



Physical Intervention Policy

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Policy Statement

President Kennedy School's Physical Intervention Policy forms part of a wider whole school commitment to diversity, tolerance, acceptance and respect for all members of the community.

This policy sets out how the school aims to deal with physical intervention through teaching and learning across the curriculum.

The policy also aims to support, develop and guide young people so that they are able to make a positive contribution to the community to which they belong.

We recognise that dealing with physical intervention is more than simply meeting a statutory obligation.

Introduction

Staff at President Kennedy place the care and safety of students as the highest priority. The purpose of this policy and guidance is:

- To ensure student's well-being is paramount.
- To ensure that our guidance on physical intervention is clear and that staff are regularly reminded of the advice.
- To support staff and protect them from placing themselves in a position where they could be at risk of false allegations.

This policy must be read in conjunction with the school's behaviour and rewards policy, which stresses the importance of creating a positive and supportive environment.

Since the Children Act 1989 there has been a common misconception that any physical contact with a child is unlawful. This is not true. Where necessary, physical intervention in the form of "reasonable force" can be used to control or restrain pupils. Section 93 of the Education and Inspections Act (2006) allows teachers, and other persons authorised by the Headteacher to have control or charge of pupils, to use such force as is reasonable to prevent a pupil from:

- a) Committing any criminal offence (including behaving in a way that would be an offence if the student were not under the age of criminal responsibility));
- b) causing personal injury to, or damage to the property of, any person (including the pupil himself), or
- c) 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.

This provision applies when a teacher, or other authorised person, is on the school premises or when in lawful control of pupils elsewhere e.g., a school trip or out of school activity.

This Policy is based upon Section 93 of the Education and Inspections Act (2006) and guidance given by the Local Authority.

Minimising the Need to Use Force

Where possible the teacher should make every attempt to create a calm environment that minimises the risk of incidents that might require using force arising. If incidents arise, they should be de-escalated, for example by allowing the pupil to 'calm down' outside the room or with another pupil. Where it is known that individual pupils may have specific issues which could require positive handling, the SENCO will prepare risk assessments and positive handling plans for those individual pupils.

Authorised Staff

All teachers and staff the Headteacher has authorised to have control or charge of pupils automatically have the statutory power to use reasonable force to control or restrain pupils.

Deciding Whether to Use Force and the Application of Force by Teachers and their Authorised Staff

Before intervening physically, a teacher should, where practicable, tell the pupil to stop and warn of the consequences. The teacher should continue to communicate with the pupil throughout the incident and make it clear that physical restraint will stop as it ceases to be necessary. Teachers should never give the child the impression that they have lost their temper or are acting out of anger to punish the child. They will try to adopt a calm and controlled approach towards the child.

In exceptional circumstances i.e., when there is an immediate risk of injury, a member of staff may need to take action that is consistent with the concept of “reasonable force”. Staff should always avoid touching or holding a child in a way which might be considered indecent.

Staff should only use force when:

- a) The potential consequences of not intervening are sufficiently serious to justify considering use of force;
- b) the chances of achieving the desired result by other means are low; and
- c) the risk associated with not using force outweigh those of using force.

It is the school’s expectation that physical intervention:

- Should only be used as a last resort
- Should only be used in the best interests of the student and other students
- Should only be used if all other preventative measures have been explored
- Should be reasonable, proportional and necessary
- MUST never be punitive

There is no legal definition of “reasonable force”, so that the degree of force necessary will always depend on the particular circumstances. Any force used should always be the minimum required to achieve the desired result. Whether it is reasonable to use force, and the degree of force that is reasonable, will depend on the age, understanding and sex of the pupils.

There are a wide variety of situations in which reasonable force might be necessary to control or restrain a child. They fall into three broad categories:

- a) where action is necessary in self-defence or because there is an imminent risk of injury
- b) where there is a developing risk of injury, or significant damage to property
- c) where a pupil is behaving in a way that is compromising good order and discipline

Staff Development and Training

The school focuses on a positive approach to behaviour management, including:

- Building and maintaining good relationships,
- Appropriate curriculum planning,
- Differentiated teaching and learning activities,
- Careful use of the school's physical environment,
- Flexibility in dealing with individual pupils' needs,
- Understanding and managing difficult behaviour,
- Assessment,
- Legal issues including 'Duty of Care',
- Appropriate induction for new staff, where necessary, on effective management of challenging behaviour.
- Training provided by appropriate officers of the Local Authority.

Recording Incidents

The following guidance on recording must be followed vigilantly.

- The School will keep detailed, current reports of all incidents where physical interventions have been used¹. All incidents should be reported to the Designated Safeguarding Lead who will record them with the member (s) of staff concerned into a single central record in a numbered and bound book. If they are temporarily unavailable then the form provided on Appendix 2 should be used as a substitute record this must be signed and dated with witness statements within 24 hours of the incident. The Designated Safeguarding Lead must be informed.
- **The record will include:**
 - the pupil's name;
 - the date and time the intervention occurred;
 - where the incident occurred;
 - why the physical intervention was necessary;

- how the intervention was carried out;
- who used the intervention on the pupil;
- how long the intervention lasted;
- who was present during the intervention;
- any marks or injuries noted on the pupil or the member of staff as a result of the incident, and how they occurred;
- action taken such as medical treatment;
- the pupil's response to the outcome of the incident;
- details of any damage to property and how it occurred.
- Appropriate managers must be informed immediately of any incident requiring physical intervention.
- Where injury has occurred as a result of violence or aggression, or where physical intervention has been used, this should be reported in accordance with the Corporate Accident and Incident Reporting Procedure.
- An analysis of the information will enable staff to consider and evaluate any lessons that can be learned.
- Individual and behaviour plans, and general procedures and practice in schools may need modification in the light of this.

