



PUPIL RESTRAINT POLICY

THE MILL PRIMARY ACADEMY



The Mill Primary School PUPIL RESTRAINT POLICY

March 2015

To be reviewed March 2017

At The Mill primary Academy our aim is to provide a welcoming, secure and safe environment.

This policy should be read in conjunction with the guidance issued by the Education Department. The school follows the principles and recommendation set out in 'The use of force to control or restrain pupils,' guidance for Schools in England. It should also be read in conjunction with the school's pupil behaviour and Child Protection policies.

Our aim is to create an environment in which the use of force in relation to a pupil is used rarely. The use of physical intervention should, wherever possible, be avoided. It should only be used to manage a child or young person's behaviour if it is necessary to prevent personal injury to the child, other children or an adult, to prevent serious damage to property or in what would reasonably be regarded as exceptional circumstances. When physical intervention is used it should be undertaken in such a way that maintains the safety and dignity of all concerned.

The scale and nature of any physical intervention must be proportionate to both the behaviour of the individual to be controlled and the nature of the harm they may cause. The minimum necessary force should be used and the techniques deployed in line with recommended policy and practice.

Under no circumstances should physical force or intervention be used as a form of punishment. The duty of care which applies to all adults and school/service working with pupils requires that reasonable measures are taken to prevent children being harmed. The use of unwarranted physical force is likely to constitute a criminal offence.

In all cases where physical intervention is employed the incident and subsequent actions should be documented and reported. This should include written and signed accounts of all those involved, including the child or young person. The parents/carers should be informed the same day.

Minimising the need to use force

- the school aims to create a calm environment that minimises the risk of incidents arising that might require using force
- using Social and Emotional Aspects of Learning (SEAL) approaches to teach pupils how to manage conflict and strong feelings
- de-escalating incidents if they do arise
- only using force when the risks involved in doing so are outweighed by the risks involved in not using force
- risk assessments and positive handling plans for individual pupils with challenging behaviour who are volatile

Circumstances in which reasonable force may be used

Section 550A of the Education Act 1996 allows teachers and other persons who are authorised by the Headteacher to use force as is reasonable in all the circumstances to prevent a pupil from doing or continuing to do, any of the following.

- Commit a criminal offence (including behaving in a way that would be an offence if the pupil were not under the age of criminal responsibility)
- Injuring themselves or others
- Causing damage to property (including the pupils own property)
- Engaging in any behaviour prejudicial to maintaining good order and discipline.

Staff authorised to use force

The staff to which this power applies are defined in section 95 of the Act. They are:

1. Any teacher who works at the school and
2. Any other person whom the headteacher has authorised to have control or charge of pupils. This includes:
 - Support staff whose job normally includes supervising pupils such as teaching assistants, lunch time supervisors and office staff.
 - Can include people to whom the headteacher has given temporary authorisation i.e. a member of staff who does not normally supervise children or a volunteer (for example a parent accompanying pupils on school-organised visit)

Deciding whether to use force

Judgement on whether to use force and what force to use depends upon the circumstances of each case. Any force used should always be the minimum needed to achieve the desired result.

Staff need to make judgements about:

- The seriousness of the incident, assessed by the effect of the injury, damage or disorder which is likely to result if force is not used.
- The chances of achieving the desired result by other means.
- The relative risks associated with physical intervention compared with using other strategies.

Wherever possible these judgements should take account of the particular characteristics of the pupil, including age, SEN or disability the pupil may have.

Using force

Before using force staff should wherever practicable, tell the pupil to stop misbehaving and what will happen if they do not. The member of staff should communicate in a calm and measured manner throughout the incident. Staff are advised that as far as possible, they should not use force unless or until another responsible adult is present to support, observe and call for assistance.

Types of force used could include:

- Standing between pupils or blocking a pupils path
- Leading a pupil by the hand or arm
- Ushering a pupil away by placing a hand in the centre of the back
- In more extreme circumstances using appropriate restricting holds, which may need specific expertise or training.

Where there is a high and immediate risk of injury, any member of staff would be justified in taking any necessary action (consistent with the principle of seeking to use the minimum force required to achieve the desired result). For example to prevent a pupil

running off the pavement onto a busy road, or to prevent a pupil hitting someone, or throwing something.

There are some situations where it is better to remove the rest of the pupils from the class if a child is a danger to them. The child causing the problem can then be dealt with. Staff should always avoid touching or restraining a pupil in a way that could be interpreted as sexually inappropriate conduct.

Recording incidents

It is important that there is a detailed written report, which is written as soon after the event as is possible, of any occasion (except minor or trivial incidents) where force is used. See Annex A

Parents/carers will be informed of any recordable incident and will usually be offered an opportunity to discuss the incident with the Headteacher, Deputy Headteacher or appropriate class teacher and given a copy of this policy.

All injuries will be recorded in accordance with the school's Health and Safety Policy and will be reported annual to the Governing Body.

Complaints

Any complaints or allegations about the use of force to restrain or control children will be dealt with in accordance with the school's complaints procedure.

Post Incident Support

Appropriate post-incident support will be provided as set out in the guidance.

Staff Training

It is the responsibility of the Headteacher to ensure that staff are fully informed of the school's policy and understand what authorisation entails. The Headteacher will arrange training and guidance to staff as appropriate.

Review

This policy will be reviewed by staff and Governors.

Reviewed: March 2015

Review Date: March 2017

Signed Headteacher _____ Date _____

Signed Chair of Governors _____ Date _____

USE OF FORCE TO CONTROL OR RESTRAIN PUPILS: INCIDENT RECORD

Details of pupil on whom force was used by a member of staff (name, class):

Name:

Class:

Year:

Date:

Time:

Location:

Names of Staff involved (directly or as a witness):

Details of other pupils involved directly or as witnesses, including any pupils involved who were vulnerable – SEN, disability, medical or social reasons

Description of incident by staff involved, including any attempts to de-escalate and warnings that force might be used:

Reason for using force and description of force used:

Any injury suffered by staff or pupils and any first aid required (relevant paper work should be completed as normal):

Follow up, including post-incident support, any disciplinary action against pupils:

When and how parent/carer informed and any views expressed:

Has any complaint been lodged: Yes / No

Report compiled by:

Name:

Role:

Signature:

Date:

Report countersigned by:

Name:

Role:

Signature:

Date:

Please Note: The names of pupils should be removed before the completed form is sent to parents and the names of members of staff should only be included with their consent.