



Restraint and Physical Intervention Policy

Document Control	
Title	Restraint and Physical Intervention Policy
Policy Number	MHS052.1
Date	July 2023
Supersedes	November 2023
Purpose of the policy	<p>The purpose of this policy is to:</p> <ul style="list-style-type: none">• Safeguard and protect all members of the school's community online• Identify approaches to educate and raise awareness of online safety throughout the community• Enable all staff to work safely and responsibly, to model positive behaviour online and to manage professional standards and practice when using technology• Identify clear procedures to use when responding to online safety concerns.
Related policies and guidance	Behaviour Policy Safeguarding and Child Protection Policy DFE Use of reasonable force 2013
Review	November 2023
Author	Janet Doherty
Date Consultation Completed	July 2023
Date adopted	21st June 2023 at curriculum committee and ratified at FGB 7th July 2023

Under the Public Sector Equality Duty, Manchester Hospital School has due regard to the need to eliminate discrimination, harassment and victimisation and any other conduct prohibited by the



Equality Act 2010; to advance equality of opportunity between those who share a relevant protected characteristic and those who do not share it and to foster good relations across all protected characteristics. Manchester Hospital School will take into account equality considerations when policies are being developed, adopted and implemented.

Manchester Hospital School serves the needs of a very large and diverse range of children, young people and their families at times when they are extremely vulnerable. Our core purpose as a school is to uphold the child's right to Education and our policies and procedures are necessary to keep staff and children safe . We acknowledge that our students are often living with a range of very complex medical conditions including mental ill health and therefore we keep the needs of the student at the heart of all decisions. We will , therefore, work within the parameters of all statutory policies whilst seeking to understand and support the child's long term education and health needs.

Introduction

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 with learning disabilities, autistic spectrum conditions or mental health difficulties may react to distressing or confusing situations by displaying behaviours which may be harmful to themselves and others and are at heightened risk of restrictive intervention to minimise the impact of their behaviour, on them and on other people. At Manchester Hospital School our preferred approach is not to use restrictive intervention. Instead, we use positive behaviour support and other alternatives which can de-escalate challenging behaviour, and tackle the reasons for it at source,

However, on rare occasions there may be a situation that requires some form of physical intervention by staff.

Our Restraint Policy is based upon the following principles:

- Physical intervention is used only as a last resort when other appropriate strategies have failed.
- Any physical contact is only the minimum required.
- Physical intervention is used in ways that maintain the safety and dignity of all concerned.
- Incidents are recorded and reported to the Headteacher.
- Parents are informed of each incident.



THE LEGAL FRAMEWORK

Section 93 of the Education & Inspections Act 2006 allows teachers and other persons who are authorised by the Headteacher who have control or charge of pupils to use such force as is reasonable in all the circumstances to prevent a pupil from doing, or continuing to do, any of the following:

- causing injury to his/herself or others
- committing an offence
- damaging property
- prejudicing the maintenance of good order & discipline.

This policy has been written with DFE 'Use of reasonable force' advice for Headteachers, staff and governing bodies July 2013.

DEFINITION OF REASONABLE FORCE AND RESTRAINT

The DFE guidance (2013) on the 'Use of Reasonable Force' defines and explains these terms in the following way:

- The term 'reasonable force' covers the broad range of actions used by most teachers at some point in their career that involve a degree of physical contact with pupils.
- Force is usually used either to control or restrain. This can range from guiding a pupil to safety by the arm through to more extreme circumstances such as breaking up a fight or where a pupil needs to be restrained to prevent violence or injury.
- 'Reasonable in the circumstances' means using no more force than is needed.
- Control means either passive physical contact, such as standing between pupils or blocking a pupil's path, or active physical contact such as leading a pupil by the arm out of a classroom.
- Restraint means to hold back physically or to bring a pupil under control. It is typically used in more extreme circumstances, for example when two pupils are fighting and refuse to separate without physical intervention.
- School staff should always try to avoid acting in a way that might cause injury, but in extreme cases it may not always be possible to avoid injuring the pupil.

All members of staff who can use reasonable force have a legal power to use it. This power applies to any member of staff at the school. It can also apply to people whom the Headteacher has temporarily put in charge of pupils such as unpaid volunteers or parents accompanying pupils on a school organised visit.

When possible, restraint will not be used.



When it is necessary, it will be carried out by appropriately trained staff eg Team Teach Level 2.

The DFE Guidance 2013 on ‘Use of reasonable force’ states that schools can use reasonable force to:

- » remove disruptive children from the classroom where they have refused to follow an instruction to do so;
- » prevent a pupil behaving in a way that disrupts a school event, trip or a visit;
- » 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 playground; and
- » restrain a pupil at risk of harming themselves through physical outbursts.

Schools cannot:

- » use force as a punishment - it is always unlawful to use force as a punishment.

In addition to the general power to use reasonable force described above, Headteachers and authorised staff can use such force, as is reasonable given the circumstances, to conduct a search for the following ‘prohibited items’: knives and weapons, alcohol, illegal drugs, stolen items, tobacco and cigarette papers, fireworks, pornographic images and any article that has been or is likely to be used to commit an offence, cause personal injury or damage to property. Force cannot be used to search for items banned under the school rules. A search will always be carried out by a member of staff of the same sex as the pupil, and staff will always conduct a search with another member of staff present. This is to safeguard the child and staff member against complaint or accusation.

