



Hartington C of E Primary School

“Caring & sharing as part of God’s family”
“Loving our neighbour as we love ourselves” - Luke 10:27

Force and Physical Restraint Policy 2021

The Governors of Hartington C of E Primary school have drawn up this policy to ensure the correct implementation of DfE circular 10/98, relating to section 550A of the 1996 Education act, ‘The Use of Force to Control or Restrain Pupils.’

This policy, which forms part of our whole school Discipline & Behaviour policy, must be adhered to by all members of staff.

AIM:

The aim of this policy is to identify what forms of physical contact are allowed, to make all staff aware of the circumstances in which physical intervention might be appropriate and to identify factors that staff should bear in mind when deciding whether to use physical force. It also serves as a mechanism for informing parents of the legal situation surrounding the use of force in school.

RATIONALE

Corporal punishment

The school does not authorise, in any way, the use of corporal punishment to discipline children. As section 550A states ‘ The law forbids a teacher to use any degree of physical contact which is deliberately intended to punish a pupil, or which is primarily intended to cause pain, injury or humiliation.’

Authorised use of force.

Wherever possible, staff should attempt to use ‘verbal’ strategies for dealing with difficult situations. There are however certain instances when the use of physical force may be the only option to ensure the safety of both individual and groups of pupils, or to maintain discipline and behaviour. Section 550A allows teachers and other persons who are authorised by the head teacher to use such force as is reasonable to prevent a pupil from doing, or continuing to do, any of the following:

- Committing a criminal offence.
- Injuring themselves or others.
- Causing damage to property - including the pupils’ own property

- Engaging in any behaviour prejudicial to maintaining good order and discipline, either on school premises or on an educational visit.

To be consistent with our Discipline & Behaviour policy, all members of staff are authorised by the head teacher and Governors to use reasonable force under the above circumstances. Parents and voluntary helpers who may be helping either in school or on educational visits, must only use reasonable force in situations where there is a significant risk of injury either to an individual child, other children or themselves.

Physical force is not justified to prevent a trivial misdemeanour, or in a situation that could be resolved without force.

What Is 'Physical Intervention'?

There is a difference between Physical Intervention and Restrictive Physical Intervention. In this school

Type	Definition	Example
Non-restrictive physical interventions.	Where physical touch is used to support the young person and they have the choice to move away from the touch or where a cause of distress can be removed without the need to touch the young person.	In this school this may include <ul style="list-style-type: none"> • guiding/shepherding a person from A to B • Removal of a cause of distress, such as adjusting temperature, light or background noise.
Restrictive physical interventions	Where the adult takes control of the young person and their actions to prevent, impede or restrict movement or mobility.	In this school this may include <ul style="list-style-type: none"> • Isolating a child in a room • Holding a pupil • Blocking a person's path • Inter-positioning • Pushing/pulling

these are defined as follows:

Strategies to Minimise the Need to Use Force

It is the expressed aim of Hartington C of E Primary School to avoid the use of force to physically restrain pupils in all but the most extreme circumstances. In order to do this the school will implement the following positive behaviour support strategies to ensure the use of force is minimised:-

- i) Create a calm, orderly and supportive school that minimises the risk of dangerous behaviour. Clear rules are in place and these are clearly communicated to pupils and consistently, fairly and openly applied.
- ii) There are effective relationships between pupils and staff in which pupils can engage and participate in ideas to create a calm and orderly environment.
- iii) Ensure all staff adhere to the policy regarding the use of force as a last resort.
- iv) Use proactive interventions with individuals or groups who are at risk of involvement in dangerous behaviour.
- v) Develop a whole school approach to developing social and emotional skills.

- vi) Recognise that challenging behaviours are often foreseeable and have plans in place to deal with these eventualities.
- vii) Monitor all incidents where force is required to ensure any trends are identified. Put plans in place to reduce the risks associated with the use of force.
- viii) Whenever practicable, tell a student that force may need to be used before using it.
- ix) Plan for staff development in behaviour management, including positive behaviour support strategies, so that staff have the confidence and skills necessary to manage potentially dangerous situations.

