



Blue Gate Fields Infant School

Restraint Policy

Agreed by staff
Agreed by governors

October 2018
Review Date October 2020

The key objectives of this policy are to maintain the safety of pupils and staff, to prevent serious breaches of school discipline and to prevent serious damage to property. This Policy should be read in conjunction with our Behaviour Policy and with DfES guidance ***The Use of Force to Control and Restrain Pupils***.

Under section 93 of the Education and Inspections Act 2006, school staff may use such force as is reasonable in the circumstances to prevent a pupil from doing, or continuing to do any of the following:

- Committing any offence (or for a pupil below the age of criminal responsibility, as the pupils at Blue Gate Fields Infant School are, what would be an offence for an older pupil);
- Causing personal injury to, or damage to the property of any person (including the pupil himself); or
- Prejudicing the maintenance of good order and discipline at the school or among any pupils receiving an education at the school, whether during a teaching session or otherwise.

Use of Force to Control & Restrain Pupils

Teachers have statutory powers to use force to control and to restrain pupils. The Headteacher authorises all other adult employees of the school to use force in accordance with Section 93 of the Education and Inspections Act 2006. Training will be provided to staff as necessary.

Circumstances Justifying Use of Force

Staff may use such force as is reasonable in the circumstances to prevent a pupil from doing, or continuing to do, any of the following:

- Causing personal injury to, or damage to the property of, any person (including the pupil him/herself); or
- 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;
- Committing any offence.

This power extends to pupils from other schools on our school premises and to pupils in the lawful control or charge of a member of staff elsewhere - for example on a school visit.

Reasonable

There is no legal definition of reasonable force - that always depends on the precise circumstances of individual cases. The degree of force must be in proportion to the consequences it is intended to prevent and should be the minimum needed to achieve the desired result.

Force must not be used to prevent trivial misbehaviour. However, deciding whether misbehaviour is trivial depends on the circumstances. For example a child running in the corridor would be relatively trivial, but a group of Year 2 pupils running in the corridor where younger children are walking may not be trivial.

It is always unlawful to use force as a punishment.

SEN & Disability

Staff must be careful not to treat disabled pupils less favourably. Disabilities cover a wide range of conditions from autism to ADHD. Children with emotional and behavioural difficulties, or a family history of physical abuse, could have a violent reaction to attempted use of force. Staff need to be aware of potential risks with individual pupils.

Staff attended training by Phoenix Outreach Team on the use of 'Team Teach' in the Autumn Term 2011. Staff who attended this training developed both the skills of learning to manage situations to avoid the need for restraint as well as some simple techniques to use when needing to restrain or move children by force. These techniques are specifically recommended for use with children with Autism where necessary. Techniques taught included the use of 'Caring C's' to encourage a child walk in the direction that the adult needs them to go to and techniques to avoid the adult having their hair or scarf pulled by a child. Staff will need regular training to update their knowledge and skills.

Some members of staff who work with particular children, had their training updated September 2017 to update their knowledge.

Maintaining physical distance and reducing the number of people surrounding the child can be helpful with pupils on the autistic spectrum.

Reducing the Likelihood of Situations Requiring Use of Force

Staff should try to communicate calmly with a pupil, using non-threatening verbal and body language and ensuring that the pupil can see a way out of the situation. Taking the pupil away from other pupils reduces the need to act up to the audience. Wherever practicable, warn the pupil that force may have to be used before you use it.

Deciding Whether to Use Force

Often there is little time to consider, but if you have time to think, the main factors are:

- How serious is the incident - what is the likely effect of injury, damage or disorder if you use force and if you don't use force?

- What are the chances of achieving the desired results by other means?
- What are the relative risks to the pupil, to you and to others associated with physical intervention?

Getting Help

If at all possible, get help from another adult. When force is used, the incident doesn't end straight away - you are left with a disciplinary problem and an angry, possibly aggressive, child to deal with. Therefore you will need someone else to take over the class / situation. It is also a very good idea to have an independent witness.

Types of Force & Training

Types of force could include:

- Passive physical contact resulting from standing between pupils or blocking a pupil's path;

Active physical contact such as:

- Leading a pupil by the hand or arm;
- Ushering a pupil away by placing a hand in the centre of the back;
- In more extreme circumstances, using appropriate restrictive holds which may require specific training.

Where there is a high and immediate risk of death or serious injury, any member of staff would be justified in taking any necessary action - for example, preventing a pupil from hitting someone with a dangerous object.

Staff should make every effort to avoid acting in a way that might reasonably be expected to cause injury, although in the most extreme circumstances this may not be possible.

Recording & Reporting Incidents

Significant incidents must be recorded and parents informed. The record forms part of the child's school record. The incident record to be used is annexed to the policy (annexe A).

An incident is significant if:

- The incident caused injury or distress to the pupil or member of staff;
- The incident was serious in its own right - for example requiring the use of a restrictive hold;
- A written record is needed to justify the use of force - particularly relevant if the judgement was finely balanced;
- The record is needed to identify or analyse patterns of pupil behaviour or identify staff training needs;
- Other agencies were involved.

If you are uncertain as to whether a record is required, you should seek the advice of a senior member of staff or a representative of your professional association.

If an incident is serious enough to require a record, then parents must be informed. It is not advisable as a matter of course to give parents a copy of the incident record, but parents should be told - by telephone if possible:

- when and where the incident took place;
- which members of staff were directly involved;
- why they decided that force had to be used;
- what force was used;
- whether there were any injuries;
- what follow-up action (either support or disciplinary) will be taken in relation to their child.

Under the Data Protection Act, parents need to be informed of any incidences and have a right to see the report, as part of the child's educational record, free of charge within 15 school days of receipt of a written request.

A copy of the incident report must be given to the Headteacher. The Headteacher should be informed orally that force has been used as soon as possible, preferably within 1 hour. The written report should reach the Headteacher within 24 hours.

Post Incident Support

Members of staff who have been assaulted will wish to consider reporting the matter to the police.

Any incident which is serious enough to warrant the use of force to control or restrain is also likely to be serious enough to warrant an exclusion.

Senior Management Team staff are likely to hold the pupil to account so that he or she recognises and repairs the harm caused or which might have been caused.

In addition to punishing the pupil this may involve giving the opportunity to repair the relationships with staff and pupils affected by the incident and / or to develop their social and emotional skills.

It may be appropriate to involve multi-agency partners such as Child and Adolescent Mental Health Services.

Complaints & Allegations

Any use of force runs the risk that a pupil may make an allegation that they have been assaulted by a member of staff. Such an allegation will be processed under Child Protection procedures. Staff should be aware that the report of the incident may be required by the Police or Crown Prosecution Service to decide whether a prosecution is warranted.

Annex A

USE OF FORCE TO CONTROL OR RESTRAIN PUPILS: INCIDENT RECORD

Details of pupil or pupils on whom force was used by a member of staff (name, class)
Date, time and location of incident
Names of staff involved (directly or as witnesses)
Details of other pupils involved (directly or as witnesses) including whether any of the pupils involved were vulnerable for SEN, disability, medical or social reasons.
Description of incident by the staff involved, including any attempts to de-escalate and warnings given that force might be used.
Reason for using force and description of force used.
Any injury suffered by staff and any first aid/ and or medical attention required
Reasons for making a record of the incident
Follow up, including post incident support and any disciplinary action against pupils
Any information about the incident shared with staff not involved in it and external agencies

<p>When and how those with parental responsibility were informed about the incident and any views they have expressed.</p>
<p>Has any complaint been lodged (details should not be recorded here)</p>
<p>Report compiled by: Countersigned by:</p> <p>Name and role: Name and role:</p> <p>Signature: Signature:</p> <p>Date: Date:</p>

The use of restraint policy was approved by governors in October 2018 and signed by the chair of governors.

..... Chair of governors.

..... Date

It will be reviewed in October 2020 or sooner in the case of new information, changes or legislation.