



*Creative
Education
Trust*

Physical Restraint Policy

Director of SEND

September 2023

Introduction

- 1) The academy is committed to ensuring that all staff and adults with responsibility for children's safety and welfare deal professionally with all incidents involving aggressive or reckless behaviour. We will use physical intervention only as a last resort, for the shortest time possible, and only when there is no other alternative to help children and staff to stay safe.
- 2) At all times academy staff will follow the guidance in this policy and any additional Department for Education guidance. Staff should refer to the DfE publication, 'Use of reasonable force' July 2013¹ for further information.
- 3) Members of staff have a legal power, under Section 93 of the Education and Inspections Act 2006, to use reasonable force to prevent pupils committing an offence, injuring themselves or others, or damaging property, and to maintain good order and discipline in the classroom. Lawful use of this power will provide a defence against any related criminal prosecution or other legal action.
- 4) Suspension should not be an automatic response when a member of staff has been accused of using excessive force.
- 5) The power to use reasonable force also extends to people whom the Principal/Headteacher has temporarily put in charge of pupils, such as unpaid volunteers or parents accompanying pupils on a school-organised visit.
- 6) Principals/Headteachers and authorised academy staff may also use such force as is reasonable given the circumstances when conducting a search without consent for 'prohibited items'.²
- 7) The decision on whether or not to physically intervene is down to the professional judgement of the adult concerned and should always depend on individual circumstances.

¹ <https://www.gov.uk/government/publications/use-of-reasonable-force-in-schools>

² Prohibited items: knives and weapons; alcohol, illegal drugs; stolen items, tobacco and cigarette papers; fireworks; pornographic images; any article that has been or is likely to be used to commit an offence, cause personal injury or damage to property.

Definition of reasonable force

- 7) The term 'reasonable force' covers the broad range of actions used by most teachers at some point in their career that involve a degree of physical contact with pupils.
- 8) Force is usually used either to control or restrain. This can range from guiding a pupil to safety by the arm through to more extreme circumstances such as breaking up a fight or where a pupil needs to be restrained to prevent violence or injury.
- 9) 'Reasonable in the circumstances' means using no more force than is needed.
- 10) Control means either passive physical contact, such as standing between pupils or blocking a pupil's path, or active physical contact such as leading a pupil by the arm out of a classroom.
- 11) Restraint means to hold back physically or to bring a pupil under control. It is typically used in more extreme circumstances, for example when two pupils are fighting and refuse to separate without physical intervention.
- 12) School staff should always try to avoid acting in a way that might cause injury, but in extreme cases it may not always be possible to avoid injuring the pupil.
- 13) Adults may not use force as a punishment; this would be unlawful.

Deciding whether to use force

14) As a general rule staff should only use force when:

- The potential consequences of not intervening are sufficiently serious to justify it
- The chance of achieving the desired outcome by other non-physical means is low

15) Before using force, staff should – where practicable – take steps to de-escalate the situation by using clear verbal commands. Care should be taken to avoid giving the impression that the member of staff is angry, or frustrated or acting to punish a child. It should be made clear with calm language that as soon as they need for force ceases, it will stop.

16) Appropriate use of force will range from physical passive presence in between pupils, to blocking a pupil's path, ushering them by placing a hand in the centre of the back, leading/guiding them by the hand or arm, to in more extreme circumstances using appropriate restraining holds. Particular attention will be given to individuals' needs which arise from statements of SEND.

17) Whilst it is highly desirable that staff should avoid acting in any way which might reasonably be expected to cause an injury, in truly exceptional circumstances it is recognised that it may not always be possible to avoid.

18) Any such injury caused will be properly investigated by the school and will require justification.

Unacceptable use of force

20) The following techniques must not be used as they present an unacceptable risk when used on children and young people:

- the 'seated double embrace' which involves two members of staff forcing a person into a sitting position and leaning them forward, while a third monitors breathing
- the 'double basket-hold' which involves holding a person's arms across their chest
- the 'nose distraction technique' which involves a sharp upward jab under the nose.

This is not an exhaustive list, adults must only use force that can be justified, and deemed to be appropriate, proportionate and necessary in the circumstances.

Staff Training

- 21) The Principal/Headteacher must consider whether members of staff or other adults require any additional training to carry out their responsibilities and should consider the needs of pupils when doing so.

Record keeping and informing parents when force has been used on their child

- 22) Whenever a member of staff uses force, this must be recorded to the Principal/Headteacher without delay; and a written record made using the record in annex A. The written record must include the views of pupils and parents about individual instances where force has been used must be sought and recorded. Where no views have been offered, this must also be recorded.
- 23) When assessing the incident, consideration may be given to involving multi-agency partners to offer support or advice.
- 24) Academies must maintain a record of the number of incidents, and this data must be shared with the Academy Council/Academy Improvement Board.
- 25) When force has been used on their child, parents/caregivers must always be informed, as soon as is reasonably practicable, but always before the child goes home.
- 26) The Principal/Headteacher must monitor trends and patterns about the use of force in respect of individual pupils and members of staff. Any poor practice must be explored with action being taken to address this including additional training and support.
- 27) A record of the incident will always be made on the child's child protection record, to allow for tracking and analysis.



Complaints

28) All complaints about the use of force must be investigated thoroughly and speedily in line with the academy's complaints procedure, following the guidance set out in Section Eight of the Use of Reasonable Force: Advice for headteachers, staff and governing bodies (DFE Ref: DFE-00341-2014)



ANNEX A – Standard Recording Format - RPI CET Standard Reporting Format.pdf

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