

# THE ROSEWOOD SCHOOL

## PHYSICAL INTERVENTIONS POLICY 2016-2017



Staff Responsible

Mr D Kirk

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**Dudley Directorate of Children's Services**

**Good Practice  
Guidance for Schools**

**The Use of Physical  
Interventions  
Including Restrictive  
Physical Interventions**

**'Putting children and young people first in Dudley'**

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## Summary

This guidance outlines:

- The primary legislation regarding the use of restrictive physical intervention (1996 Education Act) and the clarification provided in Circular 10/98.

1996 Education Act – Section 550A

***This forbids any form of corporal punishment but does allow teachers (and others authorised by the Headteacher) to use reasonable force to prevent a pupil from:***

- ***Damaging property (including their own)***
  - ***Committing a criminal offence***
  - ***Injuring themselves or others***
  - ***Acting in a way that is counter to maintaining good order and discipline.***
- Staff have the right to use proportional force defend themselves against attack.***

*Circular 10/98*

***Provides examples of where reasonable force may be appropriate, e.g.:***

- ***An attack on staff; pupils are fighting; rough play (or other actions) likely to cause injury or damage etc.***
- ***Deliberate damage or vandalism; misuse of dangerous materials.***

***It advises schools to draw up a physical intervention policy and determine how to record their use.***

- Who can use restrictive physical intervention, best practice in its use and how it should be recorded

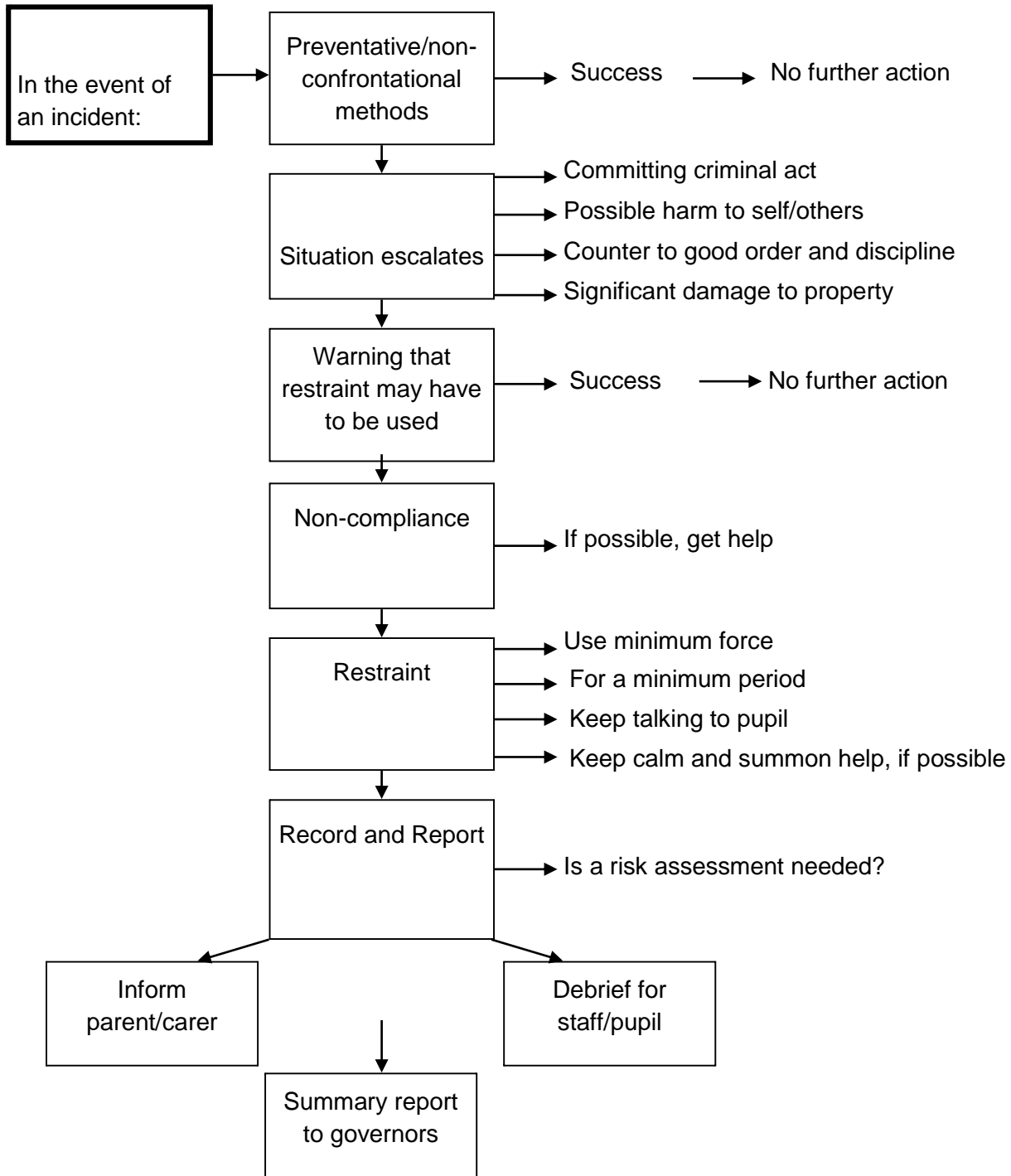
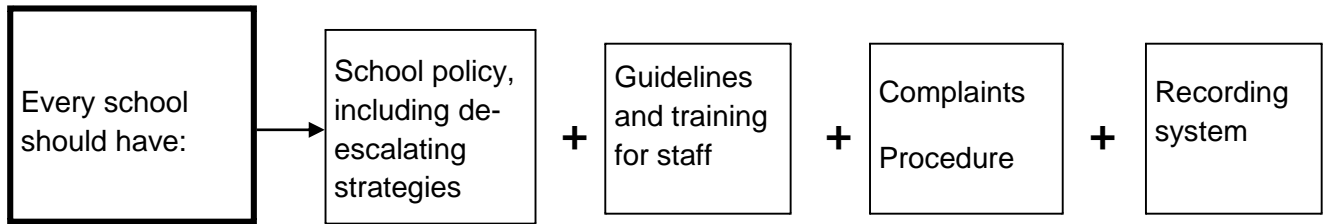
**Any member of staff can be authorised, e.g. teachers, classroom assistants, midday supervisors, escorts or voluntary helpers.**

