

Control and Restraint Policy



Moat Hall Primary School

Approved by: Jane King **Date:** 1st September 2022

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1. Introduction

1.1 Staffordshire Children's Services recognises the right of every person to be protected from harm and, for that reason, seeks to protect all children and young people against any form of physical intervention which is either unnecessary, inappropriate (either to the individual or in the prevailing circumstances) excessive or unlawful.

1.2 It is acknowledged that some staff in our schools and services deal on a day to day basis with groups of children and young people some of whom may exhibit disturbed, distressed and distressing behaviours. Staffordshire Children's Services seeks, therefore, to assist all staff in preserving good order and discipline and in promoting and maintaining an environment conducive to meeting the children's needs, and is aware that there are occasions when adults touch children and young people in ways which are entirely appropriate. There is also a need to minimise the risk to staff of false accusations of improper conduct towards a pupil and to ensure that staff members feel confident about appropriate action in very difficult circumstances.

1.3 Good practice indicates that parents and carers should be involved in the behavioural management of their child. They should be made aware of the school or service's policy regarding restraint of pupils who exhibit disruptive, self injurious or violent behaviour. A statement about the School's Behaviour Policy is made to parents in the School's prospectus. All parents and carers should be involved immediately a serious incident occurs and should have access to the formal procedures for reporting and recording such an incident.

1.4 The policy has been developed in response to the recommendations of Circular 10/98 "The Use of Force to Control or Restrain Pupils", issued following the enactment of Section 550A of the 1996 Education Act. It also follows the policies of Staffordshire Education Committee.

1.5 The policy should be read in conjunction with Safeguarding and Anti-Bullying school policies.

1.6 The policy was prepared accepted by the Governing Body in September 2022.

The responsible person for the implementation of the policy is the headteacher. The policy will be reviewed 3 yearly by the Headteacher and the Governing Body.

2. Purpose of policy

2.1 Good personal and professional relationships between staff and pupils is vital to ensure good order in our school. It is recognised that the majority of pupils in our school respond positively to the discipline and control practised by staff. This ensures the well-being and safety of all pupils and staff in school. It is also acknowledged that in exceptional circumstances, staff may need to take action in situations where the use of reasonable force may be required.

2.2 Every effort will be made to ensure that all staff in this school:

- (i) clearly understand this policy and their responsibilities in the context of their duty of care in taking appropriate measures where reasonable force is necessary and
- (ii) are provided with appropriate training to deal with these difficult situations.

However individual members of staff will not be required to use physical restraint but must ensure that appropriate assistance is immediately available.

2.3 The application of any form of physical control places staff in a vulnerable situation. It can only be justified according to the circumstances described in this policy. Staff, therefore, have a responsibility to follow the policy and to seek alternative strategies wherever possible in order to prevent the need for physical intervention.

2.4 Reasonable force will only be used as a last resort when all other behaviour management strategies have failed or when pupils, staff or property are at risk

3. Definitions

3.1 Physical Contact

Situations in which proper physical contact occurs between staff and pupils, e.g., in the care of pupils with physical and/or learning disabilities; in games/PE; to comfort pupils.

3.2 Physical Intervention

This may be used to divert a pupil from a destructive or disruptive action, for example guiding or leading a pupil by the hand, arm or shoulder with little or no force.

3.3 Physical Control/Restraint

This will involve the use of reasonable force when there is an immediate risk to pupils, staff or property. All such incidents must be recorded. It is not possible to

set out comprehensively when it is reasonable to use force, or the degree of force that may reasonably be used. It will always depend on all the circumstances of the situation.

4. Underpinning values

4.1 Everyone attending or working in this school has a right to:

- recognition of their unique identity;
- be treated with respect and dignity;
- learn and work in a safe environment
- be protected from harm, violence, assault and acts of verbal abuse

Pupils attending this school and their parents have a right to:

- individual consideration of pupil needs by the staff who have responsibility for their care and protection;
- expect staff to undertake their duties and responsibilities in accordance with the school's policies;
- be informed about school rules, relevant policies and the expected conduct of all pupils and staff working in school;
- be informed about the school's complaints procedure.

4.2 The school will ensure that pupils understand the need for and respond to clearly defined limits which govern behaviour in the school.

5. Authorised staff

5.1 At our school, teachers and TA are authorised to use physical contact as defined within this policy. Only specifically trained staff (through the Team Teach program) have control or charge of pupils may use reasonable force to manage or control pupils.

