and senior leaders will:

- lead the implementation of this Policy and communicate its contents to all members of the school community.
- ensure that the school is a safe place for all pupils and staff.
- ensure incidents are recorded appropriately.
- ensure that all staff members receive sufficient training to be equipped to deal with incidents that require physical intervention and restraint.
- ensure that staff receive appropriate support following an incident.
- record incident on relevant forms and file appropriately including uploading information to the Trust's electronic system i.e. the child's CPOMs record.

Staff will:

- Follow the positive handling plans for those with recognised emotional and/or behavioural difficulties.
- Inform the headteacher of any incidents involving physical intervention or restraint.
- Communicate effectively and promptly with parents.
- Maintain professional confidentiality as required.
- Write/review PHP and share with parents and relevant staff.
- Communicate any concerns to the head teacher.

Parents will:

- Attend meetings arranged by members of staff and co-operate in devising strategies, planned responses and physical handling plans which will support the child as appropriate.
- Sign and support any physical handling support plan.
- Communicate any concerns immediately to the class teacher or other designated member of staff e.g. SENCO.

Understanding *reasonable force*

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. 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 pupil needs to be restrained to prevent violence or injury. All members of Trust staff have a legal power to use reasonable force.

Physical restraint often occurs in response to highly charged emotional situations and there is a clear need for debriefing after the incident, both for the staff involved and the pupil. The headteacher should be informed of any incident as soon as possible and

will take responsibility for making arrangements for debriefing once the situation has stabilised.

An appropriate member of staff should always be involved in debriefing the pupil involved and any victims of the incident should be offered support, and their parents informed. After any incident involving restraint an incident report should be completed.

It is also helpful to consider the circumstances precipitating the incident to explore ways in which future incidents can be avoided. All incidents should be recorded immediately on the school form. All sections of this report should be completed so that any patterns of behaviour can be identified and addressed. In the event of any future complaint or allegation this record will provide essential and accurate information. A copy should be filed appropriately and CPOMS updated.

A member of the leadership team will contact parents as soon as possible after an incident, normally on the same day, to inform them of the actions that were taken and why, and to provide them with an opportunity to discuss the incident and actions taken.

Positive Handling Planning

If staff become aware that a pupil is likely to behave in a disruptive way that may require the use of reasonable force, the headteacher will work with staff to produce a plan of how to respond if the situation arises. Such planning will address:

- bespoke calming strategies to be used prior to any physical intervention
- ways of recognising and avoiding *triggers* if these are known and can be anticipated
- involvement of parents to ensure that they are clear about the specific action the school might need to take
- briefing of all staff to ensure they know exactly what action they should be taking (this may identify a need for training or guidance)
- identification of additional support that can be summoned if appropriate

Any concern raised about the use of physical intervention and restraint in a particular situation will lead to a full investigation which will be conducted by a member of the senior leadership team. *Lessons learnt* will be shared with all staff as appropriate.

Recording

All behaviour incidents, where restraint is needed, are to be recorded on the electronic CPOMS recording system. All incidents to also be recorded on a 'Record of intervention Form' (attached) This form will be signed by any staff involved or observing and the head teacher. It will be kept in the Physical Intervention & Restraint file in the Nurture Managers office. This policy is monitored on a day-to-day basis by the Head teacher and all staff, by talking with children, both formally and informally, from parents' communications and from colleague observations and reporting.

Training and professional development

Trust schools will ensure that all permanent and long-term supply staff have access to this Policy and understand the contents as part of their *Culture of Safeguarding* induction.

The Trust maintains ongoing training and professional development by identifying and reviewing the training needs of staff on a regular basis.

Planning for the needs of individual pupils

The Trust aims to identify, in consultation with parents/carers, any pupil whose behaviour is potentially thought to require a physical intervention response, and to consider the needs of these pupils in relation to:

- any individual medical, social, behavioural, learning or cultural factors
- any Individual Education Plans, Pastoral Support Programmes or Personal Education Plans which support pupil needs.

If a member of staff thinks that a particular pupil may, at some time, need such intervention, the circumstances and requirements will be presented for discussion at an appropriate meeting of relevant staff.

Other physical contact with pupils

The Trust believes that some use of appropriate, positive physical contact with pupils can contribute to the development of a culture of safety, security and trust. Some

physical contact is necessary or unavoidable when staff are working with:

- younger pupils who may need encouraging or guiding
- pupils with special educational needs who may need physical prompts or help
- pupils requiring first aid
- pupils receiving coaching in sport or as part of another curriculum activity
- pupils in distress.

Staff will make professional and sensitive judgements about the nature and extent of their physical contact with pupils. All staff will take into account:

- cultural sensitivities
- gender differences
- the needs of children who may be particularly vulnerable following previous trauma or abuse.

Record-keeping

All Trust schools keep a record of incidents where physical intervention involving the use of force has been necessary. The Trust uses a common incident reporting approach through adoption of the CPOMS software.

The headteacher or nominated senior member of staff will be advised at the earliest possible time after an incident. The record will be completed within one working day and discussed with the nominated person who will also decide how and when to report the incident to the pupil's parent/carer.

If the incident includes a physical or verbal assault on a staff member/volunteer or another pupil, an accident/incident form should also be completed. The teacher/adult involved may seek guidance from a senior colleague and/or their trade union representative before filling in their report.

Senior staff will discuss the incident with any pupils or staff who were present and, where appropriate, collect a written account from them. In line with the Trust's commitment to working in partnership with parents, all schools will aim to maintain an open discussion during any relevant procedure which may follow an incident. Trust schools will regularly review the number and type of incidents in which physical intervention has been necessary. This will be used to ensure that there is adherence to this Policy and to identify improvement needed in other associated policies and procedures of the Trust.

Information is reported to Trustees about the effectiveness of the Policy on request and through termly *culture of safeguarding* reports culminating in the Trust's *Annual Safeguarding Report*.

Sharing of information

All members of the Trust community should know of the existence of this Policy. In principle, as few people as possible should know the details of specific incidents and staff should maintain confidentiality to the greatest possible extent. This is to enable trustees and staff involved in any investigation or complaint to do so without having acquired hearsay knowledge.

Complaints


Any complaints following a dispute about the use of physical intervention by a staff member should, in the first instance, be referred to the school headteacher. This will generally result in an investigation, which will take account of the written or verbal reports which have been collected. It is hoped that this investigation can resolve the matter at school level.

Where disputes cannot be resolved informally within the school, complaints should be pursued in accordance with the Trust's *Complaints Policy* and associated procedures.

Implementation, monitoring and review

The Trust's headteachers are directly responsible for:

- ensuring that all staff are familiar with the DfE guidance and the Trust's Policy
- ensuring that all relevant staff have received training in non-physical interventions
in order reduce the need for physical intervention
- ensuring that named personnel have received training in physical intervention techniques
- monitoring and reviewing the implementation of the Trust's Policy.

Monitoring and review	Trust Board Headteachers
Links	Safeguarding and Child Protection Policy Staff Code of Conduct Behaviour Policy
Staff responsible	Headteachers Executive leaders
Committee responsible	Achievement, Support and Scrutiny
Reviewed	September 2021
Next review	September 2022
Sign off by Chair of Trust	 Date: September 2021

*Please note that should there be any changes/further national guidance issued relevant to this policy, it will be updated accordingly prior to the review date shown above and referred to the next Trust Board meeting.

Change Management

Issue No.	Change date	Change description
1.0	Feb'19	Initial release
2.0	Sept 21	Review KCSiE 2021

Appendix A

STAFF GUIDANCE – USE OF RESTRAINT

1. Understanding *reasonable force*

Whilst there is no legal definition of reasonable force, DFE Guidance July 2013 advises that the term ***reasonable force*** covers the broad range of actions used by most teachers/support staff at some point during their career that involve a degree of physical contact with pupils.

