

# Restraint Policy



## Brambleside Primary School

Brambleside Academy Trust

<b>Head Teacher Name &amp; Signature:</b>	Drew Brown	<b>Date: 27.01.21</b>
<b>Chair of Governors Name &amp; Signature</b>	Bill Parker	<b>Date: 27.01.21</b>
<b>Last reviewed on:</b>		
<b>Next review due by:</b>		
<b>Review Frequency</b>	Annual	
<b>Lead</b>	Michelle Eaton-Brown	
<b>Situation</b>	O - 31 Changes /No Changes / New	

**Learning and growing together**

tel: 01536 310680 | email: [office@brambleside.northants.sch.uk](mailto:office@brambleside.northants.sch.uk)  
web: [www.brambleside.northants.sch.uk](http://www.brambleside.northants.sch.uk) | twitter: [@bramblesidepri](https://twitter.com/bramblesidepri)

A charitable company limited by guarantee. Company number 9212934

This is a policy put together by Dynamic Intervention Training and Consultancy who specialise in providing professional training and legal guidance on the subject of [Use of Force in the Education sectors](#). Our training and consultancy services provide your organisation and staff with a [Legal and Ethical Safe System of Work](#) allowing them to minimise the risk associated when dealing with challenging behaviour and [Use of Force skills](#). For more information visit [www.dynamicintervention.co.uk](http://www.dynamicintervention.co.uk), or contact us via email @ [info@dynamicintervention.co.uk](mailto:info@dynamicintervention.co.uk).

## **Policy on the use of Force and Restraint.**

### **Introduction:**

Brambleside Primary School is committed to maintaining the safety of students and staff. Situations involving decisions about whether to use force can occur in school.

This policy seeks to establish clear guidelines on the use of force by staff and acts as an important part in minimising risks associated with choosing to use or not use force.

**Section 93 of the Education and Inspections Act 2006** enables school staff to use such force as is reasonable in the circumstances to prevent a student from doing, or continuing to do, any of the following:

1. *Committing any criminal offence.*
2. *Causing personal injury to, or damage to the property of, any person (including the student him/herself).*
3. *Prejudicing the maintenance of good order and discipline at the school or among any students receiving education at the school, whether during a teaching session or otherwise.*

**The Use of reasonable force Advice for Headteachers, staff and governing bodies guidance - July 2013** enables school staff to use such force as is reasonable in the circumstances to prevent a student from doing, or continuing to do, any of the following:

- *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 through physical outbursts.*

**Learning and growing together**

tel: 01536 310680 | email: [office@brambleside.northants.sch.uk](mailto:office@brambleside.northants.sch.uk)  
web: [www.brambleside.northants.sch.uk](http://www.brambleside.northants.sch.uk) | twitter: [@bramblesidepri](https://twitter.com/bramblesidepri)

A charitable company limited by guarantee. Company number 9212934

### **Objectives:**

This policy seeks to:

- *Ensure the safety of students and staff.*
- *Prevent serious breaches of school discipline.*
- *Prevent serious injury to staff and/or students.*
- *Provide guidelines to staff when faced with situations that may require the use of force.*

### **Our approach:**

At Brambleside Primary School we aim to avoid the need for physical intervention and regard this as a last resort in a minority of situations. The aim is always to deal with behaviour using a positive approach and therefore this policy should be read in connection with our Behaviour Policy. It is not possible to define every circumstance in which physical restraint would be necessary or appropriate and staff will have to exercise their own judgement in situations which arise within the above categories. Staff should always act within the School's policy on behaviour and discipline, particularly in dealing with disruptive behaviour. Staff should be aware that when they are in charge of children during the school day, or during other supervised activities, they are acting in loco parentis and have a '**Duty of Care**' to all children they are in charge of. They must, therefore, take reasonable action to ensure all pupils' safety and wellbeing. Staff are not expected to place themselves in situations where they are likely to suffer injury as a result of their intervention.

### **Reducing the need for restraint and the use of force:**

The following principles should help to minimise the need to use force:

- Establishing a calm school environment.
- Ensuring appropriate levels of supervision, including break and lunchtimes.
- Using emotional intelligence to de-escalate incidents if they do arise.
- Developing appropriate risk assessments and positive handling plans for individual students.
- Only using force where the member of staff considers that the risks involved in doing so are outweighed by the risks involved in not using force. Only use the techniques taught to staff that have been legally and medically reviewed and are safe to use.