5.2 Where the use of restraint is necessary on more than one occasion, a positive handling plan will be put in place in agreement with the parents and carers.

5.3 The Headteacher is responsible for making clear to whom such authorisation has been given, in what circumstances and settings they may use force and for what duration of time this authorisation will last. The Headteacher will ensure that those authorised are aware of, and understand, what the authorisation entails. Those whom the Headteacher has not authorised will be told what steps to take in the case of an incident where control or restraint is needed, for example to contact an authorised member of staff.

5.4 The office staff will keep a list of all staff who are Team Teach trained. This list will be updated as required when staff are trained.

5.5 SLT, Team Leaders and the Safeguarding Team will undergo training as appropriate. The training will be renewed as required by Team Teach.

6. Staff from the Trust working within the school

6.1 Support Services will have their own policies of care and control of pupils but Trust staff will, whilst on school premises, be expected to be aware of and operate within the policy of this school.

7. Training

7.1 Training for appropriate staff, as defined in section five, will be made available and will be the responsibility of the Headteacher. No member of staff will be expected to undertake the use of reasonable force without appropriate training. Prior to the provision of training, guidance will be given on action to be taken. Arrangements will be made clear as part of the induction of staff and training will be provided as part of ongoing staff development.

8. Strategies for dealing with challenging behaviour

8.1 Staff consistently use positive strategies to encourage acceptable behaviour and good order.

8.2 Every effort will be made to resolve conflicts positively and without harm to pupils or staff, property, buildings or the environment.

8.3 Where unacceptable behaviour threatens good order and discipline and provokes intervention, some or all of the following approaches should be taken according to the circumstances of the incident:

- Verbal acknowledgement of unacceptable behaviour with request for the pupil to refrain;
- Further verbal reprimand stating that this is the second request for compliance; an explanation of why observed behaviour is unacceptable; an explanation of what will happen if the unacceptable behaviour continues;

- Warning of intention to intervene physically and that this will cease when the pupil complies. If possible summon assistance;
- Physical intervention. Reasonable force uses the minimum degree of force to prevent a child harming him or herself, others or property.

9. Escalating situations

9.1 The 1996 Education Act (Section 550 A) stipulates that reasonable force may be used to prevent a pupil from doing, or continuing to do any of the following:

- engaging in any behaviour prejudicial to maintaining good order and discipline at the school or among any of its pupils, whether the behaviour occurs in a classroom during a teaching session or elsewhere (this includes authorised out-of-school activities);
- self-injuring or placing him or herself at risk;
- injuring others;
- causing serious and significant damage to property, including that of the pupil himself or herself;
- committing a criminal offence (even if the pupil is below the age of criminal responsibility).

10. Types of incidents

10.1 The incidents described in Circular 10/98 fall into three broad categories:

(a) where action is necessary in self-defence or because there is an imminent risk of injury;

(b) where there is a developing risk of injury, or significant damage to property;

(c) where a pupil is behaving in a way that is compromising good order or discipline;

10.2 Examples of situations which 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 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 (NB this will only apply if a pupil could be at risk if not kept in the classroom or at school).

10.3 Examples of situations which fall into the third category are:

- 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.

11. Acceptable measures of physical intervention

11.1 The use of any degree of force can only be deemed reasonable if.

- (a) it is warranted by the particular circumstances of the incident;
- (b) it is delivered in accordance with the seriousness of the incident and the consequences which it is desired to prevent;
- (c) it is carried out as the minimum to achieve the desired result;
- (d) the age, understanding and gender of the pupil are considered;
- (e) it is likely to achieve the desired result.

11.2 Wherever possible assistance should be sought from another member of staff before intervening.

11.3 Physical intervention uses the minimum degree of force necessary for the shortest period of time to prevent a pupil harming himself, herself, others or property.

This form of physical intervention may involve staff.

- physically interposing themselves between pupils;
- blocking a pupil's path;
- escorting a pupil;
- shepherding a pupil away.

11.4 In extreme circumstances, trained staff may need to use more restrictive holds.

11.5 Any such measures will be most effective in the context of the overall ethos of the school, the way in which staff exercise their responsibilities and the behaviour management strategies used. Wherever reasonable force is used, staff must keep talking to the pupil.

12. Recording

12.1 Where physical intervention has been used to manage a pupil, a record of the incident **may** need to be kept. Where physical control or restraint has been used a record of the incident **will** be kept. This record will be stored electronically and physically for the duration of their time at our school, which will include

- name of pupil
- date, time and place of incident
- a brief description of the incident and actions taken.