**Physical restraint should only be used as a last resort; must be proportional to the need; and avoids inflicting pain or injury. Staff are not expected to put themselves at risk.**

**Incidents involving the use of physical restraint should normally be reported verbally (to the Headteacher) immediately and a written account completed within a day.**

Having a clear policy is vital for each school, whatever the frequency with which it anticipates using restrictive physical intervention. All members of staff who may have to intervene physically with pupils must clearly understand the options and strategies open to them.

### Flowchart



## Introduction

Situations in which restrictive physical intervention may be needed can be sensitive and complex. It can be hard to judge quickly and well just how the best interests of a child (or several children) can be met. A school policy should help staff to:

- develop their understanding of how physical restraint can work effectively;
- understand the requirements of staff regarding physical interventions
- be clear on how to obtain or update training at an appropriate level
- be able to support colleagues when they have to use restrictive physical intervention
- know how to make a suitable record of an incident when restrictive physical intervention has been used.

In most schools restrictive physical intervention is rare, however, in a few schools it is more likely as a result of the difficulties faced by some pupils. Schools should take account of their own unique population when considering procedures and practice, encouraging safe practice at all times.

'Physical Intervention' covers a wide range of situations in which staff may touch or hold pupils e.g. offering comfort to a distressed person; providing physical care; demonstrating techniques etc. 'Restrictive Physical Interventions' also cover a range of situations which can be broken down into two broad categories: Proactive – planned interventions that agree how a pupil will be 'handled' in a given context as part of an educational strategy and Reactive – interventions that respond to emergency situations. Schools may wish their policies to cover such a range or have separate policies e.g. for first aid, intimate care etc., but this guidance applies mainly to the reactive intervention that limits or restricts movement or mobility.

Physical intervention by a member of staff may include:

- physically interposing between pupils
- blocking a pupil's path
- leading a pupil by the hand or arm
- guiding or shepherding a pupil away.

'Restrictive physical intervention' means the use of force to restrict mobility or to disengage from dangerous or harmful physical contact (e.g. a child about to run into the road or to hit another with a stool). It is distinguished from other physical prompting by being used against resistance.

It is the responsibility of each school to ensure that training meets the needs of its particular situation and is consistent with the law and these guidelines. Staff training is central to safe, effective practice and therefore schools should require staff to undergo appropriate training. This training should be in relation to the nature of their institution. It is expected that most schools will need training that supports their behaviour policy and focuses primarily on how to avoid and diffuse confrontation with the addition of named staff receiving specific training on restrictive physical intervention and safe techniques. A number of trainers offer such an approach and are appropriate for schools to use. DELL is in the process of establishing a group of education practitioners who could support schools through the delivery of Team - Teach training.

In schools and units where the need for restrictive physical intervention is likely to occur more frequently, such as special schools and PRUs, whole staff training will probably be required.

Schools should make budgetary allowance for training. Training should never be on a one off basis. The British Institute for Learning Disabilities (BILD) gives guidance on training and can provide a list of accredited training providers. It also has a scheme for providing accreditation for trainers. BILD requires all trained staff to undergo regular refresher courses.

### **Physical Contact with Pupils**

There are occasions when physical contact with a pupil may be proper or necessary other than those covered by physical intervention. Some physical contact may be necessary to demonstrate exercises or techniques during PE lessons, sports coaching, or CDT, or if a member of staff has to give first aid.

Teachers of Physical Education are more likely to come into physical contact with their pupils from time to time in the course of their teaching and they should be aware of the limits within which such contact takes place. They should consider the possibility of it being misinterpreted by the pupil and, where appropriate, should openly explain the need for any physical contact e.g. supporting a particular move in gymnastics.

Music / practical skills may require some form of physical contact at different stages of the pupil's learning, however, discretion and care must be taken at all times. Once again, any physical contact may need to be preceded by appropriate explanation to the pupil and the wider audience of the class. Extreme caution should be exercised where one to one teaching is involved and it is wholly advisable to have another adult present whenever possible

Where extra-curricular activities are concerned teachers and adults should follow the relevant guidelines of before undertaking any activity. Staff should be aware that in less formal settings pupils can be more challenging or familiar towards teachers/adults and therefore appropriate caution and discretion is highly advisable.

