

<b>Policy:</b>	<b>Physical Control or Restraint Policy</b>
<b>Owner:</b>	Martin Paine
<b>Approving Board:</b>	Executive Principal
<b>Date of review:</b>	February 2023
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<b>Publish Status:</b>	Non-Statutory
<b>Version:</b>	5

## 1. Restraint - Legislative Guidance

1.1 The use of reasonable force should always be a last resort for teachers and associate staff but, where necessary, reasonable force can be used to control or restrain students.

1.2 The Education and Inspections Act 2006 enables school staff to use "such force as is reasonable in the circumstances to prevent a student from doing or continuing to do" any of the following:

- committing any offence (or, for a student under the age of criminal responsibility, what would be an offence for an older student);
- causing personal injury to any person (including the student themselves);
- causing damage to the property of any person (including the student themselves);
- prejudicing the maintenance of good order and discipline at the Academy, and among any students receiving education at the Academy, whether during a teaching session or otherwise.

1.3 The act also defines to whom the power applies as follows:

- any teacher who works at the school;
- any other person whom the Principal has authorised to have control or charge of students.

1.4 In this respect, within the Act, specific mention is made of support staff, including teaching assistants and lunchtime supervisors.

1.5 The power to use reasonable force applies whether students are on Academy premises or elsewhere, as long as they are in the lawful control or charge of a staff member. This includes school visits.

1.6 Further guidance (Use of reasonable force: Advice for headteachers, staff and governing bodies, July 2013) can be found on the DfE website at:

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/444051/Use\\_of\\_reasonable\\_force\\_advice\\_Reviewed\\_July\\_2015.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/444051/Use_of_reasonable_force_advice_Reviewed_July_2015.pdf)

1.7 A copy of the key guidance is also available on the Academy's website. Paper copies are available from the Designated Safeguarding Lead.

## 2. When is it reasonable to use force?

2.1 At Thomas Deacon Academy, the use of force can only be regarded as reasonable if the circumstances of the particular incident warrant it. Physical force could not be justified where it could clearly be resolved without force.

2.2 The degree of force must be **in proportion** to the circumstances of the incident and the seriousness of the behaviour or the consequences it is intended to prevent. Any force used should always be **the minimum** needed to achieve the

desired result.

2.3 Factors influencing this judgment to use force include:

- the seriousness of the incident, assessed by the effect of the injury, damage or disorder that is likely to result if force is not used
- the chances of achieving the desired result by other means
- the relative risks associated with physical intervention compared with using other strategies.

2.4 In an emergency if a student was an **immediate risk** or on the point of inflicting injury on themselves or someone else, any member of staff would be entitled to intervene with reasonable force.

### 3. Guidelines on using physical control or restraint

3.1 The 'Use of reasonable force: Advice for headteachers, staff and governing bodies, July 2013' guidance from the DfE states that 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 reasonable.

3.2 Reasonable force can be used in the following situations:

- to prevent pupils from hurting themselves or others, from damaging property, or from causing disorder;
- 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 or a school trip or 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.

3.3 Schools cannot use force as a punishment – it is always unlawful to use force as a punishment.

3.4 Before intervening physically, a member of staff should, wherever practicable, tell the student who is misbehaving to stop and what will happen if they do not.

Physical control or restraint of a student is a very last resort in re-establishing the student's self-control. Even at a late stage, it is possible that the right intervention may reduce the scale of the incident by:

- Calm talking
- Reassurance
- Non-threatening body language
- Humour
- Distraction