This report will be shared with the parents/carers and the incident discussed.

12.2 The report will be completed as soon as possible after the incident, normally prior to staff going off duty and be signed by all staff involved and the Headteacher and should be available to governors.

12.3 In addition, **specific** details of the use of reasonable force will be recorded on Form RF I which will include:

- how the incident developed;
- attempts made to calm the situation;
- names of any staff or pupils who witnessed the incident;
- the outcome of the incident including any injuries sustained, by any pupil or member of staff;
- the type of hold utilised by trained staff
- any damage to property which has resulted;
- whether/how parents have been informed;
- and, after investigation, a summary of actions taken.

12.4 Staff may find it helpful to seek advice from a senior colleague or representative of their professional association/union when compiling a report. They should also keep a copy of the report.

12.5 After the review of the incident, copies of the report will be placed on the pupil's file and in the school's general file on the use of reasonable force.

12.6 A Health and Safety Accident/Incident Form (HS 1) will be completed and returned to the Authority.

12.7 Where staff have been involved in an incident involving reasonable force they should have access to counselling and support. Within the school, this will be made available through the Headteacher. Staff may also contact the Borough's Welfare and Counselling Section.

13. Action after an incident

The Headteacher will ensure that each incident is reviewed and investigated further as required. If further action is required in relation to a member of staff or a pupil, this will be pursued through the appropriate procedure:

- Child Protection Procedure (this may involve investigations by Police and/or Social Services)
- Staff Facing Allegations of Misconduct Procedure
- Staff or Pupil Disciplinary Procedure
- School Behaviour Policy
- Exclusions Procedure

13.2 The member of staff will be kept informed of any action taken.

13.3 In the case of any action concerning a member of staff, he/she will be advised to seek advice from his/her professional association/union

14. Complaints

14.1 The availability of a clear policy about reasonable force and early involvement of parents should reduce the likelihood of complaints but may not eliminate them

14.2 Any complaints about staff will be dealt with under the School's Complaints Procedure.

14.3 The Chair of Governors will be informed of complaints but other governors will not be involved as a complaint may require further action on their part.

15. Monitoring of incidents

15.1 Whenever a member of staff has occasion to use reasonable force, this will always be recorded and documented. Monitoring of incidents will help to ensure that staff are following the correct procedures and will alert the Headteacher to the needs of any pupil(s) whose behaviour can only be contained by the use of reasonable force.

15.2 This process will also address patterns of incidents and evaluate trends which may be emerging.

MODEL STATEMENT FOR PARENTS ON THE USE OF REASONABLE FORCE FOR INCLUSION IN SCHOOL PROSPECTUS

If staff become aware of, or have a need to become involved in, situations where a child may be at risk of hurting themselves or others, or if the behaviour of a child seriously disrupts good order in the school or causes damage to property, staff may need to take steps to intervene physically. In such circumstances staff will follow the school's policy for dealing with these situations. Any parent wishing to view this policy may do so on request.

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Seen by head:		Date:		Log book number:	
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Name of child		Class	
Date		Year group	
Place		Time	

Name of staff
Names of witnesses

Immediate danger of personal injury to self		Immediate danger of injury to another person							
Disruption to other pupils		Fighting		Assault		Verbal threats		Accidental	
Avoid damage to property		To prevent/ interrupt absconding				Off site		Within grounds	

Describe the lead up to the incident/ behaviour

De-escalation techniques used						
Verbal advice and support		Humour			Distraction	
Reassurance		Options offered			Step away	
Calm talking		Time out offered			Time out directed	
Non-threatening body language		Other (please specify)				

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Details of the incident

Section B (to be filled in physical controls were used)

Forms of physical control used as taught by TEAM TEACH					
Held by 2 or more		Friendly hold		Figure of four hold	
Holding only		Single elbow		Wrap – for smaller child	
Guided escort		Double elbow		Shield	
Taken to the floor – sitting/kneeling prone		Inside double elbow		Approximate duration of physical control	

Medical intervention				Injury suffered by child	Yes		No		
Child checked by				Treatment required	Yes		No		
Referred to first aider	Yes		No	Specify					
Referred to GP		Hospital							
Parent/ carer informed	Phone		Letter						
Injury suffered by staff	Yes		No	Damage to property	Yes		No		
Specify				Details					

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Action taken

Follow up talk		Recommend part time		Review meeting	
Complete work missed		Referred to police		Exclusion	
Returned to class		Letter to parent/ carer		Other sanction	
Signed				Date	