



HAWKESLEY CHURCH PRIMARY ACADEMY

Positive Physical Intervention

“Let your light shine” Matthew 5:16

It is recognised that the vast majority of pupils in our school respond positively to the Hawkesley Vision and Values and our behaviour expectations. The well-being, welfare and safety of all pupils and staff at Hawkesley Church Primary Academy is of paramount importance.

It is acknowledged that in exceptional circumstances, staff may need to take action in situations where the use of reasonable force may be required. Hawkesley Church Primary Academy acknowledges that physical techniques are only part of a whole setting approach to behaviour management.

Positive Handling will only be used as a last resort when all other behaviour management strategies have failed or when pupils, staff or property are at risk. Hawkesley Church Primary Academy does not support the routine use of physical interventions.

All staff at Hawkesley understand that school cannot use force as a punishment; it is always unlawful to use force as a punishment. Positive Handling uses the minimum degree of force necessary for the shortest period of time to prevent a pupil harming themselves, 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. Every effort will be made to ensure that all staff in this school:

- (i) Clearly understand this policy and their responsibilities in the context of their duty of care in taking appropriate measures where reasonable force is necessary, and
- (ii) Are provided with appropriate training to deal with these difficult situations.

Definitions

No legal definition of ‘reasonable force’ exists however for the purpose of this policy and the implementation of it in Hawkesley Church Primary Academy, the clarification provided in the DfE guidance document ‘use of reasonable force’, 2013 is used:

What is reasonable force?

The term ‘reasonable force’ covers the broad range of actions used by most teachers 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.

As mentioned above, schools generally use force to control pupils and to restrain them. Control means either passive physical contact, such as standing between pupils or blocking a pupil's path, or active physical contact.

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. It is acknowledged that in extreme cases it may not always be possible to avoid injury, as an accidental consequence of the intervention.

Different types of physical contact with pupils

1. Physical Contact

- Examples of where touching a pupil might be proper or necessary:
- Holding the hand of the child at the front/back of the line when going to assembly or when together around the school;
- When comforting a distressed pupil;
- When a pupil is being congratulated or praised;
- To demonstrate how to use a musical instrument;
- To demonstrate exercise or techniques during PE lessons or sports coaching; and
- To give first aid.

When giving this appropriate physical contact, staff should ensure that they are not on their own with a pupil are clearly visible by another member of staff.

2. Physical Intervention

This may be used to divert a pupil from a destructive or disruptive action, for example guiding or leading a pupil by the arm or shoulder where the pupil is compliant.

3. Physical Control/Restraint

This will involve the use of reasonable force when there is an immediate risk to pupils, staff or property. It is important to note that the use of 'reasonable force' should be seen as a last resort. All such incidents must be recorded and be stored in an accessible way. If at all possible, more than one member of staff should be present if physical restraint is required. The level of compliance from the pupil determines whether or not the interaction is an intervention or a control/restraint.

Strategies for Dealing with Challenging Behaviour and Escalating Situations

Staff consistently use positive strategies to encourage acceptable behaviour and good order, in line with the Hawkesley Church Primary Academy Behaviour Policy. Every effort will be made to resolve conflicts positively.

Staff should be able to justify that strategies other than force have been attempted and proved ineffective or would have been impractical. Furthermore, staff should recognise that restraint is only a small part of a wider spectrum of positive framework that may include use of space, safe environments, diversions, calm stances and postures, nonthreatening facial expressions, low tone, volume and pace in communication, careful use of words, and physical reassurance and prompts.

Consideration of these strategies should be maintained during and after the need for physical contact. As soon as it is safe, any hold or restraint should be gradually relaxed to allow the pupil to regain self-control.

The pupil should be informed about what will happen next and be offered reassurance and encouragement to remain calm. In this way the pupil will be more likely to see the restraint as an act of care.

All members of school staff have a legal power to use reasonable force. (Section 93, Education and Inspections Act 2006). The 1996 Education Act (Section 55O A) stipulates that:

A member of the staff of a school may use, in relation to any pupil at the school, such force as is reasonable in the circumstances for the purpose of preventing the pupil from doing (or continuing to do) any of the following, namely:

- (a) committing any offence,
- (b) causing personal injury to, or damage to the property of, any person (including the pupil themselves), or
- (c) engaging in any behaviour prejudicial to the maintenance of good order and discipline at the school or among any of its pupils, whether that behaviour occurs during a teaching session or otherwise.

This applies where a member of staff is on the school premises and elsewhere at a time when, as a member of school staff, that adult has lawful control of the children concerned, for example, on a school trip.

The decision on whether to physically intervene is down to the professional judgement of the adult concerned. Whether the force used is reasonable will always depend on the particular circumstances of the case. The use of force is reasonable if it is proportionate to the consequences it is intended to prevent. This means the degree of force used should be no more than is needed to achieve the desired result. (DfE guidance document 'use of reasonable force', 2013)

Individual members of staff cannot be required to use physical restraint. However, as teaching and non-teaching staff work in 'loco parentis' and should always operate with an appropriate 'Duty of Care', it might be argued that failing to take action (including a failure to use reasonable force) may in some circumstances breach that duty. (DfE guidance document 'use of reasonable force', 2013)

A panel of experts (Physical Control in care Medical Panel 2008) identified that certain restraint techniques presented an unacceptable risk when used on children and young people. The techniques in question are:

- 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;
- the 'double basket-hold' which involves holding a person's arms across their chest;
- the 'nose distraction technique' which involves a sharp upward jab under the nose.

Authorised Staff

Section 550A of the Education Act 1996 permits adults who have lawful charge or control of children to use reasonable force to control or restrain them. These include:

- Teachers
- Family support workers
- Teaching assistants
- Representatives from outside agencies
- Other adults who may be working with children either on school premises or accompanying them on out of school activities, e.g. during field trips or on school journeys.

Wherever possible Physical Restraint should only be used by those with appropriate training. However, it is acknowledged this may not always be possible and physical restraint may be used as an emergency measure by someone without appropriate training to ensure the safety of children in their care. Any Physical intervention should be conducted making reasonable adjustment for students with SEN or disabilities. In this instance, someone with appropriate training should be called for immediately.

Recording

School keeps a record of all incidents where physical intervention involving the use of force against resistance from a child has been necessary. The record should be completed by the end of the working day on which the incident took place. A member of the Leadership Team will be told at the earliest possible time after an incident.

A member of the Leadership Team will discuss the incident with any children or staff who were present and, where appropriate, collect a written account from them. In line with our commitment to

working with parents, we aim to maintain an open discussion during any relevant procedure which may follow an incident.

School will regularly review the number and type of incidents in which physical intervention and/or restraint has been necessary. This will be used to ensure that there is adherence to this policy and to identify improvement needed in other policies and procedures of the school.

Risk Assessment

When it is likely that a child's behaviour may require the use of physical intervention and/or restraint as one of the reactive strategies, a risk assessment must be carried out.

Positive Handling Plan

When the Individual Education Plan and risk assessment indicate the likely need for school staff to hold or restrain a child to prevent an injury, the school should record this in a Positive Handling Plan. The information in the risk assessments will help to inform this plan which will outline:

- Who has been consulted about the plan
- The type of physical intervention to be used
- Which adults are authorised to use this intervention.
- Parental consent for the plan
- Head Teacher authorisation for the plan.

Sharing of Information

All members of the school community should know of the existence of this policy. In principle, as few people as possible should know of any specific incident and staff should maintain confidentiality to the greatest possible extent. This is to enable governors and staff involved in any consequence or complaint to do so without having acquired hearsay knowledge.

Monitoring Incidents

Where Physical Restraint is used the Head will monitor records of any incidents in order to:

- Identify any patterns of behaviour resulting in the use of physical intervention.
- Review the levels of staff awareness of and compliance with the school policy.
- Inform staff training needs.
- Explore the relationship between the use of physical intervention and behaviour in school.
- Governor's Children, Families and Community sub-committee may monitor incidents where physical restraint is used.

Action after an Incident

The Head Teacher will ensure that each incident is reviewed, investigated and recorded as stated above. If further action is required, this will be pursued through the appropriate procedures.

Complaints

The availability of a clear policy about reasonable force and early involvement of parents should reduce the likelihood of complaints but may not eliminate them. Complaints following a dispute about the use of physical intervention by an adult should be pursued in accordance with the Complaints Policy.

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