

Myddelton College

Restraint Policy – Calming a violent pupil

Myddelton College seeks to provide an atmosphere of mutual trust and respect within which learning and personal development can be fostered. To create such an atmosphere, it is vitally important that, as a community, the school nurtures positive and supportive relationships between pupils and between staff and pupils.

While spontaneity is an important part of all relationships, it is important that wisdom plays a central role in reducing the opportunities for misunderstandings between staff and pupils. There may be very rare circumstances when a pupil at the school needs to be physically restrained by a member of staff. This policy is intended to clarify when such occasions might occur and the procedures that should be adopted.

Use of Reasonable Force – Advice for Headteachers, Staff and Governing Bodies (July 2013) has clarified The Education and Inspections Act 2006, outlining when teachers and other staff who have lawful controls of pupils, are permitted to use reasonable force:

Reasonable force can be used to prevent pupils from hurting themselves or others, from damaging property, or from causing disorder.

What is reasonable force?

The definition of 'reasonable' force will always depend on all the circumstances of the case. The use of force can be regarded as reasonable only if the circumstances of the particular incident warrant it. The use of any degree of force is unlawful if the particular circumstances do not warrant the use of physical force. Therefore physical force could not be justified to prevent a pupil committing a trivial misdemeanour, or in a situation that clearly could be resolved without force. Also, the degree of force involved must be in proportion to the circumstances of the incident and the seriousness of the behaviour or the consequences it is trying to prevent.

Different children will need different handling, for example it is reasonable to expect that adjustments will be made when dealing with children with SEN.

Any force used should always be the minimum needed to achieve the desired result.

Whether it is reasonable to use force, and the degree of force that could reasonably be employed, will also depend on the age, size and understanding of the pupil.

In a school, force is used for two main purposes – to control pupils or to restrain them.

The decision on whether or not to physically intervene is down to the professional judgement of the staff member concerned and should always depend on the individual circumstances.

The following list is not exhaustive but provides some examples of situations where reasonable force can and cannot be used. Schools can use reasonable force to:

- remove disruptive children from the classroom where they have refused to follow an instruction to leave the classroom and are posing a risk to the safety of other pupils & Staff;

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- 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;
- prevent a pupil from attacking a member of staff or another pupil, or to stop a fight in the school grounds;
- restrain a pupil at risk of harming themselves through physical outbursts.

Examples of reasonable physical intervention might be:

- physically interposing between pupils
- blocking a pupil's path
- holding
- pushing or pulling
- leading a pupil by the hand or arm
- shepherding a pupil away by placing a hand in the centre of the back, or in more extreme circumstances, using more restrictive holds.

Some examples of things teachers must not do:

- hold a pupil by the neck or collar
- slap, punch or kick a pupil
- twist or force limbs against a joint
- trip up a pupil
- take a pupil by the hair or ear
- hold a pupil face down on the ground

Staff should always avoid touching or holding a pupil in a way that might be considered indecent or doing anything which might reasonably be expected to cause injury. Force must never be used as a punishment.

Strategies which should be used before resorting to force

1. Decide whether or not it is practicable to take action on your own, and assess the possible risk of injury to yourself – e.g. if dealing with a number of pupils or a particularly large or strong individual, summon help.
2. Always explain with an assured, calm voice and non-confrontational manner, precisely what the pupil is doing wrong and identify it as misbehaviour which you are asking him or her to stop.
3. Be aware of your own body language, moving calmly and confidently, maintaining eye contact.
4. Where possible, find ways to lessen the potential threat of your presence by allowing the pupil space or sitting down yourself.
5. Keep talking calmly in the run up to potential incidents and try to suggest ways to avoid conflict, allowing the pupil to “save face”.
6. Explain, in clear, simple language, the consequences if the misbehaviour doesn't stop.

If the use of force is necessary

1. Remove other pupils from risk of injury if possible.

2. Avoid using physical restraint in isolated situations with no witness. If practicable, summon a colleague or colleagues to be present before taking further action, and inform the pupil(s) that this is what you are doing.
3. Use the minimum force needed to make the situation safe.
4. All the time during the incident, try to defuse the situation through your own calm behaviour and rational manner of speech. This will usually de-escalate the situation before extreme action or injury takes place.
5. At all times, make it clear that the application of restraint will cease once the offending behaviour ceases.
6. Restraint should be applied for the minimum time possible.
7. At the earliest moment practicable, allow the pupil to regain composure and resume normal self-control, provided that he or she is no longer a threat to him or herself and others.
8. In extreme cases, contact the Police – although the Headmaster or a member of SLT will usually do this if necessary.

Reporting an incident where force has been used

- Any incident involving physical force must be reported to the Headmaster, Senior DSL and Head of Boarding immediately
- A full written report should be prepared by the member of staff involved, explaining the situation, why the use of force was necessary and any consequences.
- This should include name(s) of pupil(s), the time and place of the incident, names of witnesses, the reason for the force being necessary, and how the incident began and progressed. In addition, the pupil's response and the outcome should be described. Details of any injuries suffered should be recorded. The report should then be passed to the Headmaster, Senior DSL and Head of Boarding who will keep a record of all incidents in which a member of staff uses force on a pupil.

If a complaint is made against a teacher who has used force, 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 has acted reasonably.

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Appendix 1: RESTRAINT – INCIDENT REPORT FORM (to be handed in to Headmaster, Senior DSL and Head of Boarding)

1	Basic Information	Name of Pupil	
		House	
		Year	
2	Events Leading to this Incident	Where did the incident occur?	
		When did the incident occur? (Time and Date)	
		How did the Incident Begin?	
3	Describe the Incident	What was happening at the time?	
		Was anyone else involved?	
		Did anyone else see what happened? (give details)	
		What behaviour was the pupil presenting that warranted restraint?	
		Was there damage to property or an assault on a pupil or staff during the incident?	

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		What did you do to try to defuse the situation before using restraint?	
		How was the pupil restrained? For how long? By how many staff members?	
4	Injuries sustained	Was anyone injured? If yes, give details	Yes/No
		Was the pupil checked for injuries by a member of staff who was not involved in the incident If Yes, by whom?	Yes/No
5	Implications for future planning	What do you think this behavior was about?	
		What would you do differently next time to avoid the need for physical restraint?	
		Are other staff aware(HSM/DSL) of the need for a planned response to the pupil?	Yes/No
6	Follow up action	The incident was reported by:	
		Have parents been informed? If yes, how	Yes/No Telephone/Letter/Personally
		When were they informed? (Time and Date)	
		Who informed parents/guardians?	

Incident Form complete by:

Signature:

Post Held:

Date:

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