

THE HAMMOND – Use of Physical Restraint Policy

Every Child Matters:

- Be Healthy
- Stay Safe
- Enjoy and Achieve
- Make a Positive Contribution
- Achieve Economic Wellbeing.

Helping Every Child to Achieve More

October 2012, Revised November 2012, November 2013, January 2015, October 2015

We hope that the use of any physical force will not become necessary. However, should this ever be required then it is the aim of this policy to clarify the power of teachers and other staff who have lawful control or charge of pupils in house or school, to use reasonable force to prevent pupils committing any offence, causing injury or damage to themselves or others, or causing severe disruption.

This provision applies when a teacher or authorised person is on the school premises and when the person has lawful control or charge of the pupil elsewhere (e.g. field trip/activity etc). It must be clear that this clarification does not authorise the use of corporal punishment in any circumstances nor is it intended to encourage the use of inappropriate force.

There are a wide variety of situations in which ‘reasonable restraint’ may be appropriate, or necessary, to control or restrain a pupil. Wherever possible, if this is anticipated, appropriate steps should have been taken beforehand to plan responses.

Staff may use such restraint as is reasonable in the circumstances to prevent a pupil from doing or continuing to do, any of the following:

- a) Committing any offence
- b) Causing an imminent risk of injury to themselves or other.
- c) Causing serious damage to property including their own
- d) Seriously prejudicing the maintenance of good order and discipline at the school or among any pupils receiving education at the school, whether during a teaching session or otherwise.

The staff to which this power applies are:

- Any teacher who works at the school and
- Any other person whom the Principal has authorised to have control or charge of pupils.
- It does **not** include pupils with positions of authority.

Reasonable restraint

Wherever possible, staff should exhaust the range of behaviour management strategies in the behaviour policy that are aimed at preventing the situation from reaching the point at which physical intervention becomes necessary. Restraint will therefore only be used as a last resort after all efforts to defuse the situation have been taken.

There is no legal definition of when it is reasonable to use force. It is, therefore, impossible to set out a comprehensive definition of the degree of force that may be used.

Relevant considerations should be:-

- The use of physical restraint can be regarded as reasonable **only** if the circumstances of the particular incident warrant it. If the situation does not warrant the use of physical restraint then **any** degree of force is unlawful.
- The degree of restraint employed must be in proportion to the circumstances of the incident and the seriousness of the behaviour or the consequences it is intended to prevent. Any restraint used should always be the **minimum required**.
- The degree of restraint used, or whether it is reasonable to use any at all, will also be dependent upon the age of the pupil.

Guidelines on the use of restraint

Before using restraint of any type staff should, wherever practicable:

- Tell the pupil who is misbehaving to stop.
- Give clear instruction warning the pupil that unless he conforms then physical restraint will be applied.
- Continued communication should be attempted throughout the incident.
- It should be made clear that restraint will stop as soon as it ceases to become necessary.
- Staff should never give the impression that they have lost their temper but should retain a calm measured approach.
- If possible summon help from another member of staff to assist.
- Staff should never intervene if they believe they are at risk of injury but should call for assistance.

Intervention

This may take several forms:-

- physically intervening between pupils,
- blocking a pupil's path,
- holding, pushing or pulling,
- leading a pupil by hand or arm,
- shepherding a pupil by placing his/her hand in the centre of the pupil's back,
- in extreme cases using a more restrictive hold or taking action necessary to prevent injury but this action must be consistent with 'reasonable force'.

In normal circumstances staff should **NOT** act in a way that might reasonably be expected to cause injury, for example by:-

- holding a pupil by the neck,
- slapping, punching or kicking a pupil,
- twisting or forcing limb joints,
- tripping a pupil,
- holding a pupil by the hair or ear,
- holding a pupil face down on the ground,
- holding a pupil in a way which may be interpreted as indecent.
- It is anticipated at all times that any element of force will **ONLY** be used when all other attempts to defuse the situation have failed.

Reporting and recording

If force is used towards any pupil in the school or house, the incident record form must be completed and a copy sent to the Heads of Boarding and Principal or a member of the leadership management team as quickly as possible, but always on the same day as the incident. This form is available from the boarding offices in each

boarding house or the school office. It may be wise to seek advice from a senior colleague when compiling the report.

After any recordable incident, parents/carers/guardians should always be informed and given the opportunity to discuss the incident with staff at the school. Any disciplinary action and/or support will result from these meetings and will follow the information laid out in the school's behavioural policy.

Complaints

It is possible that despite adherence to the above advice, parental complaint may ensue. It is thus important that the above advice has been carefully followed and that the use of force was reasonable in the circumstances.

All staff should be aware that physical contact of any sort may be misconstrued, however innocent. Some physical contact may be necessary or appropriate in certain subjects (e.g. dance, drama, P.E.), (please see separate Safe Touch Policy) or circumstances (e.g. injury) but staff should always use professional judgement in this matter. It is important that if any pupil is particularly sensitive to physical contact that information has been circulated to all staff.

Monitoring

All staff will have regular awareness sessions on the issues of this policy. The introduction of more formal training will remain under constant review. The LMT will monitor incidents of the use of restraint at their regular meetings and prepare reports for the Directors who will also monitor incidents where force has been used. This policy will be reviewed every two years.

Please also refer to separate Safe Touch Policy.