

OUR LADY IMMACULATE CATHOLIC PRIMARY SCHOOL



Our Lady Immaculate
Catholic Primary School
A Multi-Academy

"With God all things are possible"
(Matthew 19:26)

At Our Lady Immaculate Catholic Primary School, we will inspire our children to achieve personal excellence for themselves and for the glory of God.

Use of Reasonable Force to Control or Restrain Pupils Policy

Date	Review Date	Nominated Lead Member of Staff	Nominated Committee	Nominated Governor
Autumn 2024	Autumn 2024	Headteacher		

Interim Headteacher:

Sophie Gibbs

Chair of Governing Body:

Our Lady Immaculate Catholic Primary School **Use of Reasonable Force to Control or Restrain Pupils Policy**

Guiding Principles - Power to use reasonable force to restrain pupils:

Positive Handling uses the **minimum** degree of force necessary for the **shortest period of time** to prevent a pupil harming himself, herself, others or property.

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 might cause.

Acknowledgement is always given to the pupil's right and dignity in line with the Mission and Core Values of Our Lady Immaculate.

The policy adheres to **Guidance on the use of Physical Intervention, including other physical contact in all Education Establishments in Essex Local Authority** published in May 2011 (available from the school office). It was written with reference to the Department of Education publication 'Use of reasonable force – Advice for Headteachers, staff and governing bodies. July 2013'. It is part of a graded responses and is consistent with policies on Health and Safety, Child Protection, Safeguarding and Equal Opportunities.

Further guidance includes:

1. Guidance for Safe Working Practices for the Protection of Children and Staff in Education Settings
<http://www.teachernet.gov.uk/docbank/index.cfm?id=8200>
2. DfES Guidance 'Safeguarding Children in Education'
<http://publications.teachernet.gov.uk/eOrderingDownload/DfES-0027-2004.pdf>
3. Children's Act 2004 <http://www.opsi.gov.uk/acts/acts/2004/20040031.htm>
4. DfES Guidance Ref. LEA/0264/2003 'Guidance on the use of Restrictive Physical Intervention for Pupils with Severe Behavioural difficulties
5. <http://www.teachernet.gov.uk/wholeschool/sen/schools/piguide/pisec1/>
6. DfES Guidance Ref: LEA/0242/2002 'Guidance on the Use of Restrictive Physical Interventions for Staff Working with Children and Adults who Display Extreme Behaviour in Association with Learning Disability and/or Autistic Spectrum Disorders'
http://www.teachernet.gov.uk/_doc/6059/PI%20Guidance.pdf

Authorised staff

This guidance applies to all members of school staff at school. It also applies to people whom the Headteacher has temporarily put in charge of pupils such as unpaid volunteers or parents accompanying pupils on school organised visits.

The authorisation applies at any time when a person has control or charge of a pupil whilst in school, on a field trip, local visit or other out of school activity.

Policy

Within the requirement of the duty of care that school staff have to their pupils, authorised staff may use reasonable force. "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 stop the child from engaging in any behaviour which is prejudicial to the maintenance of good order and discipline at the school.

Use of physical intervention must be the final option and should only be engaged once all other attempts to defuse and settle a situation have proved ineffective, such as requesting the pupil to stop, reasoning with the pupil as the situation dictates, removing other pupils from the area for their safety.

When the use of restrictive physical interventions may be appropriate.

Restrictive Physical Interventions will be used when all other strategies have been considered, 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 pupils may become distressed, agitated, and out of control, and need calming with a brief Restrictive Physical Intervention that is unresisted after a few seconds.

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

Authorised staff must be mindful of the following when deciding to use physical restraint:

- will the use of force exacerbate the situation, resulting in further injury to the teacher, the pupil or other pupils. For example if a pupil is restrained from leaving a room.
- will it set a poor example for other children.
- will it unduly distress the pupil or other pupils.

Guidance on deciding appropriate action

The following are examples of situations where the use of physical intervention /reasonable force may be appropriate – it is not exhaustive and does not suggest that such situations are always requiring of the use of physical intervention:

- pupils fighting;

- a pupil engaged in activity which poses a physical threat to others;
- a pupil engaged in or on the verge of committing deliberate damage to property;
- a pupil running in a confined or enclosed area in a way which might cause an accident likely to injure him/herself or others;
- a pupil who is seriously disrupting a lesson by throwing things or physically interfering with others;
- a pupil absconding from class or trying to leave school but only if the pupil could be at risk if not kept in the classroom or school;
- when outside the school to prevent a pupil running or stepping off a pavement onto a busy road.

The use of force should never be used to prevent a pupil from committing a trivial misdemeanour such as dropping litter, queue jumping or shouting. The use of any degree of force is unlawful if the particular circumstances do not warrant the use of physical force.