Follow-up action

- Following an incident involving physical intervention, appropriate medical attention should be given to all involved parties.
- A debriefing with the staff involved should be carried out by a senior manager which should include emotional support beyond the immediacy of the incident.
- A senior member of staff should 'work through' the incident with the pupil concerned at an appropriate time. This should be done in a constructive/non-punitive manner with a view to helping them understand the causes and consequences of their actions and to discuss ways of avoiding similar situations. This meeting must be recorded.
- Occupational Health services may be contacted to provide external emotional support for staff.
- School managers will advise staff to contact and brief professional associations / trade unions.
- It is strongly advised that all staff who may be involved in physical intervention be a member of a professional association / trade union.

Physical Contact with Pupils in Other Circumstances

Some physical contact is necessary to demonstrate exercises or techniques in physical education lessons and games or gymnastics coaching sessions, technology



lessons, or if staff are administering first aid. Young children with special educational needs may need staff to provide physical prompts or help. Touching may also be appropriate if a pupil is in distress and needs comforting. Some pupils may be particularly sensitive to physical contact because of their cultural background, or because of abuse. Physical contact with pupils becomes increasingly open to question as pupil's reach and go through adolescence

APPENDIX 1

Guidelines on the Use of Physical Intervention or Force to Control or Restrain Pupils

Types of Incidents

There are a wide variety of situations in which reasonable force might be necessary to control or restrain a child. They fall into three broad categories:

- a) Where action is necessary in self-defence or because there is an imminent risk of injury either to the pupil concerned or to others. Examples would include:
 - a pupil attacking a member of staff, or another pupil;
 - pupils fighting.
- b) Where there is a developing risk of injury, or significant damage to property. Examples would include:
 - a pupil engaged in, or about to commit, deliberate damage to property;
 - a pupil causing, or about to cause, injury or damage by rough play or by misuse of dangerous materials or objects;
 - a pupil running in a corridor or on a stairway in a manner in which he or she might have or cause an accident likely to injure him or herself or others;
 - a pupil absconding from a class or trying to leave school (N.B. this will only apply if a pupil could be at risk if not kept in the classroom or at school).
- c) Where a pupil is behaving in a manner that is compromising good order and discipline. Examples would include:
 - a pupil persistently refusing to obey an order to leave a classroom;
 - a pupil behaving in a manner that is seriously disrupting a lesson.

Reasonable Force

There are two relevant considerations:

1. Force may only be used if the circumstances of the particular incident warrant it. Any degree of force is unlawful if the particular circumstances do not warrant it. Therefore, force is not justified in preventing a pupil from committing a trivial misdemeanour.
2. The degree of force employed must be in proportion to the circumstances of the incident and the seriousness of the behaviour it is intended to prevent.

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

Application of Force by Teachers (or Other Authorised Staff)

Unless in an emergency a teacher should not intervene without help in the following circumstances:

- i) when dealing with an older pupil, or a physically large pupil;
- ii) when dealing with more than one pupil;
- iii) if the teacher believes he or she may be at risk.

Staff intervening with students will seek assistance from members of staff as early as possible. Staff who become aware of the situation will have responsibility to provide presence and support and offer assistance if required. Whenever possible try to remove any audience as student behaviour may be adversely affected by an audience. If this is not possible, try to remove the student from the audience.

In these circumstances the teacher should summon assistance and inform the pupil accordingly. Until assistance arrives the teacher or authorised adult should continue to try to diffuse the situation orally. Physical intervention might involve staff in:

- physically interposing between pupils;
- blocking a pupil's path;
- holding;
- leading a pupil by the hand or arm;
- shepherding a pupil away by placing a hand in the centre of the back; or,

Staff should use the minimum amount of force for the minimum amount of time.

Staff **should not**:

- hold a pupil around the neck, or by the collar, or in any way which restricts breathing;
- slap, punch or kick a pupil;
- twist or force limbs against a joint;
- trip up a pupil;
- hold or pull a pupil by the hair or ear;
- hold a pupil face down on the ground.

APPENDIX 2 This is to be used if the Designated safeguarding lead is unavailable to enter the data directly into the single central record around use of force/contact

Use of Force to Control or Restrain Pupils: Incident Record

Details of pupil or pupils on whom force was used by a member of staff (name, class)
Dates of any previous use of force/restraint of this pupil
Date, time and location of incident
Names of staff involved (directly or as witnesses)
Details of other pupils involved (directly or as witnesses), including whether any of the pupils involved were vulnerable for SEN, disability, medical or social
Description of incident by the staff involved, including any attempts to de-escalate and warning given that force might be used
Reason for using force and description of force used
Any injury suffered by staff or pupils and any first aid and/or medical attention required
Reasons for making a record of the incident
Follow up, including post-incident support and any disciplinary action against pupils
Any information about the incident shared with staff not involved in it and external agencies
When and how those with parental responsibility were informed about the incident and any views they have expressed
Has any complaint been lodged (details should not be recorded here)?



Report compiled by:
Name and role:
Signature:
Date:

Report countersigned by:
Name and role:
Signature:
Date: