

St Peter's Church of England Primary School, Budleigh Salterton



Force and Restraint Policy

Created:	Spring 2015
Review dates:	Spring Term

INTRODUCTION:

It is important that we have a policy about the use of reasonable force to control or restrain pupils. All members of staff who may have to intervene physically with pupils must clearly understand the options and strategies open to them. This policy clarifies what is acceptable and what is not.

Corporal punishment is in no way authorised through the following policy. School policy and the law forbids a teacher to use any degree of physical contact which is deliberately intended to punish a pupil, or which is intended to cause pain or injury or humiliation.

SECTION 550A

The Education Act 1997 clarified the position about the use of physical force by teachers, and others authorised by the head teacher, to control or restrain pupils. The clarification was made by adding a section (Section 550A) to the Education Act 1996.

This new section came into force on 1st September 1998 and applies to all schools. It restates principles derived from common law and statute that have, in the past, been misunderstood.

Where necessary reasonable force can be used to control or restrain pupils. Physical contact with pupils may also be appropriate or necessary in other circumstances.

Staff should always avoid touching or holding a student in a way that might be considered indecent.

POLICY STATEMENT

Teachers and those authorised by the head teacher, who have control or charge of pupils are allowed to use 'reasonable force' to prevent a child from doing the following:

- Committing a criminal offence (or what would be a criminal offence if they were old enough);
- Injuring themselves or others;
- Damaging property;
- Acting in a way that is counter to maintaining good order and discipline at the school.

The policy is only applicable when an authorised person is on the school premises, or has lawful control or charge of the student concerned on an authorised out of school activity.

REASONABLE FORCE:

Although there is no legal definition of reasonable force, the degree of force must:

- Be in proportion to the circumstances of the incident;
- Always be the minimum needed to achieve the desired result;
- Take into account the individual

The degree and reasonability of force will depend upon circumstances.

Physical force is not justified for:

- Trivial misdemeanours;
- A situation that can be resolved without force.

The Behaviour Policy should always be used in the first instance to support both staff and pupils.

APPLICATION OF FORCE:

Physical intervention can involve:

- Coming between Pupils;
- Blocking a pupil's path;
- Holding, pushing or pulling;
- Leading a pupil by the hand or arm;
- Shepherding a pupil away by placing a hand in the centre of the back;
- And in extreme circumstances, using more restrictive holds.

On no account can a member of staff act in a way that might cause injury:

- Holding a pupil around the neck, by the collar or way that might restrict breathing.
- Slapping, punching or kicking a pupil;
- Tripping up a pupil;
- Holding or pulling by the hair or ear;
- Holding a pupil face down on the ground.

SELF DEFENCE:

All Staff have the right to defend themselves against an attack provided they do not use a disproportionate degree of force to do so.

RECORDING INCIDENTS:

A detailed, written report of any occasion where force is used is required. This will help prevent misunderstanding and would be helpful should there be a complaint. This procedure would not be applicable in a minor or trivial incident.

- It is recommended that a First Aider should make a report immediately after there has been a need for restraint to be used.

Immediately following an incident the member of staff concerned should tell the Headteacher and provide a written report using Restraint Incident Form (Appendix 1) and this should include:

- The name of the pupil or pupils involved;
- Where the incident took place;
- Names of witnesses, staff or pupils;
- How the incident began and progressed. Include details of pupil's behaviour, what was said, steps taken to defuse or calm the situation, degree of force used and how applied;
- Pupil's response and outcome;
- Details of any injuries or damage to property;

Staff may consider informing their professional association.

Parents will be informed of any such incident as soon as possible. This may require a phone call followed up by a letter.

Complaints from a Parent could lead to an investigation either under the school's disciplinary procedures, by the Police or Social Services under child protection procedures.

It is therefore vital that the policy is carefully followed and all incidents accurately recorded.

This document may also form part of a pupil exclusion process.

ADVICE:

Prior to using physical intervention consider:

- Can the situation be dealt with using other strategies?
- Whether strategies are in place for the individual pupil concerned which can be used to defuse or calm situations

- Whether such action will exacerbate the situation
- The age and level of understanding of the pupil

PRACTICAL CONSIDERATIONS:

Before intervening physically a member of staff must:

- tell the pupil who is misbehaving to stop.
- continue to talk with the pupil throughout the incident
- retain a calm and measured approach.

It may be inappropriate for a member of staff to intervene in an incident without help unless in an emergency. In such cases the member of staff should:

- Remove other pupils who are at risk.
- Summon help from colleagues.
- Inform pupils that help has been sent for.
- Continue to attempt to defuse the situation orally.

When might it be appropriate to use reasonable force?

Examples of situations that may require restraint are when:

- a pupil attacks a member of staff, or another pupil
- pupils fighting
- a pupil is causing, or at risk of causing, injury or damage by accident, by rough play, or by misuse of dangerous materials, substances or objects
- a pupil is running in a corridor or on a stairway in a way in which he/she might have or cause an accident likely to injure her/himself or others
- a pupil absconding from a class or trying to leave school (NB this will only apply if a pupil could be at risk if not kept in the classroom or at school)
- a pupil persistently refuses to obey an order to leave an area
- a pupil behaves in such a way that seriously disrupts a lesson.

St Peter's C of E Primary School
RECORD OF RESTRAINT



Pupil Name:

Date of incident:

Time of incident:

Member(s) of staff involved:

Adult witnesses to restraint:

Pupil witnesses to restraint:

Outline of event leading to restraint:

Outline of incident of restraint (including restraint method used):

Outcome of restraint:

Description of any injury sustained and any subsequent treatment:

Date /time parent/carer informed of incident:

By whom informed:

Outline of parent/carer response:

Signatures of staff completing report: