



**Houldsworth Valley Primary Academy**

# **RESTRAINT POLICY**

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## **1. INTRODUCTION**

A new provision came into force on 1st September 1998 (Section 550A of the Education Act 1996). This clarified the powers of teachers and other staff who have lawful control or charge of pupils, to use reasonable force to prevent pupils committing a crime; causing injury or damage; or causing disruption. Such powers already existed under common law, but they had often been misunderstood.

The use of corporal punishment i.e. the intentional application of force is not authorised. Corporal punishment includes slapping, punching, pushing, prodding, throwing missiles or any other such form of rough handling.

Under the Act, the Headteacher can authorise all teachers, teaching assistants and other members of staff in the school to use reasonable force to restrain pupils.

Where this is a policy we would hope rarely to put into practise because of the positive ethos we believe in, we need to be very clear about what we can and cannot do, were the situation to arise. We follow SchoolSafe forms of restraint if required. Only staff trained may use any form of restraint.

## **2. USE OF REASONABLE FORCE**

There are a wide variety of situations in which reasonable force might be appropriate or necessary to restrain a pupil. These fall into three broad categories:

1. Where action is necessary in self-defence or because there is an imminent risk of injury.
2. Where there is a developing risk of injury, or significant damage to property.
3. Where a pupil is behaving in a way that is compromising good order and discipline.

Examples of situations that fall within categories 1 and/or 2 above are:

- A pupil attacks a member of staff, or another pupil.
- Pupils are fighting.
- A pupil is engaged in, or is on the verge of committing deliberate damage or vandalism to property.
- A pupil is causing, or at risk of causing injury or damage by accident, by rough play, or by misuse of dangerous materials or objects.
- A pupil is running in a corridor in a way in which he or she might have, or cause an accident likely to injure him or herself or others.
- A pupil attempts to abscond from a class (or tries to leave) who would be at risk out of the classroom or school.

Examples of situations that fall into category 3 above are:

- A pupil persistently refuses to obey an order to leave the classroom.
- A pupil is behaving in a way that is seriously disrupting a lesson (Section 550A of the Education Act 1996 DfEE guidance Circular 10/98).

### **3. CRITERIA FOR GUIDANCE IN THE USE OF REASONABLE FORCE**

There is no definition of reasonable force, but three criteria are established for guidance:

1. If the circumstances of the particular incident warrant it.
2. The degree of force must be in proportion to the circumstances.
3. The age, understanding and sex of the pupil.

**N.B. Minimum force should only be used and never as a punishment.**

### **4. PHYSICAL INTERVENTION**

Physical intervention can take a number of forms, for example:

- Physically interposing between pupils.
- Standing in the way of a pupil.
- Holding, pushing or pulling.
- Leading a pupil away from an incident by the hand or by gentle pressure on the centre of the back.
- In extreme cases, more restrictive holds may be used.

**Please note: Only SchoolSafe holds and restraint methods will be used. Only staff trained may use restraint. SchoolSafe techniques will only be used as a last resort.**

Force that should NOT be used includes:

- Holding round the neck or any other hold that might restrict breathing.
- Kicking, slapping or punching.
- Forcing limbs against joints (e.g. arm locks)
- Tripping or holding by the hair or ear.
- Holding face down on the ground.

### **5. PLANNING FOR INCIDENTS**

If we are aware that a pupil is likely to behave in a way that may require physical control or restraint, then we need to plan how to respond to the situation through discussion with parents, support agencies and it should be addressed appropriately in a risk assessment and plan of action.

Before intervening physically, always attempt to diffuse the situation orally and try to prevent the incident escalating. Ask the child to stop and tell him/her what will happen if he/she does not. A calm measured approach is needed and the teacher/member of the school community should never give the impression that he/she has lost her temper, acted out of anger or wants to punish the pupil. If you as the adult feel you are at risk of injury, don't interfere without help; let the pupil know you are summoning help from another colleague.

## **6. RECORDING OF INCIDENTS**

All incidents when restraint is used must be recorded within 24 hours.

## **7. COMPLAINTS PROCEDURE**

Our general complaints procedure is available on the school website. If a formal complaint is made by a parent/member of staff, the complaints procedure adopted by the governing body will be followed.

## **8. REFERENCES**

Education Act 1996 (Section 550A)

DfEE Circular 1998 Section 55A Guidance

PM032 Use of Reasonable Force to Control and Restrain Pupils NAHT