



# PHYSICAL RESTRAINT POLICY

This policy document is to be read in conjunction with Behaviour Policy

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Intended Audience:	All staff

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## 1, Purpose

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The purpose of this policy is to make clear the position of the school with regards to necessary physical interventions and to safeguard the well-being of students and staff when a situation or incident requires the use of physical intervention.

*The use of physical intervention is only to be used after all attempts to de-escalate the situation have not worked. Wherever possible, and appropriate, reasonable adjustments will be made for SEND students after consultation with the SENCo (or member of the SLT team).* It is the objective of Finchley Catholic High School to maintain consistent and safe practices in the use of handling, reasonable force and restraint.

There may be particular training needs for staff who work closely with pupils with additional needs or disabilities. However, all staff will be trained (as appropriate). Staff will be made aware of this policy and procedures during their induction. Training will focus on the management of behaviour and the de-escalation of situations, as well as the occasions on which restraint may be necessary, and the ways in which this might be used.

## 2. Physical Intervention and the Law

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The law allows all adults who are authorised by the Headteacher to be responsible for students to use such force as is reasonable to prevent a student:

a) Committing a criminal offence (or for younger children that which would be an offence)

b) Causing personal injury, injury to others or damage to property

c) Engaging in any behaviour prejudicial to maintaining good order and discipline.

Staff should not hesitate to act in these situations provided they follow this policy and the attached guidance; however, they should always satisfy themselves that the action they take would be considered justifiable by a wider audience of their professional colleagues.

## 3. Definition of Terms

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Handling – refers to any physical intervention applied by a member of staff where it necessary to make physical contact with a student in order to manage their conduct or ensure their own or others safety. Handling strategies may be restrictive or non-restrictive and include shepherding, guiding, supporting, blocking, confining, holding and, in the most extreme cases, restraining.

Use of Reasonable Force – is the application of appropriate and proportionate force required to achieve the required outcome from the handling strategy employed (see above) without further endangering the student, member of staff or others present at the time of physical intervention.

Restraint - is the positive application of force in order to actively prevent a child from causing significant injury\* to him/herself or others or seriously damaging property.

\*Significant Injury would include: actual or grievous bodily harm, physical or sexual abuse, risking the lives of, or injury to, themselves or others by wilful or reckless behaviour, and selfpoisoning. It must be shown that on any occasion where physical restraint is used there were strong indicators that if immediate action had not been taken, significant injury would have followed.

#### **4. Implementation of Physical Intervention**

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All members of staff working with students at the school are authorised to handle, use reasonable force or restrain students if/when such physical intervention is necessary. No member of staff is required to employ any physical intervention strategy if they are not comfortable or confident to do so effectively. No member of staff should intervene physically if they have reason to believe that to do so would worsen the situation/incident that is taking place. In all circumstances where physical intervention is or may become required members of staff should ensure that adult assistance is requested before intervention, although it is understood that circumstances may lead to the need for intervention prior to the assistance arriving. Staff considering handling, use of reasonable force or restraint must provide opportunity for the student to alter their behaviour/actions before employing a physical intervention strategy and should continue to make instructions to the student and details of their intended interventions clear. The method of physical intervention employed must use the minimum reasonable force for the minimum length of time (additional guidance regarding what intervention is and is not appropriate is given in Appendix A).

#### **5. Recording Physical Intervention**

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All incidents where staff feel that they have used force to modify behaviour or conduct should be recorded in the incident book in admin and in a statement to the Headteacher. It is not necessary to record every incident of contact with a child, but where a member of staff perceives that contact has been received at all negatively, they are advised to record the circumstances. The Headteacher will ensure that parents/carers are appropriately informed. For the safeguarding of both staff and student, any subsequent investigation of the situation/incident should be undertaken by a member of staff other than the one applying the physical intervention.

#### **6. Searching Students**

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Below is guidance issued by the Department for Education in January 2018 entitled 'Searching, Screening and Confiscation' which is applicable for all schools in England, and which we follow here at Finchley Catholic High School: Headteachers and staff authorised by them have a statutory power to search pupils or their possessions, without consent\*, where they have reasonable grounds for suspecting that the pupil may have a prohibited item.

Prohibited items are:

- knives or weapons
- alcohol
- illegal drugs
- stolen items
- aerosols
- tobacco and cigarette papers
- fireworks
- pornographic images
- any article that the member of staff reasonably suspects has been, or is likely to be, used: to commit an offence, or to cause personal injury to, or damage to the property of, any person (including the pupil).
- Headteachers and authorised staff can also search for any item banned by the school rules which has been identified in the rules as an item which may be searched for.

NB This includes mobile phones at FCHS.