### **The Legal Background**

The legal background and associated guidelines are set out in section 550A of the Education Act 1996 (see appendix B), which clarified the powers of teachers and other staff authorised by the Headteacher to have control or charge of pupils. The guiding principles for staff being required to use restrictive physical intervention are that reasonable force may be used to prevent either injury to self or others; serious damage; the commitment of an offence; or engaging in behaviour that is prejudicial to maintaining good order. These powers are restated in section 93 of the 2006 Education Act: Power of members of staff to use force which reiterates the principles above when force may be appropriately used. It restricts the use of force to circumstances when the staff and pupil are on the school premises or when they are elsewhere and the member of staff has lawful control or charge of the pupil, such as a school trip.

Staff authorised by the Headteacher might include classroom assistants, midday supervisors, escorts or voluntary helpers. Headteachers should identify and explicitly inform people, other than teachers, whom they wish to authorise to have control or charge of pupils and therefore able to use restrictive physical intervention. Authorisation might be long term because of the nature of the job, or short term for a specific event such as a school trip.

The use of force is only regarded as reasonable if the circumstances of the particular incident warrant it and the degree of force must be in proportion to seriousness of the behaviour or the consequences it is intended to prevent. Any force used should always be the minimum needed to achieve the desired result.



Circular 10/98 provides clarification of Section 550A. It:

- gives examples of when physical intervention may be appropriate
- discusses the issue of “reasonable force”
- advises that all schools should have a policy on the use of restrictive physical intervention
- advises that schools should record incidents involving the use of restrictive physical intervention and inform parents of such incidents.

### **Key Principles Relating to the Use of Restrictive Physical Intervention.**

Circular 10/98 gives a number of situations when reasonable force might be appropriate, or necessary, to control or restrain a pupil, these fall into four 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 committing a criminal offence;
- d. where a pupil is behaving in a way that is compromising good order and discipline, e.g. a pupil persistently refuses to obey an order to leave a classroom or behaving in a way that is seriously disrupting a lesson.

Examples of situations that fall within one of these 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).

What constitutes serious damage and risk will be a matter of professional judgement as it is not possible to legislate for every situation. The combination of the school’s policy and staff training should allow staff to make an informed risk assessment in situations where restrictive physical intervention might be necessary and a

judgement on the appropriate action to be taken. This will reflect the context of the school, the situation and the individual needs of the child. These guidelines provide general guidance, not explicit instructions, and they do not offer simple one-step answer to cover every situation in complex areas of practice, law and accountability.

The age, ethnicity, gender, health and understanding of the pupil are also relevant. Restrictive physical intervention to enforce compliance with staff instructions is likely to be increasingly inappropriate with older pupils. It should never be used as substitute for good behaviour management.

As soon as a pupil is known to be prone to acts of violence and/or serious disruption, the school should carry out a risk assessment of the pupil's behavioural difficulties or draw up a behaviour plan. A risk assessment proforma can be found in appendix D. Where possible all agencies involved with the pupil and his/her parents or carers should be involved in the assessment of the pupil's behavioural needs.

Restrictive physical intervention should serve to de-escalate or prevent a violent or potentially violent situation. The key issue is establishing good order; any action which could exacerbate the situation needs to be avoided. It must not be used routinely or to enforce compliance when there is no immediate risk to person(s) or property.

Staff should have good grounds for believing that immediate action involving the use of restrictive physical intervention may be necessary and they should, wherever possible, take steps to avoid the need for it by engaging in discussion, diversion and/or defusing the situation. The school's behaviour policy and training should indicate the range of less intrusive methods that could be employed with restrictive physical intervention at one end of the continuum of agreed alternative strategies.

Less intrusive physical intervention by a member of staff may include:

- physically interposing between pupil
- blocking a pupil's path
- leading a pupil by the hand or arm
- guiding or shepherding a pupil away by placing a hand in the centre of the back

Where a member of staff, feels that verbal instruction and de-escalation strategies are being ignored and that restrictive physical intervention is required, s/he should take the following course of action whenever practicable:

- where other pupils are present, ensure their safety;
- if possible send for assistance before engaging in restrictive physical intervention;
- inform the pupil that assistance has been summoned and continue to try and de-escalate the situation by talking to the pupil calmly and quietly and using a range of defusing skills;
- tell the pupil(s) who is/are misbehaving to stop and give a warning of what will happen if s/he does not, namely that physical restraint may be used;
- when it becomes necessary to restrain, continue to talk to the pupil calmly and quietly, offering choices of response from them. When intervening, continually make statements such as 'I will let you go as soon as you calm down' or 'I will let you go when I feel it is safe'.

The scale and nature of any physical intervention must be proportionate to both the behaviour of the individual being controlled, and the nature of the harm they might cause. These judgements have to be made at the time, taking due account of the circumstances and only minimum force should be used to safely resolve the situation. Particular care should be taken to avoid inflicting pain or injury. Restrictive physical intervention should always be an act of care and control, not a punishment and should not be used in anger.

No member of staff should be expected to undertake any restrictive physical intervention if, by doing so, they put themselves at risk and they should not attempt to intervene before adequate assistance has been obtained unless it is obviously an emergency. The number of staff involved should be the minimum necessary to restrain the child while minimising injury to all parties.

Physical interventions that involve any of the following carry an elevated risk and under normal circumstances could not be seen as reasonable:

- interfering with breathing or blood supply
- interfering with genital areas
- holding the head or throat
- holding by the hair or ear
- tripping, slapping, kicking or punching
- twisting or forcing limbs against a joint
- Staff should avoid touching or holding a pupil in a way that might be considered indecent.