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- Offering time out
- 3.5 Only in the event of the failure of these defined behaviour management strategies to control the situation should staff consider physical intervention.
  - 3.6 Staff must calmly tell the student to “stop!” and warn them that physical control or restraint will be used if they do not stop. This warning must be given before any physical intervention.
  - 3.7 To avoid any misinterpretations by anybody present, the member of staff must clearly state what they are doing and why they are taking this action during the period of control or restraint of the student.
  - 3.8 Staff must only use force when necessary to resolve the incident: this should be the minimum force required, lasting for the shortest practicable time - the purpose should be restraint and the reduction of risk.
  - 3.9 Staff must not strike blows or retaliate against students: to do so would be to exceed the authorisation to intervene and create a significant risk of an allegation of assault being made.
  - 3.10 The member of staff involved should tell the student constantly that re-gaining their self-control will release the control or restraint.
  - 3.11 After the incident, the member of staff must inform the Head of School immediately and record full details of the incident using the Control and Restraint Record pro forma (see Appendix 1, p.5-7) which can be collected from the Head of School’s PA.

### **4. Avoiding injury to pupils**

- 4.1 Staff should not act in a way that might reasonably be expected to cause injury. This may include, for example:
  - Holding a student around the neck, by the collar, or in any other way that might restrict circulation/breathing;
  - Slapping, kicking, punching or hitting;
  - Twisting or forcing limbs against a joint;
  - Tripping or pinning to a wall;
  - Holding or pulling hair.
- 4.2 Staff should not bar a student’s way if they are trying to exit from the situation, unless their actions could place them or others in imminent danger.

### **5. Individual Identified Students**

- 5.1 If the Academy is aware that a specific individual is likely to behave in a way that may require physical control or restraint, a risk assessment and plan how to respond will be drawn up and circulated to the relevant staff.

## **6. Avoiding Injury to Staff**

- 6.1 Staff should not intervene if there is a risk of personal injury. They should call for assistance from the on-site Safer Schools Police Officer and/or a member of the Senior Leadership Team.

## **7. Training for Staff**

- 7.1 All staff receive a copy of the Academy's Physical Control or Restraint Policy as part of the Academy's Safeguarding training programme at the start of the academic year. Colleagues joining the Academy throughout the year will receive the same document as part of their induction.
- 7.2 Training for key staff will be organised by the Academy's Designated Safeguarding Lead and be regularly reviewed in light of the latest guidance from the police and the DfE.

## **8. Dealing with complaints and allegations**

- 8.1 In situations involving the use of reasonable force to control or restrain pupils there is the possibility of an allegation being made. Any complaint should be directed to the Principal or Head of School who will ensure that the Academy's complaints procedures are followed.



**APPENDIX 1**

**Report of an incident requiring physical intervention  
to control/restrain a student**

<b>Staff Name</b>		<b>Position</b>	
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<b>STUDENTS INVOLVED</b>					
<b>Name</b>		<b>TG</b>		<b>DOB</b>	
<b>Name</b>		<b>TG</b>		<b>DOB</b>	
<b>Name</b>		<b>TG</b>		<b>DOB</b>	

<b>DETAILS OF INCIDENT</b>			
<b>Day</b>		<b>Location</b>	
<b>Date</b>		<b>Staff member[s] involved</b>	
<b>Time</b>		<b>Staff member completing form</b>	

<b>WHAT HAPPENED?</b>					
<b>Reason for intervention [please tick appropriate box/boxes]</b>					
<b>Prevention of injury to student</b>		<b>Prevention of injury to another student</b>		<b>Prevention of injury to a member of staff</b>	
<b>Other [give details]</b>					

<b>WITNESS DETAILS</b>
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<b>Name</b>		<b>Name</b>	
<b>Position [TG if student]</b>		<b>Position [TG if student]</b>	

<b>Head of School to complete</b>			
	<b>Please tick</b>	<b>YES</b>	<b>NO</b>
<b>First aid required?</b>			
<b>Hospital care required?</b>			
<b>Police informed?</b>			
<b>If police informed, is any further action proposed?</b>			
<b>Was counselling arranged?</b>			
<b>Action required</b>			

