



Roberts Primary School

Physical Intervention Policy



Revised: Autumn Term 2024
Approved by Governors: October 2024

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To be read in conjunction with:

Behaviour and Discipline Policy
Safeguarding Policy
Child Protection Policy
Data Protection Policy

Approved by:

Senior Leader – Mr Watkins (Headteacher)
Governor – Mrs S Smith (Chair of Governors)



PHYSICAL INTERVENTION POLICY

This policy should be read in conjunction with the Behaviour Policy, Child Protection Policy and the Health and Safety Policy.

Purpose

Robert's Primary school has a duty of care to pupils, staff and visitors, whether on site or off site. Part of this duty is to provide a safe and enjoyable environment for learning. For the vast majority of the time the school succeeds in this aim. However it is recognised that there may be rare occasions where staff will need to use Physical Intervention to ensure the safety of pupils, staff and visitors.

This policy has been prepared for the support of all teaching and support staff who come into contact with pupils within Roberts Primary School. It is designed to explain the school's arrangements for Physical Intervention. Its contents should be made available to all parents/carers and pupils.

Children and young people need to be safe and aware of how they should behave. Some (generally only a few and very occasionally) lose control and need someone else to supply it. They need to know we are able to control them safely and confidently. Our pupils respond well to the school rules and conventions. Situations in which physical intervention may be needed are therefore likely to be relatively few in number.

All our staff need to be safe and confident in how they manage inappropriate behaviour. This policy seeks to ensure that staff in Roberts Primary School clearly understand their responsibilities in taking appropriate measures where reasonable force is required. It is essential that staff are well-informed and appropriately trained to deal with these difficult situations and understand fully the rationale and implications of the guidance given in Dudley Metropolitan Borough Council's 'The Use of Physical Interventions Including Restrictive Physical Interventions' document.

Parents need to know that their child and those who are teaching her or him are safe and free from disruptive influences or danger. They also need to know that they will be properly informed if their child is the subject of physical intervention; and they need to know the nature of the intervention and the rationale for its use.

Our Approach: ‘prevention is better than cure’

We always try to avoid using physical interventions and regard them as a last resort for a tiny minority of situations. We provide a properly planned and differentiated curriculum that provides appropriate levels of challenge to all pupils, and maintain an effective school behaviour policy that is known and understood by all staff and pupils.

Restrictive physical intervention is then our method of last resort, after all other approaches have been tried or in situations of clear danger. We **utilise only the minimum force required to resolve the situation** safely. How we respond always has regard to the circumstances and to the age and understanding of the child or young person.

Where there is a foreseeable risk that a pupil could behave in such a way as to require restrictive physical intervention, we undertake a risk assessment in order to balance the risks to the pupil and to others of intervening or not. Planning is also undertaken to see if trigger situations can be avoided and other positive strategies employed to lessen the likelihood of such incidents occurring.

Who may use restrictive physical intervention and when

The law allows **‘any member of staff at the school, and other persons who are authorised by the headteacher to 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:

- Committing a criminal offence (including behaving in a way that would be an offence if the pupil were not under the age of criminal responsibility)
- Injuring themselves or others
- Causing damage to property (including the pupil’s own property)
- Engaging in any behaviour prejudicial to maintaining good order and discipline at the school or among any of its pupils, whether that behaviour occurs in a classroom during a teaching session or elsewhere’. (Education Act 1996, Section 550A)

In this school, the following staff (in addition to teachers employed at this school) are authorised by the headteacher to have control of pupils and must be made aware of this policy and its implications:

- Teachers
- Teaching Assistants
- Lunch time supervisors
- Learning Support Assistants
- *In addition, the headteacher may give temporary authorisation to, for example, parent helpers on school trips, or to centrally employed support staff working with pupils.*

School staff are also, like anyone else, allowed to use reasonable force (the minimum necessary) to defend themselves. This is right granted by law and providing that their reactions are reasonable in the circumstances, can be defended in a court of law if necessary.

A number of school staff, including the Headteacher, Deputy Headteacher and SENDCo, have undertaken restraint training.

We take the view that staff are not expected to put themselves in danger; and that removing pupils and themselves from a source of danger is the proper thing to do. We appreciate the integrity of our staff and value their efforts to rectify situations that are difficult and in which they exercise their duty of care for their pupils. However, we do not require them to go beyond what is reasonable. In particular, it is acceptable for any member of staff to decide that they will not use restrictive physical intervention for personal reasons; providing they continue to uphold their legal obligations with regard to the Human Rights Act, Health and Safety at Work Act, and any other statute requirements.

Staff should not use force to maintain order unless the young person's actions pose a threat to themselves or another or to avoid damage to property.

Acceptable Physical Interventions

Reasonable force is not defined legally in isolation. It must be justified as appropriate by the circumstances. We use only what our society would consider to be the 'reasonable force' that is needed to restore safety or appropriate behaviour; and we take account of the age, understanding and gender of the pupil.

The welfare of the child should be the paramount consideration in deciding which intervention to use. Children's Act 1989.

Acceptable forms of intervention in this school include:

- Open (non-aggressive) body language.
- Calm conversation.
- Negotiation where it is appropriate and can be achieved without risk to people or property.
- Pointing in the direction in which the child should move and asking them to comply.
- Leading or guiding a pupil by the hand or arm, or shepherding them with a hand in the centre of the back.
- Holding a pupil, who is dysregulated, by the hand or the arm until they are calm and safe.
- Using an authoritative voice to break up pupils fighting.
- Physically moving between and separating two pupils with use of a body block or appropriately placed hands.
- Blocking a pupil's path.
- Holding a door closed to prevent injury to people or damage to property; or to prevent a child from leaving the school premises where they may be in an unsafe situation.
- Use of reasonable force to search for and or remove a weapon or dangerous object from a pupil's grasp.
- Where there is immediate risk of injury, any necessary action that is consistent with the concept of 'reasonable force', for example, to prevent a pupil running into a busy road or hitting or hurting someone
- In extreme circumstances: more than one person to hold child still by taking hold of hands or arms to prevent injury or damage to property or to protect a child from harm in line with the teacher's duty of care.

NB if a restraint goes wrong or a pupil ends up in a position that restricts their breathing, the pupil ends up face down on the floor, or in a position that is likely to cause injury, the handler will immediately disengage from the pupil and help them into a comfortable position. First aid will be called for as a matter of course. This incident will be reported immediately to the Dudley Metropolitan Borough Councils Designated Officer and a comprehensive record of the incident will be written by all members of staff who took part and were eyewitnesses to the incident. These reports will be collated by the Headteacher or their designate and made available for the Dudley Metropolitan Borough Councils Designated Officer.

It is also acceptable for doors to have double or high locks to ensure pupil safety, or for external doors to be locked for security purposes, if a member of staff is always with the pupils in such circumstances. Whether in the room or just outside and with the pupil in clear view through a window.

Staff may move, defend themselves, lead, restrain or block someone, bearing in mind the whole time their own safety, as well as that of others, and of the child who is the subject of any restraint or other intervention.

Some nationally recognised guidance states that it is unacceptable and likely to be illegal or grounds for disciplinary action for staff to use any physical intervention designed to cause pain or injury, including:

- Any form of corporal punishment, slapping, punching or kicking.
- Holding by the neck or collar, or otherwise restricting the ability to breathe.
- Holding by the hair or an ear.
- Twisting or forcing limbs against a joint.
- Tripping up a pupil or holding an arm out at neck or head height to stop them.
- Holding a pupil face down on the ground or sitting on them.
- Locking a pupil in a room, except in extreme situations whilst summoning support

However common and statute law allows for the use of reasonable force to defend yourself or another person from harm. For example; if a child is about to stab another child with a knife and there is risk of significant harm or death, then a pre-emptive strike that would cause less harm is legally allowed in law. This is also in line with the Human Rights Act's statute obligation to positively preserve life. In such serious situations any of the above actions - if conducted within the parameters of 'reasonable force' - are defensible in law and cannot therefore lead to disciplinary action or legal redress.

Staff should also avoid touching or holding a pupil in or around their sexually private areas or in a way that might be considered indecent.

Physical interventions are not, in general, used to achieve a search of clothing or property, even if we had good reason to believe that a weapon or dangerous drugs were being concealed. However the legal authority to do so is statute in the UK and can be used. If the situation allows an action that is still considered to be 'Reasonable Force' then it will be defensible in a court of law.

Using Physical Intervention

Except in cases where there is immediate danger, we would normally try other ways of resolving or de-escalating a situation. These could include:

- Calmly re-stating the rules and expectations for the situation.
- Distraction or humour if appropriate
- Removing other pupils from the situation and thus from danger of being an audience
- Use of physical proximity, in a calm and reassuring way, but not in a threatening way
- Encouraging the pupil to withdraw to a safer and calmer situation
- Calling another adult for support or to take over

If more than minor physical intervention is judged to be necessary, the teacher or adult in charge should:

- Send for the assistance of another adult (for support, or to take over, and as a witness).
- Remove other pupils from the scene, if possible.
- Continue to talk calmly to the pupil, explaining what will happen and under what circumstances the physical intervention will cease (but not in a threatening way).
- Use reasonable force and cease the intervention as soon as it is judged safe but be prepared to re-engage if the situation becomes unsafe.
- Not act punitively in any way, verbally or physically.

In some circumstances, we may consider it appropriate to call the police.

Following a significant incident of physical intervention, when a pupil has resisted or challenged and force has been used, the teacher or adult responsible should as soon as possible inform the Headteacher or Deputy. We acknowledge that such events are stressful for both pupils and staff and both parties will need time to recover, de-brief and resolve the situation. The member of staff will be offered time away from their usual duties for this purpose. A pupil will be allowed to stay in a safe place (e.g. the headteacher's room) until they are considered safe and they feel happy to return to their class room.