Caution and professional judgement need to be exercised in situations where clothes could be held: a young person's response, where clothing is ripped or damaged can sometimes trigger more extreme and violent behaviour or prolong the duration of an incident.

Medical support should be made available urgently, if appropriate

As soon as it is deemed to be safe, restraint should be gradually relaxed allowing the pupil the opportunity to regain self-control. The pupils should be talked to calmly to reassure them that they are safe.

A pupil must never be asked to restrain another pupil

Staff should remember that where restrictive physical intervention has been used they have a responsibility to explain their actions with regard to other strategies tried the decision to use restraint and the manner in which they restrained.

The use of seclusion, where a pupil spends time alone against their will is a restrictive physical intervention and would not normally be seen as appropriate except for short periods of time in extreme situations. This is in contrast to withdrawal or isolation, where a pupil is removed from a difficult situation and supervised or accompanied in a neutral manner while they calm down, and 'time out' where a pupil may choose to take him/herself out of a classroom to avoid a difficult situation.

Where pupils exhibit behaviour such that the use of withdrawal or 'time out' is considered appropriate to their needs and the risk that they present, then the use of this strategy should be written into their behaviour plan and subject to the normal review procedures. Any such room should be appropriately furnished and decorated and of an adequate size.

It is an offence to lock a child in a room without a court order except in an emergency whilst seeking assistance. However, in educational settings, it is acceptable for double or high door handles or locking of outside doors to be used for safety and security reasons when pupils are supervised by an adult.

## **Restrictive Physical Intervention and SEN**

With regard to pupils who have a sensory, physical or learning difficulty, particular care should be taken to ensure that the pupil understands what is happening and to ensure actions that are taken are not discriminatory.

4All pupils with known behavioural difficulties, including those whose difficulties are associated with other SEN, should have an Individual Education Plan (IEP) or Individual Behaviour Plan (IBP), agreed, as far as possible, with the involvement of all outside agencies concerned and with the parents/carers. Such plans should be reviewed at least termly with relevant agencies and parents/carers invited to be involved.

4In circumstances where the known special educational needs of the child are likely to require restrictive holding, it is recommended that techniques to be used are stated in the school's written policy and prospectus and are in line with DfES guidance Ref: LEA/0242/2002 – 'Guidance on the Use of Restrictive Physical Interventions for Staff Working with Children and Adults who Display Extreme Behaviour in Association with Learning Disability and/or Autistic Spectrum Disorders'.

4Where there is a recognised risk of escalation of incidents leading to physical intervention, an agreed prevention strategy should be arranged. Any such strategies or planned responses should form part of the pupil's Positive Holding Plan and reference made to this within his/her Individual Education Plan or Pastoral Support Plan. It is recommended that the strategies or planned response should be in line with DfES guidance Ref: LEA/0242/2002 – 'Guidance on the Use of Restrictive Physical Interventions for Staff Working with Children and Adults who Display Extreme Behaviour in Association with Learning Disability and/or Autistic Spectrum Disorders'.

## **Recording & Reporting of Incidents**

Where physical restraint has been used it must be verbally reported to the Headteacher or teacher-in-charge as soon as possible after the incident.

4A written report must be completed as soon as possible and normally no later than the next working day setting out the circumstances and justification for the use physical restraint. Alongside the written record, a record of the intervention may be recorded on a diagram of a body to show where restraint was used. Staff may find

it helpful to seek advice from a senior colleague or their professional association when compiling a report. They should keep a copy of the report. An exemplar reporting form is given in Appendix C.

The views of the pupil should be recorded on the same day. Where this is not possible they should be gained as soon as is possible

Witnesses should be asked to complete a written report or, where this is not possible, a verbal account recorded of the events leading up to, during and the closure of the intervention. In circumstances where there are a number of witnesses only those closest to the incident should be asked to complete a report.

The report should be logged in the appropriate incident file and should include the following:

- the name(s) of the pupil involved
- where and when the incident took place
- staff or pupils who witnessed the incident
- the reason why force was necessary
- how the incident began and progressed (including details of the pupil's behaviour and steps taken to defuse or calm the situation)
- the pupil's responses
- the outcome(s) of the situation
- any injuries to pupil(s) or staff
- any damage to property
- support offered to staff member?

If a member of staff or a pupil has suffered an injury as a result of the intervention this should be recorded on the relevant Council accident / injury form with a copy being forwarded to Education Personnel.

The Headteacher or teacher-in-charge should discuss the incident with the teacher as soon as is practicable.

Where staff have been distressed by the incident, counselling may be required.

Following the incident, the child may need to be counselled as to why restrictive physical intervention was necessary. The Headteacher should decide on how to inform the parents/carers and offer them the opportunity for further discussion.

Where the need arises, arrangements should be in place for the pupil to have the opportunity discuss the incident with an adult other than a member of staff within the school.

Where, as a result of the incident, it is deemed that the teacher concerned requires further support the Headteacher should make appropriate arrangements to ensure that it is provided as soon as is reasonable.

The Headteacher should consider including the number of incidents involving restrictive physical intervention in the report to governors.

