



DORE PRIMARY SCHOOL



Physical Restraint Policy

1:1 Legal Framework

Section 550A of the Education Act 1996 allows teachers, and other members of staff at a school who are 'authorised' by the Headteacher, to use such force as is reasonable in circumstances where the pupil may need to be prevented from engaging in behaviour that is likely to cause injury to themselves, others or damage to property. The guidance extends this to maintaining good order and discipline, for both on-site and off-site activities.

There is no legal definition of reasonable force. The Criminal Law Act (1967) allows any person to use such force as is reasonable in circumstances to prevent an offence (eg. Physical assault) being committed. Reasonable minimal force must be a matter of personal judgement.

1:2 What is Physical Restraint?

Physical Restraint should be limited to emergency situations and used only in the last resort. Under the Children (NI) Order 1995, it is only permissible as described under the heading "Physical Control".

Article 4 of the Education (N.I.) Order 1998 clarifies powers that already exist in common law.

It enables teachers and other members of staff in the school, authorised by the Headteacher, to use such force as is reasonable in the circumstances, to prevent a pupil from:

Committing an offence

Causing personal injury to, or damage to the property of, any person (including the pupil himself); or

Engaging in any behaviour prejudicial to the maintenance of good order and discipline at the school or among its pupils, whether during a teaching session or otherwise.

Physical restraint is the positive use of force in order to protect a young person from harming themselves, others, or damaging property. Physical restraint is normally only necessary to prevent a young person causing harm to themselves or to others, damaging property, or committing some criminal act, which risks

4:1 Procedures

In the event of physical restraint having been used it is important to consider the strategies, which are deemed acceptable, and the recording procedures that should be in place.

4:2 Action Steps:

Tell the pupil who is misbehaving to stop and state possible consequences of failure to do so;

If possible summon another adult;

Continue to communicate with the pupil throughout the incident;

Make it clear that restraint will be removed as soon as it ceases to be necessary;

Appropriate follow-up action should be taken, which may include:

Providing medical support

Providing respite for those involved

A calm and measured approach to a situation is needed and staff should never give the impression that they have lost their temper or are acting out of anger or frustration when handling a problem.

4:3 Recording

Staff should record all incidents of restraint in accordance with School Policy and report these to the Headteacher or Deputy Headteacher.

Details should include:

Name of pupil(s)

Staff member(s) involved

Factors necessitating physical intervention

The strategies which were employed prior to using physical intervention

How physical intervention was effected

Outcome of restraint

Any other action taken in the management of the incident

Parents/carers should be contacted as soon as possible and the incident explained to them. This action should also be recorded.

5:1 Complaints

We all have a duty of care to the young people in our school and cannot escape our legal responsibilities by avoiding taking appropriate and necessary action. Involving parents when an incident occurs with their child, together with a clear policy adhered to by the staff, should help to avoid complaints from parents. It will not prevent all complaints, however, and a dispute about the use of force by a member of staff might lead to an investigation, either under disciplinary procedures or by the Police and social services department under child protection procedures.

Staff, subjected to physical violence or assault, have the right to be supported in making a formal complaint to the police and, if necessary, taking private action against an assailant.

It is our intention to inform all staff, pupils, parents and governors about these procedures and the context in which they apply.

We will review this policy on a yearly basis.

Remember that adhering to the principles and procedures referred to in this policy statement, is part of effective practice and should minimise risk to young people in our care and enhance our own self-protection.

6:1 Statement for Parents

In keeping with our home/school partnership, we will inform all parents/carers of our policy on Physical Restraint. The statement will be included in the school prospectus and on the website. The statement will highlight:

- Our emphasis on care and protection for everyone within our school community
- Our belief that restraint will be needed on very rare occasions.
- Our endeavour to handle situations with care and responsibility.
- The responsibilities of staff, pupils and parents/carers in resolving situations.

7.1

Appendix 1

When might it be appropriate to use reasonable force?

Examples of situations that fall into one of the first two categories are

a pupil attacks a member of staff, or another pupil;

pupils fighting;

a pupil is causing, or at risk of causing, injury or damage by accident, by rough play, or by misuse of dangerous materials, substances or objects;

a pupil is running in a corridor or on a stairway in a way in which he/she might have or cause an accident likely to injure her/himself or others;

a pupil absconds from a class or tries to leave school (NB this will only apply if a pupil could be at risk if not kept in the classroom or at school).

Examples of situations that fall into the third category are:

a pupil persistently refuses to obey an order to leave a classroom.

a pupil is behaving in such a way that is seriously disrupting a lesson.

Appendix 2

All teachers need to be aware of strategies and techniques for dealing with difficult pupils and steps which they can take to defuse and calm a situation.

Move calmly and confidently.

Make simple, clear statements.

Intervene early.

Try to maintain eye contact.

If necessary summon help before the problem escalates.

Remove audience from the immediate location.

There are situations where staff should not intervene without help:

Assistance should be sought when dealing with:

an older pupil,

a physically large pupil,

more than one pupil, or

when the teacher believes that s/he may be at risk of injury.

In those circumstances where the member of staff has decided that it is not appropriate to restrain the pupil without help they should:

remove other pupils who might be at risk,

summon assistance from colleagues,

where necessary, telephone the police,

inform the pupil(s) that help will be arriving,

until assistance arrives, the member of staff should continue to attempt to defuse the situation orally, and try to prevent the incident from escalating.

Appendix 3

RECORD OF RESTRAINT

Date of incident: Time of incident:

Pupil Name: D.o.B:

Member(s) of staff involved:

Adult witnesses to restraint:

Pupil witnesses to restraint:

Outline of event leading to restraint:

Outline of incident of restraint (including restraint method used):

Outcome of restraint:

Description of any injury(ies) sustained by injured pupil and any subsequent treatment:

Date parent/carer informed of incident: Time:

By whom informed:

Outline of parent/carer response:

Signature of staff completing report: Date:

Signature of Teacher-in-charge: Date:

Signature of Headteacher: Date:

Brief description of any subsequent inquiry/complaint or action: