

Tring School
Restrictive Physical Intervention Policy

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Recommended Good Practice: DfE Guidance

Restrictive Physical Intervention Policy

1. Principles

At Tring School we believe that students need to be safe, to know how to behave, and to know that the adults around them are able to manage them safely and confidently. Only for a very small minority of students will the use of physical intervention be needed. On such occasions, acceptable forms of intervention are used.

The vast majority of students behave well and conform to the expectations of our school. We have responsibility to operate an effective behaviour policy that encompasses preventative strategies for tackling inappropriate behaviour in relation to the whole school, each class, and individual students.

All staff need to feel that they are able to manage inappropriate behaviour, and to have an understanding of what challenging behaviours might be communicating. They need to know what options are available for managing behaviour, and they need to be free of undue worries about the risks of legal action against them if they use appropriate physical intervention. Parents need to know that their children are safe with us, and they need to be properly informed if their child is the subject of a Restrictive Physical Intervention, including the nature of the intervention, and the rationale for its use.

2. Definition of “Restrictive Physical Intervention”

“Restrictive Physical Intervention” is the term used to describe interventions where bodily contact using force is used to control or manage a child’s behaviour. It refers to any instance in which a teacher or other adult authorised by the Headteacher has to use “reasonable force” to control or restrain pupils in circumstances that meet the following legally defined criteria.

- to prevent a child from committing a criminal offence (*this applies even if the child is below the age of criminal responsibility*)
- to prevent a child from injuring self or others
- to prevent or stop a child from causing serious damage to property (*including the child’s own property*)
- to remove a disruptive child from a classroom where they have refused to follow an instruction to do so
- to prevent a child behaving in a way that disrupts a school event or a school trip or visit
- to stop a child from engaging in any behaviour which is prejudicial to maintain the good order and discipline at the school.

There is no legal definition of “reasonable force”. However, there are two relevant considerations:

- the use of force can be regarded as reasonable only if the circumstances of an incident warrant it;
- the degree of force must be in proportion to the circumstances of the incident and the seriousness of the behaviour or consequences it is intended to prevent.

The definition of physical force also includes the use of mechanical devices (eg splints on the pupil prescribed by medical colleagues to prevent self-injury), forcible seclusion or use of locked doors. It is important for staff to note that, although no physical contact may be made in the latter situations, this is still regarded as a Restrictive Physical Intervention.

3. When the Use of Restrictive Physical Interventions May Be Appropriate at Tring School

Restrictive Physical Interventions will be used when all other strategies have failed, and therefore only as a last resort. However, there are other situations when physical handling may be necessary, for example in a situation of clear danger or extreme urgency. Certain students may become distressed, agitated, and out of control, and need calming with a brief Restrictive Physical Intervention that is un-resisted after a few seconds.

The safety and well-being of all staff and students are important considerations. Under certain conditions this duty must be an over-riding factor.

Who May Use Restrictive Physical Intervention in Tring School

The following staff (as well as the teachers employed at the school) are authorised by the Headteacher to have control of students, and **must** be aware of this Policy and its implications. However, non-inclusion on this list does not mean that an adult is necessarily barred from using physical intervention. If the Head has lawfully placed an adult in charge of children then that adult will be entitled to use restrictive physical intervention

We take the view that staff should not be expected to put themselves in danger and that removing other students and themselves from risky situations may be the right thing to do. We value staff efforts to rectify what can be very difficult situations and in which they exercise their duty of care for the students.

Names of Authorised staff

See appendix 1

4. Planning For the Use of Restrictive Physical Interventions at Tring School

Staff will use the minimum force needed to restore safety and appropriate behaviour.

The principles relating to the intervention are as follows:

- Restrictive Physical Intervention is an act of care and control, not punishment. It is never used to force compliance with staff instructions.
- Restrictive Physical Intervention will only be used in circumstances when one or more of the legal criteria for its use are met.
- Staff will only use it when there are good grounds for believing that immediate action is necessary and that it is in the student's and/or other students' best interests for staff to intervene physically.
- Staff will take steps in advance to avoid the need for Restrictive Physical Intervention through dialogue and diversion. The student will be warned, at their level of understanding, that Restrictive Physical Intervention will be used unless they cease the unacceptable behaviour.
- Only the minimum force necessary will be used.
- Staff will be able to show that the intervention used was a reasonable response to the incident.
- Every effort will be made to secure the presence of other staff, and these staff may act as assistants and/or witnesses.
- As soon as it is safe, the Restrictive Physical Intervention will be relaxed to allow the student to regain self-control.
- A distinction will be maintained between the use of a one-off intervention which is appropriate to a particular circumstance, and the using of it repeatedly as a regular feature of school policy.
- Escalation will be avoided at all costs, especially if it would make the overall situation more destructive and unmanageable.
- The age, understanding, and competence of the individual student will always be taken into account.

- In developing Individual Education/Behaviour Plans, consideration will be given to approaches appropriate to each student's circumstances.
- Procedures are in place, through the pastoral system of the school, for supporting and debriefing pupils and staff after every incident of Restrictive Physical Intervention, as it is essential to safeguard the emotional well-being of all involved at these times.

5. Acceptable Forms of Intervention at Tring School

There are occasions when staff will have cause to have physical contact with students for a variety of reasons, for example:

- to comfort a student in distress (so long as this is appropriate to their age);
- to gently direct a student;
- for curricular reasons (for example in PE, Drama etc);
- in an emergency to avert danger to the student or students;
- in rare circumstances, when Restrictive Physical Intervention is warranted.

In all situations where physical contact between staff and students takes place, staff must consider the following:

- the student's age and level of understanding;
- the student's individual characteristics and history;
- the location where the contact takes place (it should not take place in private without others present).

Physical contact is never made as a punishment, or to inflict pain. All forms of corporal punishment are prohibited. Physical contact will not be made with the participant's neck, breasts, abdomen, genital area, other sensitive body parts, or to put pressure on joints. It will not become a habit between a member of staff and a particular student. [Should a student appear to **enjoy** physical contact this must not be sought via Restrictive Physical Intervention.]

6. Power to Search Students Without Consent

In addition to the general power to use reasonable force described above, Head Teachers and authorised staff can use such force as is reasonable given the circumstances to conduct a search for the following "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.

Force **cannot** be used to search for additional items banned under the school rules.

7. Developing a Positive Handling Plan at Tring School

If a student is identified for whom it is felt that Restrictive Physical Intervention is likely then a Positive Handling Plan needs to be completed by the relevant person. This Plan will help the student and staff to avoid difficult situations through understanding the factors that influence the behaviour and identifying the early warning signs that indicate foreseeable behaviours that may be developing. The plan will include:

- involving parents/carers and students to ensure they are clear about what specific action the school may take, when and why;
- a risk assessment to ensure staff and others act reasonably, consider the risks, and learn from what happens;
- a **record** to be kept in school of risk reduction options that have been examined and discounted, as well as those used;
- techniques for managing the student's behaviour i.e. strategies to de-escalate a conflict, and stating at which point a Restrictive Physical Intervention may be used;
- identifying key staff who know exactly what is expected; it is best that these staff are well known to the student;
- ensuring a system to summon additional support;
- identifying training needs.

*[*A school may also need to take medical advice about the safest way to hold a child with specific medical needs.]*

See appendix 2 for a Positive Handling Plan Pro-forma

8. Guidance and Training for Staff

Schools need to take their own decisions about staff training. The Head Teacher should consider whether members of staff require any additional training to enable them to carry out their responsibilities and should consider the needs of the students when doing so.

Training in practical techniques of physical intervention may be required for staff where there is a significant likelihood of them needing to intervene physically due to the nature of the student (or students) that they are working with. Where there is an identified need for such training, staff will be trained by an approved instructor. *(NB there is no legal requirement for staff to be trained in the use of practical techniques so staff may exercise their legal right to physically intervene even if they have not had such training. However, they would still need to demonstrate that their intervention was reasonable and proportionate.)*

9. Keeping Records

A record of every significant incident in which force has been used will be kept in accordance with school policy and procedures on the use of Physical Intervention and its child protection requirements. The purpose of recording is to ensure policy guidelines are followed, to inform parents, to inform future planning as part of school improvement processes, to prevent misunderstanding or misinterpretation of the incident and to provide a record for any future enquiry.