Reasonable force.

There is no legal definition of reasonable force, so it is not possible to set out conclusively when staff are justified in using force or the degree of force that should be applied. However any force used should always be the minimum needed to achieve the desired result and should also be in relation to the age and physical size of the pupil.

Application of Force

Once again it is impossible to establish set rules regarding what type of contact is justified in different situations, however the following are the types of contact that are warranted, subject to the principle of reasonable force being used.

- Physically intervening between pupils who may be fighting
- Blocking the path of a pupil who may be about to commit a criminal offence
- Holding a pupil by the upper arm using a '**Friendly C**'* if they are in physical danger or are causing severe disruption
- Leading a pupil away from a conflict situation by holding the hand or using a '**Friendly Hold**'*
- Shepherding a pupil away by placing a hand in the centre of the back

Under no circumstances should staff or authorised personnel act in a way that might deliberately cause injury, for example by:

- Holding a pupil by the neck, collar or any other way that might restrict breathing
- Slapping, punching or kicking a pupil
- Twisting or forcing limbs against a joint
- Tripping up a pupil
- Holding a pupil by the hair or ear
- Holding a pupil face down on the ground

Statement on the use of Physical Touch

The Governors at Hartington C of E Primary School recognise that physical touch is an essential part of human relationships. As such, no touch policies are questionable, and could actually be classed as 'acts of omission'. However it is appreciated that there are some concerns around safeguarding in some establishments. In our school, adults may well use touch to prompt, to give reassurance or to provide support, but this must be used sensitively and appropriately, in line with our Child Protection protocols and the unique needs, characteristics and preferences of the individual.

To use touch/physical support successfully, staff will adhere to the following principles. It must:

- be non-abusive, with no intention to cause pain, injury or use power,
- be in the best interests of the child and others,
- have a clear supportive purpose for the pupil/young person,
- take account of gender issues.

Some pupils/young people may find physical touch unwelcome and this right must be respected. Such sensitivity may arise from the pupil/young person's cultural background, individual needs, personal history, age etc.

With the above in mind and based on the principal that touch will only be used in appropriate situations in this school the likely situations where touch will be acceptable could include: *first aid, supporting a pupil in certain PE activities, giving emotional support, delivering care*

Recording incidents

It is important that staff immediately report any incident of physical contact that takes place between themselves and a pupil, to the Head teacher or most senior member of staff in school at the time. This should be followed by completing a full report of the incident, using the proforma appendix A. Parents will also be informed of any incident involving their child and will be given an opportunity to discuss the incident at the earliest possible convenience.

Physical contact with pupils in other circumstances

There are inevitably some other occasions when physical contact with children is necessary. In particular, physical contact may be necessary during P.E or D.T lessons, or if a member of staff has to give First aid. All staff should be aware of the possible mis-interpretation of actions such as this, so wherever possible any such contact should only be used where another member of staff is present, or the contact made in such a way that it cannot not be misinterpreted. Staff should be particularly aware of cultural and gender issues around physical contact.

Please also see: Child Protection policy for further guidance.

- ***Friendly Hold – Link arms with the pupil and both people's elbows should be bent, adult holding the lower arm**
- ***Friendly C – Adult shaping their hand in a C shape holding the upper arm without gripping ie keeping the fingers straight**

Date of Review: May 2021

Next Review: May 2022

Signed Head teacher _____

Signed Chair of Governors _____

Appendix A

Record of an incident of force to control or restrain a pupil

Name of pupil involved:.....

When did the incident take place?

Where did the incident take place?

Name of any other staff or pupils who witnessed the incident:

The reason that force was necessary:

How the incident began / progressed:

Details of pupil's behaviour:

What was said by different parties?

Steps taken to defuse or calm the situation:

The degree of force used / how it was applied / for how long:

What was the parent's response and the outcome of the incident?

Signatures from Staff and Parents:

Details of any injury suffered by the pupil, another pupil or a member of staff and or damage to property