## **Legal Consequences & Redress**

Section 550A of the Education Act 1996 states that it is lawful for teachers and unauthorised staff to use reasonable force to prevent the pupil from committing an offence, causing injury or damage, or disrupting good order and discipline

Unreasonable or excessive use of force could result in criminal proceedings for assault. Civil proceedings for damages or trespass to the person may also be instituted

Additionally, disciplinary proceedings may be taken against the staff member for the use of unreasonable or excessive force

DfEE Circular 10/98 states that physical restraint is necessary if the purpose of the physical restraint is to avert an immediate danger of injury to any person, or an imminent danger to the property of any person

Where it can be shown that:

- unless immediate action had been taken there were strong indicators that injury would follow
- the member of staff has acted in a professional, considered and informed manner; and
- the actions taken are considered to be a reasonable response to the situation;
- staff can expect to be supported when action in good faith follows from such judgements.



## **Management Responsibilities**

Circular 10/98 gives guidance to the Head Teacher to draw up a policy setting guidelines about the use of force to control or restrain pupils and, to discuss them to with the staff who may have to apply them and with the Governing Body of the school.

Where schools work with children with severe emotional and behavioural difficulties or challenging behaviour they should develop policies on the use of restrictive physical intervention. Other schools should consider including references to physical intervention within their behaviour or discipline policies

Risk Assessments should be carried out to inform the planning of the policy and procedures.

The policy should take account of all adults working there and include parents, carers and young people

All schools must record clearly and promptly any use of physical restraint. Regular monitoring of all incidences should be a matter of course and should form part of the annual review of policy

An open and easily accessible complaints system should be available to pupils' parents/carers and staff with known procedures. An identified member of the senior management team should monitor the outcomes.

In cases where there are concerns relating to inappropriate physical intervention used by a member of staff, this should be reported directly to the Headteacher. The Headteacher should then consult with the DCPO and also follow the Child Protection, Managing Allegations and Concerns, School Policy, Procedures and Guidance.

## **Training**

All staff should have received training in behaviour management before any training on physical restraint is undertaken

Teachers and authorised staff should have regular training on knowledge, skills and values for the management of anger, restraint and post restraint action

Schools should also deliver training for all staff so that their awareness is raised, even if they are not authorised to control or restrain pupils

All schools should ensure that, as far as possible, preparation and planning has taken place to identify areas where physical restraint might be used

Where young people are identified as having challenging behaviour that may need physical restraint as a last resort, then staff involved should have adequate and appropriate training made available. In these instances, staff should only employ physical restraint which they have been trained to use

Staff development should be organised to ensure that appropriate training on physical restraint or behaviour management is available if identified by or for a member of staff

Document dated: \_\_\_\_\_

## PHYSICAL INTERVENTION IN SCHOOLS

This policy has been prepared for the support of all teaching and support staff who come into contact with pupils within Rosewood school. It is designed to explain the school's arrangements for care and control. Its contents should be made available to all parents/carers and pupils.

This 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 implementation of the Education Act 1996 (Section 550A).

### **Purpose**

Good personal and professional relationships between staff and pupils are vital to ensure good order in our school. It is recognized that the majority of pupils in our school respond positively to the discipline and control practiced 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.

**Children and young people** need to be safe and aware of how they should behave. Some (generally only a few and very occasionally) lose control and need someone else to supply it. They need to know we are able to control them safely and confidently. Our pupils respond well to the school rules and conventions. Situations in which physical intervention may be needed are therefore likely to be relatively few in number.

**All our staff** need to be safe and confident in how they manage inappropriate behaviour. This policy seeks to ensure that staff in Rosewood School clearly understand their responsibilities in taking appropriate measures where reasonable force is required. It is essential that staff are well-informed and appropriately trained to deal with these difficult situations and understand fully the rationale and implications of the guidance given in Dudley Council's 'The Use of Physical Interventions Including Restrictive Physical Interventions' document.

**Parents** need to know that their child and those who are teaching her or him are safe and free from disruptive influences or danger. They also need to know that they will be properly informed if their child is the subject of physical intervention; and they need to know the nature of the intervention and the rationale for its use.

**This policy connects to and is consistent with our other policies**, especially those on Behaviour Management, Health and Safety and Child Protection, to which reference can be made. That on Behaviour Management covers the broader scene; this one is about a small part of that scene.

**Our Approach: 'Prevention is better than cure'**

We always try to avoid using physical interventions and regard them as a last resort for a tiny minority of situations. We provide a properly planned and differentiated curriculum that provides appropriate levels of challenge to all pupils, and maintain an effective school behaviour policy that is known and understood by all staff and pupils.

Restrictive physical intervention is then our method of last resort, after all other approaches have been tried or in situations of clear danger or extreme urgency. We utilise only the minimum force required to resolve the situation safely. How we respond always has regard to the circumstances and to the age and understanding of the child or young person.

Where there is a foreseeable risk that a pupil could behave in such a way as to require restrictive physical intervention, we undertake a risk assessment in order to balance the risks to the pupil and to others of intervening or not. Planning is also undertaken to see if trigger situations can be avoided and other positive strategies employed to lessen the likelihood of such incidents occurring.

**Who may use restrictive physical intervention and when**

The law allows 'teachers, and other persons who are authorised by the Headteacher to have control or charge of pupils to use such force as is reasonable in all the circumstances to prevent a pupil from doing, or continuing to do, any of the following:

- Committing a criminal offence (including behaving in a way that would be an offence if the pupil were not under the age of criminal responsibility)
- Injuring themselves or others
- Causing damage to property (including the pupil's own property)
- Engaging in any behaviour prejudicial to maintaining good order and discipline at the school or among any of its pupils, whether that behaviour occurs in a classroom during a teaching session or elsewhere'. (Education Act 1996, Section 550A)

At Rosewood School the term “teachers and other member of staff at a school who authorised by the Head Teacher” ..... shall be understood as those staff, teaching or non-teaching that have:-

- Completed the theoretical sessions on physical interventions.
- Completed the competency training in physical intervention techniques.
- Completed all retraining sessions.
- Read and understood the school’s Physical Intervention Policy.
- Not been informed, for whatever reason, not to conduct Physical Interventions.

