



**Clyst Vale Community College**

## **Policy on the Physical Restraint of Students**

|                               |  |
|-------------------------------|--|
| <b>Date Created</b>           | <b>May 2009</b>                            |
| <b>Reviewed and Approved</b>  | <b>October 2016</b>                        |
| <b>Review Cycle:</b>          | <b>Three Years</b>                         |
| <b>Next Review:</b>           | <b>Autumn 2019</b>                         |
| <b>Responsible Committee:</b> | <b>Curriculum, Learning &amp; Teaching</b> |
| <b>Author:</b>                | <b>Principal</b>                           |

### **1. Introduction**

- The use of physical restraint is a sensitive topic. This statement is intended to provide reassurance and support to teachers and to ensure that practice in Clyst Vale is always in the best interests of the students concerned.
- The overriding principles are that physical restraint is a last resort when all other avenues have been explored;
- that restraint, when used, should be as minimal as possible;
- and that recording of incidents should be thorough and open.

### **2. The Legal Framework**

Section 93 of the Education and Inspections Act 2006 enables school staff to use reasonable force to prevent a pupil from:

- Committing a criminal offence (or, for a pupil under the age of criminal responsibility, what would be an offence for an older pupil)
- Causing personal injury to, or damage to the property of any person (including the pupil him/herself).
- Causing damage to property including College property.

- Prejudicing the maintenance of good order and discipline at the school or among any pupils receiving education at the school, whether during a teaching session or otherwise.

The staff to which this power applies are:

- Any member of staff at the school.
- Any other person whom the head has authorised to have control or charge of pupils. This can also include people to whom the head has given temporary authorisation to have control or charge of pupils such as unpaid volunteers (for example parents accompanying pupils on school-organised visits).
- This does not include any pupils.

The power may be used where the pupil (including a pupil from another school) is on the school premises or elsewhere in the lawful control or charge of the staff member (for example on a school visit).

### **3. Key Principles**

It is essential that the physical management of pupils:

- is seen as a rare occurrence and as a last resort
- seeks to ensure the safety of all children (including the pupil him/herself) and staff
- is part of a whole school behaviour policy
- is not used to discipline or punish children

The foundation of good practice in this area is based on:

- good relationships between staff and pupils
- the positive promotion of good behaviour
- clear procedures and processes, which are reinforced inside and outside the classroom
- clear recording of all incidents
- effective links with parents
- effective links with other appropriate agencies

### **4. Positive Handling and Restraint: Purpose**

(i) The purpose of positive handling is:

- To restrain the pupil until the emotional response passes, self-control is regained and the situation is diffused;
- To limit the harm that the pupil can do to self and others;
- To demonstrate to the pupil that he/she is within safe physical boundaries and that adults can contain his/her anger.

(ii) Restraint occurs whenever a member of staff, using intentional force, physically restricts a child's movement against his or her will.

(ii) It is a procedure for dealing with an unsafe or crisis situation.

(iii) It must not be used as a form of punishment, and must not be used when a less severe response might have effectively resolved the situation.

(iv) Deliberate use of physical contact to punish a student, cause pain, injury or humiliation is unlawful, regardless of the severity of the student's behaviour or the degree of provocation.

## 5. The use of physical restraint

(i) Restraint should only be used in circumstances where there are good grounds for believing that the student is placing him/herself or other people in immediate danger or where there is a likelihood of significant damage to property. Restraint should be used rarely to secure compliance with staff instructions; other methods should always be considered first.

(ii) Where a student has particular needs or is likely to behave in a way that may require physical restraint this should be included in the student's Individual Education Plan (IEP) and published to staff with information on de-escalation strategies, through pen-portraits and otherwise as appropriate.

## 6. Types of Restraint

(i) Restraint can be either partial (restricting and preventing particular movements) or total (immobilisation)

(ii) Positive handling is a key approach within restraint (see above). Restraint should not be prolonged once a student has calmed and regained self-control.

(iii) **Partial Restraint** covers a wide range of techniques which can be applied in degrees to meet particular circumstances. It may involve:

1. Physically moving a student from a situation where there is an imminent risk of a violent incident and where the student has refused to respond to a reasonable verbal request.

2. Holding students to restrict their movements.

3. Retaining a student in a confined area in order to prevent individuals or property being damaged.

(iv) **Total Restraint** is where students are held in such a way which prevents them from moving. This is a very extreme form of restraint, and would be used only when a student presented a serious and immediate risk to him/herself or others.

## 7. Recording and reporting incidents.

(i) Where physical restraint has been used, the Principal, or if unavailable a member of SLT must be informed as soon as practicable.

(ii) The "Serious Incident" Log must be completed as a priority; where practical on the same day as the incident, and no later than 24 hours after the incident.

(iii) The "Serious Incident" Log captures information as to how the incident began and progressed, including a description of the student's behaviour; what was said by each party; steps taken to defuse/calm the situation; the type of restraint used and with what degree of force, and for how long; the student's response and outcome of the incident; injuries sustained by the student, another student, or a member of staff and any damage to property; any first aid given; names of persons informed and when this was done.

- (iv) Parents should be informed of the incident and any response received will be noted in the incident log.

## **8. Complaints**

- (i) The College's complaints procedure applies fully to any complaints lodged as a result of the use of physical restraint.

## **9. Training Implications**

- (i) Staff are fully informed of the College statement through the Staff Handbook, Statement Folder, and regular updates, and understand what authorisation entails.
- (ii) Key staff will be trained as appropriate, and receive refresher training periodically.