

JOHN SPENDLUFFE TECHNOLOGY COLLEGE



Restraint: Restraining Students

Approved by:	Full Governing Body	Date: October 2022
Last reviewed on:	September 2022	
Next review due by:	September 2023	

JOHN SPENDLUFFE TECHNOLOGY COLLEGE

Restraint: Use of Force to Control & Restrain Students

1 Purpose

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 JSTC 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.

This policy has been written using advice taken from Use of Reasonable Force, Advice for Headteachers, staff and Governing Bodies DfE 2013 The school acknowledges its legal duty to make reasonable adjustments for disabled children and children with special educational needs (SEND). Equality Act 2010, SEN and Disability Code of Practice 0-25 years 2015

2 Physical Intervention and the Law

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

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 self poisoning. 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

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 Reasonable Force

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

What is reasonable force?

- 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.
- 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.
- 'Reasonable in the circumstances' means using no more force than is needed. Force is used either to control pupils or to restrain them.
- **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.
- **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.
- 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.
- 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:

- prevent a pupil from attacking a member of staff or another pupil, or to stop a fight in the playground.

- restrain a pupil at risk of harming themselves or others or damage to property belonging to anyone through physical outbursts.
- 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 the safety of others.
- senior management may use reasonable force to remove disruptive children from their classroom where they have refused to follow an instruction to do so.

You should note that:

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

6 Follow up – All Staff

Following an incident where restraint has been used, the following steps must be taken.

- Report incident immediately to Headteacher
- Complete a detailed statement including;
 - Exact date, time, duration and location of the incident
 - Include names of witnesses
 - A full detailed description of the incident and exactly what happened
 - What words were spoken by the pupil and restrainer, using speech marks for exact quotes
 - Include the initial steps taken to defuse situation before force/restraint was used
 - Include the reasons for using physical intervention
 - Describe the degree of force used, how force was applied and the duration of force
 - Include a description of any injury to anyone and medical attention received and action taken

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.

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.

Appendix A – Guidance on appropriate and inappropriate intervention

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 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