<b>Head of School signature</b>		<b>Date</b>	
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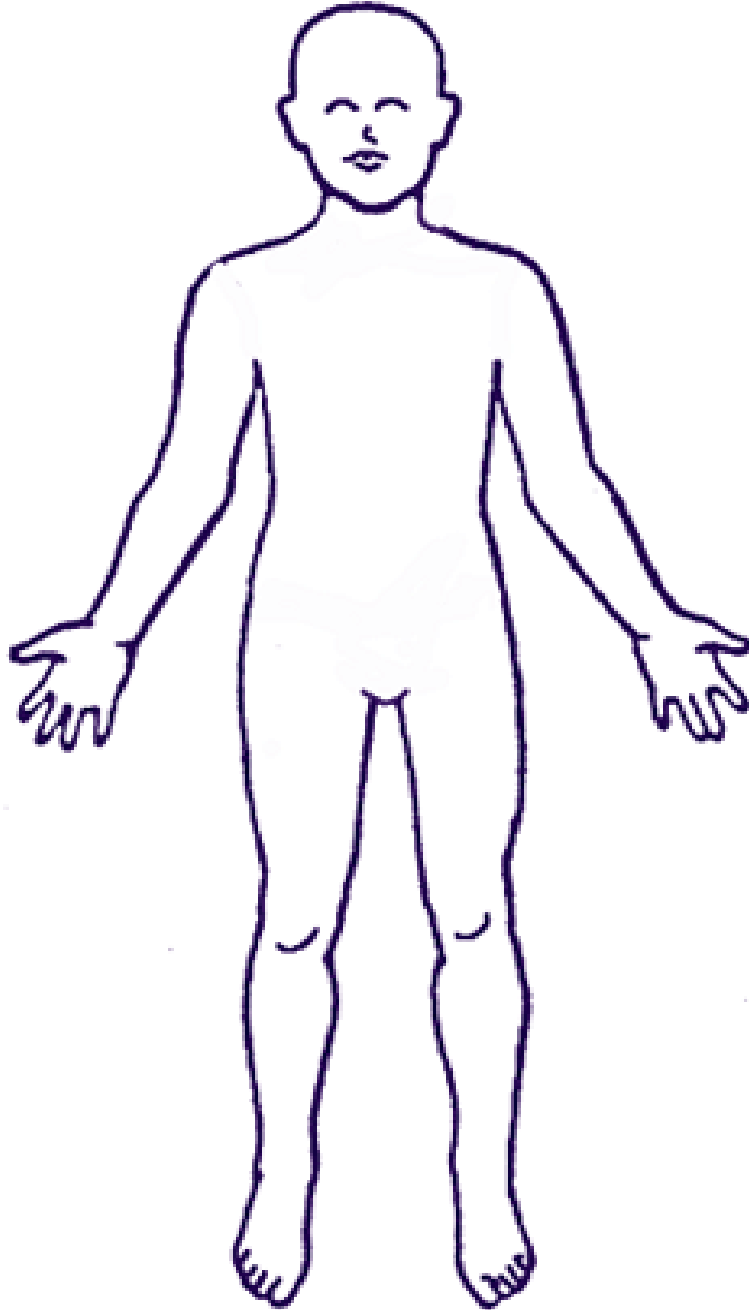
<b>DESCRIPTION OF INCIDENT</b>
<p><b>Please include the following details:</b></p> <ul style="list-style-type: none"> <li>• <b>How the incident began and progresses</b></li> <li>• <b>Details of the student's behaviour</b></li> <li>• <b>What was said and by whom</b></li> <li>• <b>The steps taken to diffuse or calm the situation</b></li> <li>• <b>The degree of force used and how it was applied, by whom and for how long</b></li> <li>• <b>Details of any injuries sustained and by whom</b></li> <li>• <b>The student's response and the outcome of the incident</b></li> </ul>

## Physical Control or Restraint Policy



**BODY PLAN**

<b>NAME</b>		<b>YEAR</b>		<b>Tutor Group</b>	
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<b>Signature of staff member completing form</b>			
<b>Date completed</b>		<b>Time completed</b>	
<b>Time telephone call made to parent/carer</b>			