School staff are also, like anyone else, allowed to use reasonable force (the minimum necessary) to defend themselves.

We take the view that staff are not expected to put themselves in danger; and that removing pupils and themselves from a source of danger is a proper thing to do.

We appreciate the integrity of our staff and value their efforts to rectify situations that are difficult and in which they exercise their duty of care for their pupils.

However, we do not require them to go beyond what is reasonable. In particular, it is acceptable for any member of staff to decide that they will not use restrictive physical intervention for personal reasons.

Staff should not normally use force to maintain order or to avoid damage to property unless the young person's actions pose a threat to themselves or another.

### **Acceptable Physical Interventions**

Reasonable force is not defined legally in isolation. It must be justified as appropriate by the circumstances. We use only the minimum force that is needed to restore safety or appropriate behaviour; and we take account of the age, understanding and gender of the pupil.

**Acceptable** forms of intervention in this school include:

- Leading or guiding a pupil by the hand or arm, or shepherding them with a hand in the centre of the back
- Holding a pupil who has lost control until they are calm and safe
- Physically moving between and separating two pupils
- Blocking a pupil’s path
- Use of reasonable force to remove a weapon or dangerous object from a pupil’s grasp
- Where there is immediate risk of injury, any necessary action that is consistent with the concept of ‘reasonable force’, for example, to prevent a pupil running into a busy road or hitting or hurting someone

- Using more restrictive holds in extreme circumstances these techniques will be the ones covered in Physical Intervention training

It is also acceptable for doors to have double or high locks to ensure pupil safety, or for external doors to be locked for security purposes, if a member of staff is always with the pupils in such circumstances.

Staff may move, defend themselves, lead, restrain or block someone, bearing in mind the whole time their own safety, as well as that of others, and of the child who is the subject of any restraint or other intervention.

It is unacceptable and likely to be illegal or grounds for disciplinary action for staff to use any physical intervention designed to cause pain or injury, including:

- Any form of corporal punishment, slapping, punching or kicking
- Holding by the neck or collar, or otherwise restricting the ability to breathe
- Holding by the hair or an ear
- Twisting or forcing limbs against a joint
- Tripping up a pupil or holding an arm out at neck or head height to stop them
- Holding a pupil face down on the ground or sitting on them only staff who are trained and confident must use higher level techniques
- Locking a pupil in a room, except in extreme situations whilst summoning support

Staff should also avoid touching or holding a pupil in a way that might be considered indecent.

Physical interventions are not, in general, used to achieve a search of clothing or property, even if we had good reason to believe that a weapon or dangerous drugs were being concealed.

### **Using Physical Intervention**

Except in cases where there is immediate danger, we would normally try other ways of resolving or de-escalating a situation. These could include:

- Calmly re-stating the rules and expectations for the situation
- Removing other pupils from the situation and thus from danger of being an audience
- Use of physical proximity, but not in a threatening way

- Encouraging the pupil to withdraw to a safer and calmer situation
- Calling another adult for support or to take over

If more than minor physical intervention is judged to be necessary, the teacher or adult in charge should:

- Send for the assistance of another adult (for support, or to take over, and as a witness)
- Remove other pupils from the scene, if possible
- Continue to talk calmly to the pupil, explaining what will happen and under what circumstances the physical intervention will cease (but not in a threatening way)
- Use the minimum force necessary and cease the intervention as soon as it is judged safe
- Not act punitively in any way, verbally or physically

In some circumstances, we may consider it appropriate to call the police.

Following a significant incident of physical intervention, when a pupil has resisted or challenged and force has been used, the teacher or adult responsible should as soon as possible inform a senior member of staff. We acknowledge that such events are stressful for both pupils and staff and both parties will need time to recover, with the chance of de-briefing and resolving the situation.

A full written account of the incident will be made by the member of staff concerned and recorded in an incident book with numbered pages. The report will contain:

- Name(s) of pupil(s) concerned, when and where the incident occurred
- Names of staff or pupils who are witnesses
- The reason why force was needed
- How the incident began and progressed, who said what, who did what
- What was done to calm things down
- What degree of force was used, what kind of hold, where and for how long
- Pupil's response and the outcome of the incident
- Details of any injury to any person or damage to property

And must be signed and dated by the member of staff the senior member of staff involved will:

- Discuss the incident with the pupil as soon as possible
- Interview staff involved and any other witnesses
- Inform the pupil's parents/carers and social worker, if relevant
- Record any disagreements expressed by the pupil or adults about the event
- Take any appropriate further action, liaising with Council, governors or unions, as appropriate, and acting within the Council's Child Protection Procedures

We report incidents to the governing body: to chair or committee, in outline without identifying the pupil in a regular report.