### **Staff Authorisation:**

#### **Permanent authorisation:**

All teachers and support staff who have control or charge of students automatically have the statutory power to use force. This includes teachers, teaching assistants and lunchtime supervisors.

The following staff have received additional training:

1. Drew Brown
2. Natalie Goosey

**Learning and growing together**

### **Temporary authorisation:**

May be issued by the Headteacher to other members of staff involved in supervising students, e.g. site staff, office staff or volunteers. Any such authorisation will be given in advance, in writing and will be time limited.

### **Deciding whether to use force:**

Force may be considered when:

- *There is a need to prevent injury to another student and/or member of staff or to the student themselves.*
- *A student fails to comply with a reasonable instruction to stop an action that is potentially dangerous to themselves or others.*
- *A student's actions place in jeopardy the health and safety of others.*
- *A student's behaviour seriously prejudices good order and discipline in the school.*

Members of staff should use the following guidelines to decide whether or not force should be used in particular circumstances:

- *The potential consequences of not intervening were sufficiently serious to justify considering using force.*
- *The chances of achieving the desired result by other means were judged to be low.*
- *The risk associated with not using force outweighs those of using force.*
- *There was identifiable risk to other students and/or members of staff and/or school property.*

Proper account should be made of any particular Special Education Need and/or disability that a student may have.

It is worth noting, however, that decisions often need to be made quickly and that the professional judgement of the member of staff involved is key and staff should consider use a dynamic risk assessment model to assess any risks.

Staff should seek to minimise the most serious risks, for example calling the police for assistance if necessary and ensure that any force **used is necessary, proportionate and reasonable**.

### **Use of physical restraint:**

Physical restraint should be applied as an act of care and control with the intention or re-establishing verbal control as soon as possible and, at the same time, allows the pupil to regain self-control.

It should never take a form which could be seen as punishment. Staff are only authorised to use reasonable force in applying physical restraint, although there is no absolute definition of this.

What constitutes reasonable force depends upon the particular situation and the pupil to whom it is being applied. Teachers should apply the training they received to de-escalate where possible then use the appropriate holds as practiced in the training.

However, as a general rule, only the force necessary to stop or prevent danger should be used, in accordance with the guidelines below.

In all circumstances, alternative methods should be used as appropriate with physical intervention or restraint, a last resort.

### **When physical restraint becomes necessary:**

#### **DO:**

- Use clear verbal communication before and during any restraint situation involving pupils. (**Use simple and clear language**).
- Tell the pupil what s/he must do for you to remove the restraint (this may need frequent repetition).
- It is important that staff only use the reasonable force that is both necessary and proportionate in the circumstances to achieve the desired result.
- Wherever possible force should not be used unless there is another responsible adult present to support, observe and call for assistance.
- Relax your restraint in response to the pupil's compliance.

#### **DON'T:**

- Act in temper (involve another staff member if you fear loss of control)
- Involve yourself in a prolonged verbal exchange with the pupil
- Involve other pupils in the restraint
- Twist or force limbs back against a joint
- Bend fingers or pull hair
- Any restraint that is likely to injure a student (particularly anything that could restrict breathing, for example restraint on the floor) should only be used in extreme cases or where there was no viable alternative.
- Slap, punch, kick or trip up the pupil
- Use physical restraint or intervention as a punishment.

### **The types of force used could include:**

- Passive physical contact resulting from standing between students or blocking students,
- Active physical contact such as:
  1. Leading a student by placing a the hand behind the elbow and on the arm.
  2. Escorting a student away by controlling their arm by placing a double handing grip around the wrist or closed fist.(Two members of staff will be needed to carry out this technique).
  3. In more extreme cases using appropriate physical restraint using seated and kneeling techniques to control and de-escalate when appropriate.

Where there is a high and immediate risk of death or serious injury, a member of staff is justified in taking any necessary action (consistent with seeking to use reasonable force required to achieve the desired result) for example:

- Preventing a student running in to a busy road or preventing a student hitting someone with a dangerous object such as a hammer or glass bottle.

Staff should make every effort to avoid acting in a way that might reasonably be expected to cause injury. However it may not always be possible to avoid injuring a student.

## **Learning and growing together**

Staff should avoid touching or restraining a pupil in a way that could be interpreted as sexually inappropriate conduct.

**Examples of situations that call for judgements of this kind might include:**

- A student attacking a member of staff, or another student.
- Students fighting.
- A student deliberately damaging property.
- A student causing, or at risk of causing, injury or damage by accident, rough play, or by misuse of materials or objects.
- A student persistently refusing to follow an instruction to leave a classroom.
- A student behaving in a way that seriously disrupts a lesson, school event or visit.
- A student placing him/herself at risk by absconding from school.