\*The ability to give consent may be influenced by the child's age or other factors

Any prohibited items found in pupils' possession will be confiscated. These items will not be returned to pupils. We will also confiscate any item which is harmful or detrimental to school discipline. These items will be returned to pupils after discussion with senior leaders and parents, if appropriate. Searching and screening pupils is conducted in line with the DfE's latest guidance on searching, screening and confiscation. Searches will be conducted by two members of staff, at least one of whom will be the same sex as the student. Finchley Catholic High School does not endorse and will not undertake a physical search of any students' person. Where necessary a student will be asked to remove his/her coat and/or blazer, empty all pockets, open their bags and in some circumstances remove their shoes and socks. Possessions and items of apparel that have been removed may then be searched by the staff present. If undesirable items are discovered the school will use its power of confiscation to retain the offending item(s). Parents/carers will be contacted to explain what has been found and any subsequent sanctions that have been applied. Where appropriate, parents/carers will be invited to retrieve the offending property and asked to ensure that they are not brought to school again. In the event that illegal items are discovered then the Police may be informed immediately.

**STAFF MAY TAKE ANY NECESSARY ACTION CONSISTENT WITH THE CONCEPT OF REASONABLE FORCE**

## 7. What is reasonable force?

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### What is reasonable force?

1. The term 'reasonable force' covers the broad range of actions used by most school staff at some point in their career that involve a degree of physical contact with pupils.
2. 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 student needs to be restrained to prevent violence or injury.
3. 'Reasonable in the circumstances' means using no more force than is needed. Force is used either to control pupils or to restrain them.
4. **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.
5. **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.
6. 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.
7. The Criminal Law Act (1967) allows any person to use such force as is reasonable in the circumstances to prevent an offence (eg. physical assault) being committed. Reasonable minimal force must be a matter of personal judgement;

### Who can use reasonable force?

All members of school staff have a legal power to use reasonable force. This power applies to any member of staff at the school.

**When can reasonable force be used?**

Reasonable force can be used to prevent pupils from hurting themselves or others, from damaging property, or from causing disorder.

The decision on whether or not to physically intervene is down to the professional judgement of the staff member concerned and should always depend on the individual circumstances.

The following list is not exhaustive but provides some examples of situations where reasonable force can and cannot be used.

**You can use reasonable force in an unsafe or crisis situation to:**

- remove disruptive children from the classroom where they have refused to follow an instruction to do so;
- prevent a pupil behaving in a way that disrupts a school event or a school trip or visit;
- prevent a pupil leaving the classroom where allowing the pupil to leave would risk their safety or lead to behaviour that disrupts the behaviour of others;
- prevent a pupil from attacking a member of staff or another pupil, or to stop a fight in the playground; and
- restrain a pupil at risk of harming themselves or others or damage to property belonging to anyone through physical outbursts.

**You should note that:**

- no more force than necessary was used;
- all non physical interventions have been exhausted and restraint is a last resort;
- external professional support should be sought if restraint does not work.

**Other issues**

- account taken of accidental injury in respect of surfaces and pupils body positions
- group restraint must have 1 leader and teamwork
- only adults to be used

The method of physical intervention employed must use the minimum reasonable force for the minimum length of time (additional guidance regarding what intervention is and is not appropriate is given in Appendix A).

**Risk Evaluation**

All restrainers must take the following into account before taking action and must be guided by the following as to the nature of their intervention with regard to themselves and the pupils.

- Don't put yourself at risk. Take into account your size and theirs
- Weigh up how they might react based on what you know of them
- Are you in an area that might cause injury when you restrain?
- Is the pupil carrying a weapon?
- Can you summon help?

**Location**

On school premises

Off school premises on school business

In the immediate vicinity of the school

## 8. Follow up – All Staff

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Before the Headteacher can take further action the following procedures MUST be followed.

Go somewhere you can be quiet and relax. Inform Headteacher that you need to be kept free.

- report incident immediately to Headteacher
- complete Incident Report Book (held by Admin)
- sign and date reports
- mention time, location, main causes, progress, words spoken by pupil and restrainer, duration and nature of incident
- mention steps taken to defuse situation, degree of force, how force was applied and duration of force
- include names of witnesses
- include reasons for intervention
- include description of any injury to anyone and medical attention received and action taken

These guidelines are formulated against a backdrop of guidance set out by the Department for Education (Use of reasonable force; Advice for headteachers, staff and governing bodies, July 2013.)

Use of behavioural procedures and restraint is a sensitive topic. This document is meant to provide reassurance and support to staff and to ensure that practice in schools is always in the best interests of the pupils concerned.

## Appendix A – Guidance on appropriate and inappropriate intervention

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### How can you intervene – examples include

- interposing of restrainer's body
- blocking a pupil's path
- holding
- pushing
- pulling
- leading by hand or arm
- shepherding with hand placed in the small of the back
- minimum force/minimum duration

### You cannot:

- use force as a punishment – it is always unlawful to use force as a punishment.
- use 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;
- use the 'double basket-hold' which involves holding a person's arms across their chest;
- use the 'nose distraction technique' which involves a sharp upward jab under the nose.
- use any hitting, kicking or punching
- deliberately inflict pain
- restrict breathing
- use any arm, leg, throat, finger locks or holds that result in pupils being put face down on the ground

### You must:

- avoid genital, breast or buttock areas
- ensure no weight put on spines or abdomens
- use minimum restriction of limb movements related to danger of injury to restrainer, pupil or others
- avoid moving pupils unless they are in a dangerous location