



# Control and Restraint Policy

**Date of initial approval: 01 Oct 2010**

**Amended: First issue**

**Review date: 30 Sep 2015**

## Revision History

<u>Version</u>	<u>Reason for issue</u>	<u>Approval date</u>
1.0	Revised publication for approval by Governing Body	19 Oct 2010
2.0	Revised to include TEAM TEACH training	September 2014



# *Bramley Sunnyside Infant School*



At our school we believe that behaviour and attitude to learning have a major influence on pupil achievement and that every child is entitled to learn in an environment which is safe, secure and free from distraction. The guiding principles behind this are laid out in our whole school positive behaviour policy (which also underpins this document)

As a staff we are committed to supporting our pupils up to and including the duty to have lawful care and control over them. In the majority of cases this is achieved through engendering sound relationships and the normal application of our positive behaviour policy. However in exceptional circumstances this might entail the use of reasonable force to prevent a criminal offence, injury, damage or disruption.

It is emphasised that our approach to care and control, similar to that of behaviour in general, is very much a positive one. The physical restraint of a pupil should be seen in the context of further positive (albeit 'last resort' or 'justifiably expedient') action of care and concern.

This paper sets out our school's policy about care and control issues including the use of force to control or restrain pupils. It should be read in conjunction with the Rotherham LA's guidelines 'Positive Handling Guidelines', the DfE circular 10/98 'Section 550A of the Education Act 1996: The use of force to control or restrain pupils', and the DfE letter (8.5.98) and circular 8/94 on pupil behaviour and discipline

Should any form of control or restraint become necessary within our school, we follow the guidance given by the LA and Section 550A of the Education Act 1996 as detailed in the DfE circular 10/98

As stated in the above circular,

Teachers and non teaching staff who have been authorised by the headteacher to have control or charge of pupils may use such force as is 'reasonable in the circumstances' to prevent a child from doing - or continuing to do;

- a criminal offence
- injuring themselves or others
- causing damage to property
- engaging in behaviour prejudicial to maintaining good order and discipline at the school

This applies at any time where a teacher is on school premises or has lawful charge of the pupil elsewhere (school visit)

Reasonable force depends on the circumstances of the case and physical force must not be used to prevent a trivial misdemeanour or in a situation that could clearly be resolved without it. Force in such cases would be unlawful. The law forbids a teacher to use any degree of physical contact, which is deliberately intended to punish, or primarily cause pain, injury or humiliation.

Where the risk is not so urgent we will always attempt to deal with a situation through strategies other than force.



## **Types of incidents in which reasonable force might be appropriate**

- where action is necessary in self defence or because of imminent risk or injury
- where there is a developing risk of injury or significant damage to property

Should a situation require 'reasonable force', this will be the minimum needed to achieve the result.

Such a situation could be:

- a pupil attacks a member of staff or pupil
- pupils are fighting
- a pupil is engaged in, or about to commit, deliberate damage or vandalism to property
- a pupil is at risk of causing injury or damage by accident (e.g. rough play, misuse of objects)
- a pupil is running on a corridor or stairway in a way which might cause an accident
- a pupil persistently refuses to obey an order to leave the room
- a pupil absconds from class or tries to leave school and could be at risk if not kept there

Wherever possible support from a colleague will be sought and alternative strategies other than using force will be considered such as providing the disruptive pupil with a choice location to exit to, in a manner that conveys an expectation of compliance, and with some degree of 'take up time' to allow him/her to save face and/or moving the other pupils out of the classroom away from the disruptive pupil

## **Planning for incidents**

We will plan how to respond if we are aware that a pupil is likely to require physical control or intervention. This will include the provision of a pastoral support plan linked to an IEP, involvement with parents to ensure they are clear about what specific action we might need to undertake, and obtaining medical advice if the child has any specific health needs.

All staff will undertake Positive Handling Training (Team Teach ) every three years and guidance in the use of physical restraint will be given by the trainers.

N.B. All teachers and those 'authorised' by the headteacher to have charge of pupils, have a 'duty of care' to take appropriate action, up to and including the use of reasonable force, to prevent pupils committing crime, serious disruption, or causing injury or damage.

If we are aware that a pupil is likely to behave in a way that may require physical restraint -

## **We will:**

- **remain calm**
- manage the pupil with re-active strategies to diffuse the situation, talking to the child and explaining the consequences of such behaviour
- ensure additional support can be summoned quickly - a teacher should not intervene alone if she might be at risk of injury
- remove other pupils if they are at risk
- brief and train staff in relation to the action which needs to be taken

We will apply appropriate TEAM TEACH strategies



# *Bramley Sunnyside Infant School*



## **The application of force**

Physical intervention can be:

- physically interposing between pupils or blocking a pupil's path
- touching, holding, guiding or leading a pupil by the arm
- shepherding a pupil away by placing a hand in the centre of the back
- using more restrictive, safe holds when necessary

We will not act in such a way that may cause injury (see LA guidance )

## **Recording incidents**

**Incidents where a physical intervention has been used will be recorded in a bound book and parents will be informed.**

Should an injury occur as a result of an incident at the school, immediate steps will be taken to secure appropriate medical attention. The head / deputy must be informed and the accident report book and LA injury forms completed.

In all cases where force is used (except minor or trivial incidents) the incidents will be reported to the head/deputy and recorded by **ALL** staff using the recording of incidents form, at the earliest opportunity. This must be signed by the member of staff and the head/deputy and stored in the Behaviour/Incident file kept in the Head Teachers office. The report should include names, dates, incident and action taken, witnesses, details of any injuries, damage to any property. A copy of the report will also be placed in the pupil's file, which is passed to transfer schools. This will be kept for a minimum of 3 years after the pupil has left compulsory full time education.

Staff may seek advice from senior colleagues or a representative from their professional association when compiling a report, and they should keep a copy for themselves. The report will help prevent any misunderstanding or misrepresentations of the incident and will be helpful if there is a complaint.

Parents will be informed about the incident and given the opportunity to discuss it. If we are unable to contact them, a letter will be posted.

### **Other procedures concerning incidents**

If necessary and appropriate, the Chair of Governors, Pupil Discipline Committee, LA, social services or police will be informed/consulted

The criminal, dangerous, destructive or disruptive behaviour must immediately stop and where possible an attempt will be made to help the pupil change their behaviour.

Help, support and reassurance will be given where appropriate to any victims involved.

If possible, meaningful or appropriate, the pupil will apologise and any other sanctions and monitoring may take place.

In serious cases exclusion will be considered. All the necessary paperwork will be completed and copies given to the parent, LA exclusions officer, Clerk to Governing Body, Chair of Governors.



### **Strategies for raising awareness and prevention**

We will liaise closely with parents and use a variety of methods for helping children to prevent any criminal, dangerous, destructive or disruptive behaviour. As and when appropriate, these may include:

- writing a set of school rules
- signing a behaviour contract / pastoral support programme
- learning how to behave appropriately through PSHCE/circle time activities
- participating in mentoring

Accessing support from Behaviour Support Services (eg Theraplay programmes, individual behaviour plans)

### **Physical contact with pupils in other circumstances**

The following situations are left to staff's own professional judgment. Staff must be sensitive to matters relating to culture and gender issues, and any known individual characteristics or special circumstances relating to pupils. Some physical contact may be necessary during P.E. lessons or if there is a need to administer first aid and young children and children with SEN may need staff to provide physical prompts or help.

### **Physical contact with pupils must always be appropriate and done openly**