OUR APPROACH:

We aim to avoid the need for physical intervention and regard this as a last resort in a minority of situations. We always aim to deal with behaviour using a positive approach and therefore this policy should be read in connection with our Behaviour Principles and Behaviour Policy. It is not possible to define every circumstance in which physical restraint would be necessary or appropriate.

Staff exercise their own professional judgement in situations which arise within the above categories. Staff act within our school’s policy on behaviour and discipline, particularly in dealing with disruptive behaviour. Once again it is stressed that physical intervention is only used when all other strategies have failed to have the desired effect on a pupil’s behaviour.



NB 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.

However, staff must be aware that not all pupils will be comforted by touch and some pupils may have specified they do not wish to be touched. Staff should always check with a pupil and not make any presumptions.

Examples of where touching a pupil might be proper or necessary:

- When comforting a distressed pupil
- When a pupil is being congratulated or praised
- To demonstrate how to use a musical instrument
- To demonstrate exercises or techniques during PE lessons or sports coaching
- To give first aid.
- For pupils who require a sensory curriculum

Staff are aware that when they are in charge of children during the school day, or during other supervised activities, they are acting in loco parentis and have a 'Duty of Care' to all children they are in charge of. They therefore take reasonable action to ensure the safety and well-being of all pupils. This being said staff are not expected to place themselves in situations where they are likely to suffer injury as a result of their intervention.

USE OF PHYSICAL RESTRAINT OR INTERVENTION

Physical restraint is applied as an act of care and control with the intention of re-establishing verbal control as soon as possible and, at the same time, allowing the pupil to regain self control. It never takes a form which could be seen as punishment. Staff are only authorised to use reasonable force in applying physical restraint i.e. only applying force necessary to stop or prevent danger should be used, in accordance with the guidelines below.

In all circumstances, alternative methods are used as appropriate with physical intervention or restraint a last resort. All staff were trained in Team Teach in January 2021 and training will be delivered on an ongoing basis.

In the exceptional circumstances when physical restraint or intervention becomes necessary, staff DO:

- Summon help / involve another member of staff if possible
- Continue to talk to the pupil in a calm way
- Use simple and clear language
- Tell the pupil what s/he must do for them to remove the restraint (this may need frequent repetition)
- Use the minimum force necessary



- Be aware of any feelings of anger
- Hold limbs above a major joint if possible e.g. above the elbow
- Relax the restraint in response to the pupil's compliance

DON'T:

- Try to manage on your own
- Stop talking even if the pupil does not reply
- Act in temper
- Allow a prolonged verbal exchange with the pupil
- Involve other pupils in the restraint
- Use physical restraint or intervention as a punishment
- Touch or hold the pupil in a way that could be viewed as sexually inappropriate conduct
- Twist or force limbs back against a joint
- Bend fingers or pull hair
- Hold the pupil in a way which will restrict blood flow or breathing e.g. around the neck
- Slap, punch, kick or trip up the pupil

ACTIONS AFTER AN INCIDENT

Physical restraint often occurs in response to highly charged emotional situations and there is a clear need for debriefing after the incident, both for the staff involved and the pupil. The Headteacher is informed of any incident as soon as possible and takes responsibility for making arrangements for debriefing once the situation has stabilised. An appropriate member of the teaching staff debriefs the pupil concerned: the debrief includes consideration of the circumstances that precipitated the incident and exploring ways in which future incidents can be avoided. Any other individuals involved in the incident are offered support. If the behaviour is part of an on-going pattern it will probably be necessary to address the situation through the development or review of an individual behaviour plan (IBP), which may include a risk assessment, interventions and involvement of external agencies.

Behaviour incidents are logged on CPOMS.

In the event of any future complaint or allegation this record provides essential and accurate information. A copy is filed in the child's appropriate file.

A member of the teaching staff contacts parents as soon as possible after an incident, normally on the same day, to inform them of the actions that were taken and why, and to provide them with an opportunity to discuss it.

RISK ASSESSMENTS



If we become aware that a pupil is likely to behave in a disruptive way that may require the use of reasonable force, we will plan how to respond if the situation arises. Such planning (recorded on an IBP; Individual Behaviour Plan) addresses:

- » Strategies to be used prior to intervention
- » Ways of avoiding 'triggers' if these are known
- » Involvement of parents to ensure that they are clear about the specific action the school might need to take
- » Briefing of staff to ensure they know exactly what action they should be taking (this may identify a need for training or guidance)
- » Identification of additional support that can be summoned if appropriate
- » The school's duty of care to all pupils and staff

COMPLAINTS AND ALLEGATIONS

This clear physical intervention and restraint policy, adhered to by all staff and shared with parents, should help to avoid complaints from parents. It is unlikely to prevent all complaints, however, and a dispute about the use of force by a member of staff might lead to an investigation under our Complaints Procedure. If following preliminary investigations it is deemed necessary, the Headteacher will contact the LADO in line with our Child Protection Policy and Procedures. It is our intention to inform all staff, pupils, parents and governors about these procedures and the context in which they apply.

We will review this policy annually.

This policy should be read in conjunction with the following policies:

- » Behaviour Policy
- » Safeguarding and Child Protection Policy