The use of any degree of physical contact should never be used to punish a pupil or deliberately cause pain, injury or humiliation. It is unlawful to use physical contact in this way.

De- escalation Procedure

Members of staff are trained to use de-escalation strategies to avoid the need for physical intervention. Staff will use de-escalation language e.g. positive phrasing, supportive dialogue to show that they are in control of the situation.

Children will be warned, at their level of understanding, that physical intervention will be used unless they cease the unacceptable behaviour.

Every effort should be made to secure the presence of other staff who may assist or act as witnesses. As soon as it is safe, the physical intervention will be relaxed to allow the child to gain self-control.

If a pupil is behaving in a way that might be deemed appropriate for intervention the following procedure should be adopted:

1. Use strategies and techniques to defuse the situation.
2. Send for assistance to adjoining rooms and senior staff.
3. Consider removing other pupils from the area.
4. Continue attempts to defuse the situation.
5. Instruct the pupil to stop, explaining the consequences of failing to comply, including making clear that restraint may be used.
6. Adopt a calm, measured approach so as to not give the impression that you have lost your temper or intend to punish the pupil.
7. Immediately following any use of physical restraint the reporting procedure should be completed.

Application of force

Where it is deemed necessary to use physical force an authorised member of staff must not do so in a way that might reasonably be expected to cause injury. For example by:

- holding a pupil around the neck, or by the collar, or in any other way that might restrict the ability to breathe;

- slapping, kicking or punching the pupil or striking the pupil with an object;
- twisting or forcing limbs against a joint;
- tripping up a pupil;
- holding or pulling a pupil by the hair.

Acceptable intervention

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

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

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

- supporting, guiding and escorting the pupil away from the difficult situation (using hands above the elbows – child’s arms down by their sides to gently guide them);
- the pupil’s age and level of understanding;
- the pupil’s individual characteristics and history;
- the location where the contact takes place (it should not take place in private without others present).

Reporting an incident

Immediately following the incident a senior member of staff must be informed and an incident report completed.

Action following an incident

As soon as possible following an incident the member of staff involved will meet with the Headteacher or a member of senior staff designated by the Headteacher, unless it is the Headteacher then the meeting will be held with the Chair of Governors.

The meeting will be conducted in order to:

Provide an opportunity for the member of staff to reflect upon the incident.

- Allow the member of staff to express their feelings.
- Offer the member of staff support and constructive feedback.
- Provide an opportunity for the member of staff to identify what they think will be a way forward for both themselves and the pupil.

The Headteacher or member of staff designated by the Headteacher will meet with the pupil in order to:

- Involve the child in a restorative process – explore issues, feelings and to prevent /reduce future recurrence.
- Explore the pupil’s point of view.
- Share the views of the member of staff.

- Explore alternative behaviour in future situations.

The date and time of the meetings should be recorded on the incident report form and a copy of the interview notes should be filed with the report form.

The Headteacher will write to the parents or carers of the pupil requiring restraint to make them aware of the incident and invite them to discuss the situation further. The letter to the parent will:

- be factual;
- not use the authorised person's name or the names of other pupils involved;
- refer to appropriate law or regulations;
- refer to this school policy.



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Our Lady Immaculate Catholic School: Report form for use following an incident involving use of physical restraint

Pupil name:

Date and time of incident:

Location of incident:Outside reception class.....

Names of other staff or pupils who witnessed the incident:

.....

The reason that use of force was necessary. For example, to prevent injury to other pupils.

To prevent injury to staff and pupils.

A full report of the incident, including:

- how the incident began and progressed.
- details of the pupil's behaviour.
- what was said.
- attempts to defuse the situation.
- the degree of force used, how it was applied and for how long.
- the pupil's response and the outcome, including details of injury suffered by any involved and of any damage to property.

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Signature Printed name: Date:

Date & time of staff meeting:

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Date and time of pupil meeting:

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Dear

I write to inform you that on,was involved in an incident which occasioned the need for a member of my staff to restrain him/her.

(Brief outline of the situation which took place)

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As we have a Duty of Care to prevent physical harm to pupils and staff and to promote good discipline and behaviour, the action by the member of staff was fully compliant with Section 550A of the Education Act 1996 in force from 1.9.98. The Act lists occasions when authorised persons may use force to control pupils as:

- Prevention of an offence.
- Prevention of personal injury or damage to property.
- Prevention of behaviour prejudicial to good order and discipline.

During the restraintwas not at risk of harm. He/she was effectively removed from the situation and allowed to calm down.

I am sure that you would wish to support the school in its actions and if you would like to discuss the situation further please contact the school to make a mutually convenient appointment.

Yours sincerely,

Headteacher