### **Planning for Physical Intervention**

Where we think a pupil might require physical restraint, we plan in advance and know who will do what. This planning includes helping pupils to avoid provoking situations, helping them find success and minimise frustration, and develops our own skills. It also helps us see better where we can head off difficulties when we spot them early enough. The plan will include:

- Involving the parents and the pupil to gain their views and to ensure that they are clear about what specific action the school might need to take
- A risk assessment that considers carefully the likely outcomes to the pupil and others of undertaking intervention or not
- Managing the pupil (e.g. reactive strategies to de-escalate a conflict, at what stage and why type of holds to be used)
- Identifying key staff who should know exactly what action they should be taking. Any member of staff who may have to use a physical intervention should always be fully briefed about the child in question, and it is best if they are well known to the child
- Ensuring that additional support can be summoned, if appropriate
- Identifying training needs and updates

### **Training**

We are clear that training of staff is vital in this area if we are to be seen to adopt best practice and maintain a record of safe management of all school situations. We therefore make budgetary allowance for the following kinds of training:

- Awareness training for governors, staff and parents
- General training on behaviour management for all staff (not just teachers)
- Training on avoiding and coping with crisis/difficult/physically challenging events for all staff



- Specific training and skill development on use of 'breakaway' or 'hold' techniques that are safe and useful to know, for all staff
- Training and skill development on more advanced holds or methods for restraining and controlling others, and avoiding serious personal harm, to self or others for all staff

We believe that skills need to be developed and renewed and therefore use training programmes that provide 'top ups' and extensions. We only use courses on restraint that are accredited.

### Who needs to know?

Everyone connected with the school should know of the existence of the policy and feel free to study it in detail if they wish or need to do so. However, not everyone needs to know about specific incidents.

The chart below sets out the information.

	<b>About the Policy</b>	<b>About a Specific Incident</b>
Governors	Yes	Not generally and never all governors. They should receive regular reports on the total number of incidents.
Parents	Yes	About incidents relating to their own child.
Staff	Yes	About any incidents involving pupils they may have charge of
Pupils	Yes	Only those they witness
Council Health and Safety Team	Yes	Normally annual report
Unions	Yes	If informed by members

## **Complaints**

We hope that, by adopting this policy and keeping parents well informed, it should help to avoid the need for complaints. Any disputes that do arise about the use of force by a member of staff will be dealt with in accordance with the Council Child Protection Procedures, a copy of which is available in school. This could in some circumstances lead to an investigation by police and social services.

Complaints about this policy should be directed to the Headteacher or chair of governors.

## References

Reference can be made to the following documents:

- DfEE Circular 10/98 – Section 550A of the Education Act 1996: The Use of Force to Control or Restrain Pupils ([www.dfes.gov.uk/circulars/10\\_98/part1.htm](http://www.dfes.gov.uk/circulars/10_98/part1.htm))
- Advice from unions and professional associations
- British Institute of Learning Difficulties (BILD): Code of Practice for Trainers in the Use of Physical Interventions 2001

Schools that have a significant number of pupils with special needs who are more likely to require physical intervention, including special schools, should also refer to:

- Department of Health draft guidance on the use of physical interventions for staff working with children and adults with learning disability and/or autism ([www.doh.gov.uk/Councilrningdisabilities/dgapp1.htm](http://www.doh.gov.uk/Councilrningdisabilities/dgapp1.htm))
- British Institute of Learning Difficulties (BILD): Physical Interventions – A Policy Framework
- Department of Health and the DfES (July 2002): Guidance on the Use of Restrictive Physical Interventions for Staff Working with Children and Adults who Display Extreme Behaviour in Association with Learning Disability and/or Autistic Spectrum Disorders ([www.dfes.gov.uk/sen/news/viewArticle.cfm?aID=31](http://www.dfes.gov.uk/sen/news/viewArticle.cfm?aID=31))

## APPENDIX B

The Department of Health Guidance on Permissible Forms of Control in Children's Residential Care 1993 provides the following information with regard to physical intervention:

'...the positive application of force with the attention of overpowering the child. That is, in order to protect a child from harming him/herself or others or seriously damaging property. The proper use of physical restraint requires skill and judgement as well as knowledge of non-harmful methods of restraint. The onus is on the teacher / carer to determine the degree of restraint appropriate and when it should be used.'

It further explains that with regard to the matter of actual injury:

'....significant injury. Includes actual or grievous bodily harm, physical or sexual abuse, risking the lives of or injury to self or others by wilful or reckless behaviour and self-poisoning.'

Section 4 of the Education Act 1996 (Appendix A1). Section 550A was inserted by section 4 into the Act in 1997 and came into force on 1<sup>st</sup> September 1998. Section 550A forbade any form of corporal punishment in any circumstances but at the same time outlined the powers of teachers and other staff to use reasonable force to prevent a pupil from:

- Committing a criminal offence
- Injuring themselves or others
- Damaging property
- Acting in a way that is counter to maintaining good order and discipline at the school

What the act did not do was to cover circumstances where more extreme measures may be required such as in self-defence or where it might be reasonable for the use of a degree of force as this was already covered by existing common law.

DfEE circular 10/98 provides information relating to the above act and in its summary of contents outlined that the circular:

- gives examples of circumstances in which physical intervention might be appropriate and, factors that teachers should bear in mind when deciding whether to intervene
- discusses the meaning of reasonable force
- advises that schools should have a policy about the use of reasonable force, and should tell parents about it; and

- advises that schools should record incidents in which force is used to control or restrain a pupil, and tell parents of any such incidents involving their child.

Section 61 of the Schools Standards and Framework Act 1998 required Governing Bodies of schools within Councils to ensure that policies with respect to behaviour and discipline were pursued, it stated:

'The Governing Body must prepare a written statement of general principles, within which the Head Teacher must then draw up and publicise to pupils, parents/carers and staff, measures to be taken on behaviour and discipline.'