In these examples the use of force would be reasonable if the behaviour was sufficiently dangerous or disruptive to warrant physical intervention and could not realistically be dealt with by other means. (The force used by staff was both Necessary and Proportionate).

**Actions after and recording of incidents:**

Physical restraint often occurs in response to highly charged emotional situations and there is a clear need for debriefing after the incident, both for the staff involved and the pupil.

The Headteacher should be informed of any incident immediately and will take responsibility for making arrangements for debriefing once the situation has stabilised.

The Headteacher will support the recording of the incident to include the facts of the incident using the 'Bound and Numbered Book.'

An appropriate member of the teaching staff should always be involved in debriefing the pupil involved and any victims of the incident should be offered support, and their parents informed. If the behaviour is part of an ongoing pattern it may be necessary to address the situation through the development of a behavioural IEP, which may include an anger management programme, or other strategies agreed by the SENCO.

This may require additional support from, other services, for example the LA BST.

It is also helpful to consider the circumstances precipitating the incident to explore ways in which future incidents can be avoided.

All incidents should be recorded immediately in the 'Bound and Numbered Book.'

All incidents should be monitored so that any patterns of behaviour can be identified and addressed.

In the event of any future complaint or allegation this record will provide essential and accurate information.

A copy should be filed in the child's appropriate file and in a central school file in order to inform individual and school risk assessments.

A member of the leadership team will contact parents as soon as possible after an incident, normally on the same day, to inform them of the actions that were taken and why, and to provide them with an opportunity to discuss it.

## **Screening, Searching and Confiscation: (In the Educational setting)**

### **Searching:**

- School staff can search a pupil for any item if the pupil agrees.
- 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
- tobacco and cigarette papers
- fireworks
- pornographic images

Any article that the member of staff reasonably suspects has been, or is likely to be, used

1. to commit an offence,
2. to cause personal injury to, or damage to the property of, any person (including the pupil)

### **Risk Assessments:**

If we have prior notice that a pupil is likely to behave in a disruptive way (**such as previous behavioural issues or incidents**) that may require the use of reasonable force, a planned risk assessment will be used detailing how to respond if the situation arises. Staff must use a Dynamic Risk Assessment in cases of sudden and unexpected behavioural issues.

Such planning will address:

- Strategies to be used prior to the use of restraint or intervention,
- Ways of avoiding 'triggers' if these are known,
- Involvement of parents to ensure that they are clear about the specific action the school might need to take,
- Briefing of staff to ensure they know exactly what action they should be taking (**this may identify a need for training or guidance**)
- Identification of additional support that can be summoned if appropriate
- The school's duty of care to all pupils and staff

### **Complaints:**

A clear restraint policy, adhered to by all staff and shared with parents, should help to avoid complaints from parents.

## **Learning and growing together**

It is unlikely to prevent all complaints, however, and a dispute about the use of force by a member of staff might lead to an investigation, either under the complaints disciplinary or allegation management procedures.

**All complaints made relating to the use of force will be dealt with according to the school's complaints procedure.**

### **Training:**

Staff will receive regular training as part of INSET provision on the appropriate use of force. The Headteacher and Inclusion Leader will consider whether members of staff require any additional training to enable them to carry out their responsibilities and should consider the needs of the pupils when doing so.

### **Monitoring and Review:**

The Headteacher and members of the Leadership Team will monitor the use of this policy on a day to day basis. Periodic reports will be made to the Board of Governors about the use and implementation of this policy. The policy is subject to regular review, according to the cycle of policy review determined by the Board of Governors.

### **Equal Opportunities:**

The governors and staff are committed to providing the full range of opportunities for all pupils, regardless of gender, disability, and ethnicity, social, cultural or religious background. All pupils have access to the curriculum, and the right to a learning environment, which dispels ignorance, prejudice or stereotyping.

This policy has been impact assessed by Brambleside Primary School in order to ensure that it does not have an adverse affect on race, gender or disability equality.

**Learning and growing together**

tel: 01536 310680 | email: [office@brambleside.northants.sch.uk](mailto:office@brambleside.northants.sch.uk)  
web: [www.brambleside.northants.sch.uk](http://www.brambleside.northants.sch.uk) | twitter: [@bramblesidepri](https://twitter.com/bramblesidepri)

A charitable company limited by guarantee. Company number 9212934