A full written account of the incident will be made by the member or members of staff who performed the intervention and recorded with numbered pages. The report will contain:

- Name(s) of pupil(s) concerned, when and where the incident occurred.
- Names of staff or pupils who witnesses.
- The reason why force was needed.
- How the incident began and progressed, who said what, who did what.
- Actions taken to calm the situation down.
- What the response to this was.
- What physical actions and degree of force was used, what kind of hold, where and for how long.
- Any injuries that occurred to the subject or the handler.
- Pupil's response and the outcome of the incident.
- Date and signature of the author.

And must be signed and dated by the member of staff and countersigned that it has been read by the Headteacher or Deputy, who will:

- Discuss the incident with the pupil as soon as possible.
- Interview staff involved and any other witnesses.
- Inform the pupil's parents/carers and social worker.
- Record any disagreements expressed by the pupil or adults about the event.
- Record any eyewitness accounts of the incident.
- Take any appropriate further action, liaising with Dudley Metropolitan Borough Council, governors or unions, as appropriate, and acting within the Dudley Metropolitan Borough Council's Child Protection Procedures

We report incidents to the governing body: to Chair or Personnel Committee, in outline without identifying the pupil.

Planning for Physical Intervention

Where we think a pupil might require physical restraint, we plan in advance and know who will do what. This planning includes helping staff and pupils to avoid provoking situations, helping them find success and minimise frustration, and develop our own conflict management skills. It also helps us see better where we can head off difficulties when we spot them early enough. The plan will include:

- Involving the parents and the pupil to gain their views and to ensure that they are clear about what specific action the school might need to take.
- A risk assessment that considers carefully:
 - Which de-escalation methods would be appropriate.
 - Which interventions may occur. These may include interventions that are not currently recognised in the policy but are advised under professional legal and medical guidance.
 - Which interventions must not be used
 - Manual handling risk assessment for the handler.
 - The likely outcomes to the pupil and others of undertaking intervention or not.
 - Which de-escalation techniques are appropriate after Physical Intervention.
 - Identifying key staff who should know exactly what action they should be taking. Any member of staff who may have to use a physical intervention should always be fully briefed about the child in question, and it is best if they are well known to the child.
 - Ensuring that additional support can be summoned, if appropriate.
 - Identifying health risks to subject and handler.
 - Identifying training needs and updates.

In some cases, particularly for SEN pupils, the school will also need to take medical advice about the safest way to hold specified pupils with specific health needs.

Training

We are clear that training of staff is vital in this area and we adopt best practice and maintain a record of safe management of all school situations. We therefore make budgetary allowance for the following kinds of training:

- General training on behaviour management for all staff (not just teachers).
- Training on avoiding and coping with crisis/difficult/physically challenging events for staff.
- Specific training and skill development on use of some basic ‘breakaway’ or ‘hold’ techniques that are safe and useful to know, for all or some staff.
- Training and skill development on more advanced holds or methods for restraining and controlling others, and avoiding serious personal harm, to self or others (probably for selected staff).

We believe that skills need to be developed and renewed and therefore use training programmes that provide ‘top ups’ and extensions. We only use training course that meet United Kingdom legal and medical best practice.

Who needs to know?

Everyone connected with the school should know of the existence of the policy and feel free to study it in detail if they wish or need to do so. However, not everyone needs to know about specific incidents.

The chart below sets out the information.

Who needs to know?	About the Policy	About a Specific Incident
Governors	Yes	Not generally and never all governors. They should receive regular reports on the total number of incidents.
Parents	Yes	About incidents relating to their own child.
Staff	Yes	About any incidents involving pupils they may have charge of
Pupils	Yes	Only those they witness
Dudley Metropolitan Borough Council Health and Safety Team	Yes	Normally annual report
Unions	Yes	If informed by members

Complaints

We hope that, by adopting this policy and keeping parents well informed, it should help to avoid the need for complaints. Any disputes that do arise about the use of force by a member of staff will be dealt with in accordance with the Dudley Metropolitan Borough Council Child Protection Procedures, a copy of which is available in school. This could in some circumstances lead to an investigation by police and social services.

Complaints about this policy should be directed to the Headteacher or Chair of Governors.

References

In writing this document consideration has been given to

a) The following statutes:

- Human Rights Act 1998 (in particular articles 2 and 3).
- Health and safety at Work (in particular sections 2, 3 and 7)
- Criminal Law Act 1967 (in particular section 3(1))
- The Children's Act 1989
- The Education act 1996
- Education and Inspections Act 2006 Section 93

b) The following guidance, where it is safe and legal to do so:

- DfE Circular 10/98 - Section 550A of the Education Act 1996: The Use of Force to Control or Restrain Pupils.
- Department for Education *Use of reasonable force: Advice for headteachers, staff and governing bodies*. July 2013
- Advice from unions and professional associations
- British Institute of Learning Difficulties (BILD): Code of Practice for Trainers in the Use of Physical Interventions 2001