The Human Rights Act 1998. On 2 October 2000, the European Convention on Human Rights became part of English law. This made it illegal for any breach of the act including inhumane or degrading treatment or punishment (Article 3) therefore any form of corporal punishment or the use of detentions without parental consent could be challenged. In relation to this, in order to afford themselves protection, schools should follow the guidance set down in circular 10/99.

Part 7 of the Education and Inspections Act 2006 covers Discipline, Behaviour and Exclusion, Chapter 1 includes School Discipline and the Use of Reasonable Force:

### **93 Power of members of staff to use force**

(1) A person to whom this section applies may use such force as is reasonable in the circumstances for the purpose of preventing a pupil from doing (or continuing to do) any of the following, namely—

- (a) committing any offence,
- (b) causing personal injury to, or damage to the property of, any person (including the pupil himself), or
- (c) prejudicing the maintenance of good order and discipline at the school or among any pupils receiving education at the school, whether during a teaching session or otherwise.

(2) This section applies to a person who is, in relation to a pupil, a member of the staff of any school at which education is provided for the pupil.

(3) The power conferred by subsection (1) may be exercised only where—

- (a) the member of the staff and the pupil are on the premises of the school in question, or

(b) they are elsewhere and the member of the staff has lawful control or charge of the pupil concerned.

(4) Subsection (1) does not authorise anything to be done in relation to a pupil which constitutes the giving of corporal punishment within the meaning of section 548 of EA 1996.

(5) The powers conferred by subsection (1) are in addition to any powers exercisable apart from this section and are not to be construed as restricting what may lawfully be done apart from this section.

(6) In this section, "offence" includes anything that would be an offence but for the operation of any presumption that a person under a particular age is incapable of committing an offence.

Rosewood School  
Physical Intervention Record Sheet

<b>Restrictive Physical Intervention Record of Incident</b>	
<b>Name of Pupil:</b>	
<b>Date of Incident:</b>	<b>Ethnicity of pupil:</b>
<b>1 Names of those involved</b>	
<b>Staff:</b>	<b>Others:</b>
<b>2 Time of incident:</b>	<b>Location:</b>
Start time _____ Duration _____ End Time _____	1. _____ 2. _____

Notes	3. _____  Notes
-------	-----------------------

**3 Account of incident including events leading up to incident, details of actions and how the incident was resolved (include details of restraint method):**

Antecedents noted \_\_\_\_\_

Details of Intervention \_\_\_\_\_

Incident sheets \_\_\_\_\_

**Pupil Debrief**

\_\_\_\_\_

\_\_\_\_\_

Who is:

Contacting Parents / Carers \_\_\_\_\_

Recording incident on system \_\_\_\_\_

**4 Follow up actions (advice to carers, support for staff and pupils involved etc):**



**Any further action required:**

**5 Names of witnesses and attached witness accounts:**

**6 Record of any injury/damage to property:**

**NOTIFICATION TO PARENTS/CARERS – where relevant.** (Please tick all appropriate boxes)

<b>Mother</b> · at _____ (time)	<b>by: phone / visit / letter</b> (delete as appropriate)
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<b>Father</b> · at _____ (time)	<b>by: phone / visit / letter</b> (delete as appropriate)
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<b>Other Carer</b> · at _____ (time)	<b>by: phone / visit / letter</b> (delete as appropriate)
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<b>Social Worker</b> · at _____ (time)	<b>by: phone / visit / letter</b> (delete as appropriate)
<b>Signed:</b> (Headteacher, Deputy, Senior Member of Staff)	<b>Date:</b>
<b>Position:</b>	<b>Date:</b>

**Appendix D**

**Specimen Risk Assessment Proforma for  
assessing and managing  
foreseeable risks for children who  
present challenging behaviours**

Proforma for assessing and managing foreseeable risks for children who present challenging behaviours

**Name of child** .....

**Class group** .....

**Name of teacher** .....

**School** .....

<b>Identification of Risk</b>	
Describe the foreseeable risk	
Is the risk potential or actual?	
List who is affected by the risk.	
<b>Assessment of Risk</b>	
In which situations does the risk usually occur?	
How likely is it that the risk will arise?	

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.....

Risk Reduction Options			
Measures	Possible options	Benefits	Drawbacks
Proactive interventions to prevent risk			
Early interventions to manage risk			
Reactive interventions to respond to adverse outcomes			

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

**Agreed by:** \_\_\_\_\_

**Relationship to Child:** \_\_\_\_\_

**Date:** \_\_\_\_\_

<b>Communication of Behaviour Management Plan &amp; School Risk Management Strategy</b>		
Plans and strategies shared with:	<b>Communication Method</b>	Date Actioned

<b>Staff Training Issues</b>		
Identified training needs	<b>Training provided to meet needs</b>	Date training completed

<b>Evaluation of Behaviour Management Plan &amp; School Risk Management Strategy</b>		
Measures set out	<b>Effectiveness in supporting the child</b>	Impact on risk
Proactive interventions to prevent risks		
Early interventions to manage risks		
Reactive interventions to respond to adverse outcomes		
<p><b>ACTIONS FOR THE FUTURE</b></p>		

**Plans and Strategies evaluated by:** \_\_\_\_\_

**Relationship to Child:** \_\_\_\_\_

**Date:** \_\_\_\_\_