During a potentially difficult situation staff may be required to:

- physically step in between pupils
- block a pupil's path
- hold a pupil
- lead a pupil by the hand or arm
- guide a pupil away by placing a hand in the centre of the back
- in more extreme circumstances use more restrictive holds

Trust staff are not permitted to act in a way that might cause injury. For example:

- holding a pupil round the neck, or by the collar, or in any other way that might restrict the pupil's ability to breathe
- slapping, punching, pushing, pulling or kicking a 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 use of any degree of force is unlawful if the particular circumstances do not warrant the use of physical force. Physical force cannot be justified in a situation that could clearly be resolved without force, for example to prevent a pupil from committing a trivial offence. In all circumstances, alternative calming methods should be used as appropriate with physical intervention or restraint, a last resort.

2. When restraint is necessary

When physical restraint becomes necessary:

DO

- Tell the pupil what you are doing and why
- Tell the pupil what s/he must do for you to remove the restraint (this may need frequent repetition)

- Use simple and clear language
- Relax your restraint in response to the pupil's compliance

DON'T

- Act in temper (involve another staff member if you fear loss of control)
- Involve yourself in a prolonged verbal exchange with the pupil

3. Please remember

In all Trust schools:

- physical intervention must never be used as a punishment.
- it should only be used if there is an immediate danger to other pupils, staff or school property.
- it must only be used if all other tactics have failed.
- any force used in a physical intervention must be of minimum strength and duration to deal with the immediate danger.
- help must be sent for as soon as possible, probably using another pupil to do so.
- great care should be taken about how a pupil is handled.
- keep calm and talk to the child; explain that physical contact will cease as soon as they calm down.
- keep safe and ensure other pupils are safe – it may be necessary to remove other pupils than to try to physically intervene with the aggressor.
- do not place yourself at risk by confronting pupils who are bigger/stronger than you, who are armed or who otherwise pose a threat to your safety.

4. Reporting

All incidents of physical intervention must be reported to the headteacher as soon as possible and should be written up immediately if possible. Seek advice following an incident from a senior leader. If a physical or verbal assault has occurred, a health and safety form should also be completed.

Appendix B:
Sample incident recording form

This sample form can be used following an incident involving physical intervention and kept by the school for future reference (it may be fixed so as to avoid removal to the numbered page in the book used for recording such incidents).

Name(s) of pupil/pupils:	Date:	Time:
Ethnicity:	Gender: (M/F)	
Nature of Incident: (Tick)	Involving: (Tick)	
<input type="checkbox"/> Verbal abuse <input type="checkbox"/> Threatening behaviour <input type="checkbox"/> Refusal <input type="checkbox"/> Kicking <input type="checkbox"/> Punching <input type="checkbox"/> Fighting <input type="checkbox"/> Other (please specify)	<input type="checkbox"/> Staff <input type="checkbox"/> Pupil(s) <input type="checkbox"/> Property <input type="checkbox"/> Equipment <input type="checkbox"/> Other (please specify)	
Why was physical intervention required? (Continue on a separate sheet if necessary) <input type="checkbox"/> The circumstances that led to the incident		
<input type="checkbox"/> When and where the incident took place		
<input type="checkbox"/> The name(s) of any staff or children who witnessed the incident		
<input type="checkbox"/> The circumstances and reason for using physical intervention		

<input type="checkbox"/> The danger perceived	
How the incident began and progressed, including details of:	
<input type="checkbox"/> the pupil's behaviour, response	
<input type="checkbox"/> what was said by each of the parties involved	
<input type="checkbox"/> the steps taken to defuse or calm the situation	
<input type="checkbox"/> the degree of force used, and any restraint used	
<input type="checkbox"/> how it was applied and for how long; details of any injury	
Further action taken by the headteacher (circle as appropriate)	
H&S Accident Form completed Y/N Child Protection investigation Y/N Racial Incident Record Y/N Peer on Peer Bullying Y/N	Parent /Carer contacted Y/N Police/others informed Y/N
Signature of member of staff reporting:	Signature of headteacher:
Date:	Date:

