

## **Grand Avenue Primary and Nursery School**

### **Policy on Reducing the Need for Restraint and Restrictive Intervention and the Use of Reasonable Force**

#### **Contents**

- 1. Introduction**
- 2. What is restraint and restrictive intervention?**
- 3. Staff authorised to use force**
- 4. Using restraint and restrictive intervention**  
**Minimising and deciding when to use the need to use restraint and  
restrictive intervention**
- 5. Training**
- 6. Restraint and Inclusion of pupils with SEN and disabilities**
- 7. Recording/Reporting incidents**
- 8. Post incident support**
- 9. Complaints and Allegations**
- 10. Monitoring and Review**
- 11. References**
- 12. Appendix A – Guidance for pupils with SEN**
- 13. Appendix B – Non- Physical Intervention Strategies**

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## **Introduction**

At Grand Avenue Primary and Nursery School we aim to create a calm, orderly and supportive school climate to minimise the risk of violence of any kind. We will always try to use proactive, preventative, non-restrictive approaches to de-escalate incidents of challenging behaviour, only using force when the risks involved in doing so are outweighed by the risks involved in not using force.

Law and guidance set out the permitted purposes for which restraint and restrictive intervention can be applied in different settings and services, such as when preventing injury, protecting property and reducing danger. This document sets out our school policy concerning the use of restraint and restrictive intervention or physical contact to control and restrain pupils.

## **What is restraint and restrictive intervention?'**

In school, the term 'restraint and restrictive intervention' includes:

- **physical restraint** - a restrictive intervention involving direct physical contact
- **withdrawal** - removing a child or young person involuntarily from a situation that causes anxiety or distress to themselves and/ or others and taking them to a safer place where they have a better chance of composing themselves
- **Seclusion** – supervised confinement and isolation of a child or young person away from others

Restrictive intervention will only be used when absolutely necessary and in proportion to the risks involved. The unnecessary or inappropriate use of force may constitute assault and may also infringe the rights of the child or young person under the Human Rights Act 1988. This policy should be read in conjunction with Grand Avenue Primary and Nursery School's Behaviour Policy.

## **Staff authorised to use reasonable force**

All members of school staff have a legal power to use reasonable force<sup>1</sup>. All staff members may use reasonable force in a variety of situations such as preventing pupils committing a criminal offence, injuring themselves or others or damaging property, and to maintain discipline. Desirably more than one adult will be present when force or physical contact is being used.

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<sup>1</sup> section 93, Education and Inspections Act 2006

This power can also apply to people whom the head teacher has temporarily put in charge of pupils, such as unpaid volunteers, parents accompanying students on a school organised trip or students on teaching practice. In these circumstances any reasonable force should be under the direction of a member of school staff (for example in assisting a member of school staff) or where there is extreme danger to the child or other children's safety (for example, if a child was running out into a road).

The decision on whether or not to physically intervene is down to the professional judgement of the staff member concerned and will always depend on the individual circumstances. Parental consent is not required to restrain a pupil.

### **Using Restraint and Restrictive Intervention**

Using positive behaviour support and other alternatives which can de-escalate challenging behaviour, and tackle the reasons for it at source, is the school's preferred approach. There will, however, be times when the only realistic response to a situation will be restraint or restrictive intervention. In a school, if a young child is about to run into a busy road, for example, or a pupil is attacking a member of staff or another pupil and refuses to stop when asked, then reasonable force to stop this may be necessary.

Staff will always consider their own safety and that of others in deciding how to act in a situation where restraint is regarded as necessary. Before using any form of restraint the adult will engage the pupil in a calm tone, making clear that the behaviour is unacceptable and explain that physical intervention will only be used to ensure safety.

Sometimes, standing between pupils will be sufficient to avoid conflict. Sometimes, leading a pupil by the hand or arm or by placing a hand in the centre of the back might calm a situation. Appendix B gives advice on Non-Physical Intervention Techniques. If more serious intervention should be needed (such as moving a pupil) the adult dealing with the situation will always seek the help of another adult.

When restraining or moving a pupil, staff will use holding techniques as advised by the local authority. Staff that work with high risk pupils will receive regular training as the recommended techniques minimise the chances of injury to either party.

The Department for Education guidance states that 'It is not illegal to touch a pupil. There are occasions when physical contact, other than reasonable force, with a pupil is proper and necessary.'<sup>2</sup>, as there is a real risk that such a policy might place a member of staff in breach of their duty of care towards a pupil.

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<sup>2</sup> *Use of reasonable force 2013*

### **Minimising the need to use Restraint and Restrictive Intervention**

A positive and proactive approach is vital to anticipate potential triggers for behaviour that challenges and minimise the need for restraint. Staff will aim to develop proactive strategies which help reduce the likelihood of behaviours that challenge (leading to the use of restrictive interventions) and focus on improving the safety and well-being of children and young people. Such strategies will be based on a good understanding of individual children's' needs.

To minimise the need to use force the school will:

- Create a calm and supportive climate that minimises the risk and threat of violence.
- Develop positive relationships with pupils and parents/carers.
- Adopt a whole school approach to developing social and emotional skills through the PSHE programs in school.
- Ensure staff have access to regular and ongoing training in positive behaviour management strategies and how to manage conflict situations and anxiety.
- Have clear reward and sanction systems in place and ensure these are applied firmly and consistently.
- Aim to recognise situations which trigger challenging behaviours.
- Provide effective support for individuals whose behaviour challenges through adapting the environment, the use of behaviour plans and risk assessments for high risk pupils and multiagency meetings to ensure consistency of approach.
- Ensure that early signs of anxiety and agitation are recognised and responded to
- Aim to warn a pupil that force may be used before using it.

### **Deciding whether to use Restraint or Physical Intervention**

The decision whether or not to physically intervene is down to the professional judgement of the staff member concerned and will always depend on the individual circumstances. Staff should have reasonable grounds for believing that restraint is necessary to justify its use. Adults should only use restraint where they consider it is necessary to prevent serious harm, including risk of injury to the child or young person or others. Staff should use their professional judgement to decide if restraint is necessary, reasonable and proportionate. This will involve assessing the risks involved, taking account of the needs of the child or young person.

When members of staff use restraint they physically prevent a pupil from continuing what they were doing after they have been told to stop. The potential

consequences of not intervening should be sufficiently serious to justify the use of force, where the chances of achieving the desired result by other means are low. For example:

- To prevent a pupil from attacking another pupil or a member of staff or to stop a fight between pupils.
- To prevent a pupil causing injury or damage by accident, rough play or by misuse of dangerous material.
- To prevent a pupil causing deliberate damage to property.
- To prevent a pupil leaving school where this would entail serious risks to the pupil's safety or to the safety of others.
- To remove a disruptive pupil from the classroom where they have refused to follow an instruction to do so.
- To prevent a pupil behaving in a way that disrupts a school event or a school trip or visit.
- To prevent a pupil leaving the classroom where allowing the pupil to leave would risk their safety or lead to behaviour that disrupts the behaviour of others.
- To restrain a pupil at risk of harming themselves through physical outbursts.

The judgement on whether to physically intervene will depend on the circumstances of each case and, crucially in the case of pupils with SEN or disabilities, information about the individual concerned. If there are pupils who have positive handling plans staff will be made aware of the techniques that need to be used.

### **Training**

It is considered that all staff have a responsibility for pupil behaviour although some staff may be specifically trained in physical intervention. It is not expected that trained members of staff should be solely responsible for dealing with all incidents where physical intervention is required.

Staff training will include ways of defusing or avoiding situations as well as methods of physical intervention. All staff will be briefed on the use of restraint as part of the induction process.

### **Restraint and Inclusion of pupils with SEN and disabilities**

At Grand Avenue Primary and Nursery School, when using restraint or restrictive intervention in response to risks presented by incidents involving children with SEN or disabilities or with medical conditions, we recognise the additional vulnerability of these groups. We also acknowledge our legal duty to make reasonable adjustments for disabled children and children with special educational needs (SEND). See Appendix A for further guidance relating to pupils with Special Educational Needs. This policy should also be read in conjunction with the school's SEND information report.

A positive handling plan will be created for individual pupils who need restrictive physical intervention (in consultation with the Inclusion Team/Parents/Pupil) and Behaviour Plans will be in place for any **high** risk pupils whose needs are identified through the schools SEN procedures.

### **Recording/Reporting Incidents**

Each **significant and serious** incident, where a member of staff uses restraint on a pupil will be recorded in a bound and numbered book. This log book of incidents is kept confidentially by the Inclusion Manager, who then reports to the Head Teacher. For pupils on the SEND register, who have a behaviour plan, any use of restraint will be logged in their individual folders/books. Reports will be completed on the same day as the incident took place and passed on to a member of SLT to be logged. The Governing Body at Grand Avenue Primary and Nursery school also monitor this procedure. The recording of incidents is of high importance and staff may find it helpful to seek the advice of a member of SLT or the SENCo.

Parents/carers of a child who has been restrained will be informed as soon as possible after the incident (except in cases where reporting the incident to a parent will result in significant harm to the pupil, where the Single Point of Access will be informed). It will be decided by SLT who will inform the parents and in most cases it will be a member of SLT who informs the parents, exceptions to this are disabled and SEN pupils and high risk pupils on behaviour plans where significant adults allocated to this pupil may inform parents of incidents. Parents will be given the opportunity to discuss an incident.

The report will include:

- The name of the pupil(s) involved
- Where and when the incident took place
- Names of staff or pupils who witnessed the incident
- The reason why the force was necessary, i.e. the pupil's behaviour and actions at the time
- The nature of the incident, how it began and progressed, including details of steps taken to diffuse the situation, the degree of force used and the nature of the restraint
- The pupil's responses and outcome of the incident
- Details of any injury suffered by the pupil or other adult/children
- Details of any damage to property
- When parents/carers were informed of the incident, by whom and how

### **Post incident support**

After incidents, the child or young person and the staff involved will be given emotional support. It is acknowledged that serious incidents involving force may result in injuries to pupils or staff. If this is the case then first aid will be

administered as soon as possible after the incident has taken place. Should further medical assistance be required then this will be organised by trained first aiders.

If force was used as a result of poor behaviour on the part of the pupil, then this pupil will be held accountable for their behaviour. Sanctions will apply as set out in the school's Behaviour Policy or for high risk pupils as outlined in their behaviour plan.

Following all serious incidents decisions will be made by relevant parties on how to support the pupil and staff to avoid repeating crisis points in the future. All relevant staff will be informed of these plans. The school will also ensure that all relevant multi-agency partners are kept informed if the pupil is already known to other services or will seek to refer them if relevant, for example EWO/ CAMHS/ EHS/ EISS

The school will ensure that all involved in the incident have continuing support for as long as necessary in respect of:

- Physical consequences
- Support to deal with any emotional stress or loss of confidence
- Opportunity to analyse, reflect and learn from the incident
- Re-building relationships and avoiding repeating crisis points

The school will also ensure that appropriate lessons are learned from instances where restraint has had to be used, including any patterns and trends, and consider how use of restraint might be avoided in future. This will usually involve de-briefing and post-incident review and monitoring of the use of restraint and restrictive intervention.

If staff have been involved in an incident and would like support to cope with the physical and emotional consequences then they can seek advice and support from a member of SLT.

### **Complaints and Allegations**

By taking steps to ensure that staff, pupils and parents are clear about when force might be used, the school will reduce the likelihood of complaints being made when force has been used properly.

Parents and pupils have a right to complain about action taken by school staff, as outlined in the school's complaint procedure. The Head teacher will respond to the complaint, following procedures as set out in the complaint policy. Specific allegations against a member of staff will be processed using the guidance set out in 'Keeping Children Safe in Education'.

Reporting an incident fully to parents/carers should minimise the chances of a complaint about the use of restraint, but cannot prevent all complaints or

allegations that restraint has been used inappropriately. Allegations may be made by persons other than the parents/carers or children involved.

The degree to which this and the school's behaviour policy have been followed will be at the core of any investigation. If a member of staff uses reasonable force as defined in this policy they will have a robust defence against any false allegations of unreasonable force or conduct. When a complaint is made the onus is on the person making the complaint to prove that his/her allegations are true. It is not for the member of staff to show that he/she acted reasonably. However if a member of staff uses unreasonable force they may subsequently face civil or criminal proceedings and/or disciplinary action as a result.

### **Monitoring and Review**

The impact of this policy will be monitored through analysis of incident data, and it will be reviewed within the School's policy review cycle.

### **References**

Reducing the Need for Restraint and Restrictive Intervention – June 2019  
Education and Inspections Act 2006



## **Appendix A – Guidance relating to Pupils with Special Educational Needs**

Every child and young person has a right to be treated with respect and dignity, and deserves to have their needs recognised and be given the right support. Some children and young people who have learning disabilities may respond with behaviour that challenges and as a result may require restrictive intervention from staff.

In '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' it states that

- The use of force should, wherever possible, be avoided
- There are occasions when the use of force is appropriate
- When force is necessary, it must be in a way that maintains the safety and dignity of all concerned

The use of seclusion is considered a form of physical intervention and should only be considered in exceptional circumstances.

Restrictive physical interventions will always be designed to achieve outcomes that reflect the best interests of the child whose behaviour is of immediate concern.

## **APPENDIX B – Non - physical intervention techniques**

Appear calm and relaxed

Keep pitch and volume of voice low

Talk with the pupil

If pupil becomes agitated, remain 'matter of fact' and polite

Stay close enough to attend to the pupil

Be patient

Acknowledge the feelings of the pupil

Leave an avenue of escape

### **Try NOT To –**

Appear afraid or unsure

Raise your voice

Give commands or make demands

Make threats

Rest your eyes on the pupil's chest and eyes

Maintain continuous eye contact

Tense your muscles

Enter into an argument