The following information will be needed in the report:

- student(s) involved;
- staff involved;
- date/time/location;
- reason for force being used;
- how the incident occurred and progressed;
- details of any injury or damage;
- identities of witnesses.

The record of the incident will form part of the student's educational record as it is a record of information which is processed (obtained, recorded and held) by or on behalf of the governing body of the school (or teacher at the school, other than for personal use), relates to the student, and originated from or was supplied by a staff member.

10. Telling Parents When Physical Intervention Has Been Used on Their Child

It is good practice for schools to speak to parents about serious incidents involving the use of force and to consider how best to record such serious incidents. It is up to schools to decide whether it is appropriate to report the use of force to parents.

In deciding what is a serious incident, teachers should use their professional judgement and consider the:

- student's behaviour and level of risk presented at the time of the incident;
- degree of force used;
- effect on the pupil or member of staff; and
- the student's age.

11. What Happens if a Student Complains When Force is Used on Them?

It is intended that by adopting this policy and keeping parents and governors informed we can avoid the need for complaints.

1. All complaints about the use of force should be thoroughly, speedily and appropriately investigated.
2. Where a member of staff has acted within the law – that is, they have used reasonable force in order to prevent injury, damage to property or disorder – this will provide a defence to any criminal prosecution or other civil or public law action.
3. When a complaint is made the onus is on the person making the complaint to prove that his/her allegations are true – it is **not** for the member of staff to show that he/she has acted reasonably.
4. Suspension must not be an automatic response when a member of staff has been accused of using excessive force. Schools should refer to the “Dealing with Allegations of Abuse against Teachers and Other Staff” guidance (see Associated Resources section below) where an allegation of using excessive force is made against a teacher. This guidance makes clear that a person must not be suspended automatically, or without careful thought.
5. Schools must consider carefully whether the circumstances of the case warrant a person being suspended until the allegation is resolved or whether alternative arrangements are more appropriate.
6. If a decision is taken to suspend a teacher, the school should ensure that the teacher has access to a named contact who can provide support.
7. Governing bodies should always consider whether a teacher has acted within the law when reaching a decision on whether or not to take disciplinary action against the teacher.
8. As employers, schools and local authorities have a duty of care towards their employees. It is important that schools provide appropriate pastoral care to any member of staff who is subject to a formal allegation following a use of force incident.

11. Monitoring and Review

This policy will be reviewed biennially by the relevant Students & Families Committee. At this review meeting the headteacher will present a report to Governors regarding any incidents that have occurred in school regarding physical restraint.

Approved by Governing Body
July 2015

Appendices

Appendix 1 – Staff List

To be inserted on publication

Appendix 2 - Positive Handling Plan Pro – Forma

Positive Handling Plan

For assessing and managing foreseeable risks for children who are likely to need Restrictive Physical Intervention

School:

Name of Child:

Class group:

Name of teacher:

Name of parents/carers:

Name of Support Service Member/s:

Identification of Risk	
Describe the foreseeable risk (ie what specific behaviours have occurred)	
Is the risk potential or actual? (ie has this happened before)	
List who is affected by the risk	
Assessment of Risk	
In which situations does the risk occur?	
How likely it is that the risk will arise? (ie how often has it happened before)	
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:.....

Agreed Positive Handling Plan and School Risk Management Strategy		
Focus of Measures	Measures to be employed	Level of risk
Proactive interventions to prevent risks		
Early interventions to manage risks		
Reactive interventions to respond to adverse outcomes		

Agreed by:

Date:

.....
(Parent/carer)

.....

.....
(Student - if appropriate)

.....
(Headteacher)

.....
(Class teacher)

.....
(Support Service Member/s)

.....

Communication of Positive Handling Plan and School Risk Management Strategy		
Plans and strategies shared with:	Communication Method	Date Actioned

Staff Training Issues		
Identified training needs	Training provided to meet needs	Date training completed

Evaluation of Positive Handling Plan and School Risk Management Strategy

Measures set out	Effectiveness in supporting the child	Impact on risk
Proactive interventions to prevent risks		
Early interventions to manage risks		
Reactive interventions to respond to adverse outcomes		

ACTIONS FOR THE FUTURE

Plans and strategies evaluated by:

Title:

.....

.....

Date:

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