



Broughton Hall Catholic High School

POLICY FOR THE USE OF PHYSICAL INTERVENTION

This policy has been adapted by Broughton Hall Catholic High School from the Local Authority model protocol.

PHYSICAL CONTACT WITH PUPILS IN SCHOOLS

The right to restrain pupils falls by statute, contract and common law within the teacher's duty of care.

Any physical contact with another person may be construed as common assault; the test is one of reasonableness.

In addition to the teaching staff, the Head Teacher of Broughton Hall Catholic High School will also identify all people who are authorised to have control or charge of pupils and therefore be able to use reasonable force if necessary.

REASONABLE FORCE

In the DfE guidance, 'Use of Reasonable Force', July 2013, the DfE suggests that the application of reasonable force may involve:

- physically interpose between pupils
- block a pupil's path
- hold (but never round the neck or collar)
- push
- pull
- lead a pupil away by the hand or arm
- shepherd a pupil away by placing your hand in the centre of the back
- in extreme cases (such as self defence) more restrictive holds

In Broughton Hall Catholic High School any physical restraint used will always be the minimum needed. The following is a list of possible situations in which the use of reasonable force may be required:

- when a pupil attacks a member of staff
- when a pupil attacks another pupil
- when a pupil is engaged in, or is on the verge of committing, deliberate damage or vandalism

- when a pupil is causing, or at risk of causing, injury or damage by accident, by rough play or by misuse of dangerous materials or objects (for example, in the lab or on the sports field)
- when a pupil at risk absconds from class or tries to leave the school
- when a pupil persistently refuses to follow health and safety instruction/advice to prevent danger
- when a pupil is seriously disrupting a lesson and this may cause harm or injury

All authorised people involved in an incident requiring physical restraint will report to the Head Teacher or senior member of staff.

The School will record all incidents involving physical restraint in writing at the time including:

- the names of everyone involved, time and place and names of any other witnesses
- how the incident began and progressed with details of behaviour
- what everyone said, as near as possible
- what steps were taken to defuse the situation
- the degree of physical restraint used, how applied and for how long
- the pupil's response
- the outcome
- details of any injury and of any damage to property
- ensure all parents/carers are informed immediately, orally or in writing and give them a chance to discuss the incident

All authorised people at Broughton Hall Catholic High School will not:

- hold around the neck
- restrict a pupil's ability to breath
- slap
- punch
- kick
- twist or force limbs against a joint
- hold or pull by the hair or ear
- hold face down on the ground
- touch in a way that might be considered indecent
- use any other physical contact deemed to be unreasonable

SUPPLEMENTARY ADVICE

- it is better to defuse than intervene
- be sure that there are whole-school policies on violence and that everyone knows the drill
- establish a code, which is an alarm call for help
- drill everyone in leaving the classroom and, if necessary, the playground
- talk over episodes together, find out what you think might have been a good response in difficult situations
- establish a culture of openness, don't hide behind a notion of professionalism. It is unprofessional not to report incidents

ON BREAKING UP A FIGHT

- get rid of non-combatants: violence thrives on witnesses

- don't put yourself at risk: alert colleagues, enlist their help
- assess a situation first
- be calm, don't take it personally
- use verbal intervention first
- think about surprise and noise as more useful than force: a personal alarm may be much more effective than another body in the fray
- it may be worse than useless to add another person to a gang situation: better to call the police

SUPPORTIVE CONTACT

There are times in a non-restraint context when physical contact between a pupil and a member of staff may be deemed to be appropriate. These situations will be in a caring context when pupils need reassurance and support.

It is important that the member of staff assesses the "reasonableness" of their actions taking the following into account:

- the age of the pupil
- the severity of the distress of the pupil
- the knowledge of the individual child
- the relationship that exists between the member of staff and the pupil

As with physical contact with pupils the level of contact used should be the minimum necessary to achieve the desired outcome.

Due care needs to be taken to ensure that this supportive contact is agreed and open with the circumstances in which this takes place are clear to all concerned.

The above assessments would equally apply to those situations that demand that a member of staff assist a child in their personal care.



BROUGHTON HALL CATHOLIC HIGH SCHOOL

GUIDANCE NOTES FOR THE USE OF PHYSICAL INTERVENTION

INTRODUCTION

The right to restrain pupils falls by statute, contract and common law within the Teacher's Duty of Care. New provision came into force from September 1998, (Section 550A of the Education Act 1996). This clarifies the powers of teachers and of other staff who have lawful control or charge of pupils, to use reasonable force to prevent pupils committing a crime, causing injury or damage or causing disruption.

PURPOSE

The purpose of this guidance note is to bring up to date existing policies and procedures and should be seen in the context of Health, Safety and Welfare of both pupils and staff and managing risk. It is supplementary to existing policies issued to schools, for example "Use of Reasonable Force" and provides guidance definition for practical considerations in the use of force to control or restrain pupils.

The purpose of this policy is to:

- i) To understand the practical considerations before the use of force
- ii) Set out the circumstances in which reasonable force may be applied
- iii) Explain the reporting and recording procedure
- iv) Set out the complaints procedure
- v) Explore physical contact with pupils in other circumstances

Appendix 1 - Risk assessment

PRACTICAL CONSIDERATIONS

1. Before intervening physically a member of staff should, wherever practicable, tell the pupil who is misbehaving to stop, and what will happen if he or she does not. The member of staff should continue attempting to communicate with the pupil throughout the incident, and should make it clear that physical contact or restraint will stop as soon as it ceases to be necessary. A calm and measured approach to a situation is needed and the member of staff should never give the impression that they have lost their temper, or are acting out of anger or frustration, or to punish the pupil.
2. Sometimes a member of staff should not intervene in an incident without help (unless it is an emergency). For example, when dealing with an older pupil, or a physically large pupil, or more than one pupil, or if the teacher believes he or she

may be at risk of injury. In those circumstances the teacher should remove other pupils who might be at risk, and summon assistance from a colleague or colleagues, or where necessary phone the Police. The member of staff should inform the pupil(s) that he or she has sent for help. Until assistance arrives the member of staff should continue to attempt to defuse the situation orally, and try to prevent the incident from escalating.

APPLICATION OF FORCE

3. Physical intervention can take several forms. It might involve staff:
 - physically interposing between pupils;
 - blocking a pupil's path;
 - holding;
 - pushing;
 - pulling;
 - leading a pupil by the hand or arm; shepherding a pupil away by placing a hand in the centre of the back; or,
 - (in extreme circumstances) using more restrictive holds.
4. In exceptional circumstances, where there is an immediate risk of injury, a member of staff may need to take any necessary action that is consistent with the concept of 'reasonable force': for example to prevent a young pupil running off a pavement onto a busy road, or to prevent a pupil hitting someone, or throwing something.
5. In other circumstances staff should not act in a way that might reasonably be expected to cause injury, for example by:
 - holding a pupil around the neck, or by the collar, or in any other way that might restrict the pupil's ability to breathe;
 - slapping, punching or kicking a pupil;
 - twisting or forcing limbs against a joint;
 - tripping up a pupil;
 - holding or pulling a pupil by the hair or ear;
 - holding a pupil face down on the ground.
6. Staff should always avoid touching or holding a pupil in a way that might be considered indecent.
7. Where the risk is not so urgent the member of staff should consider carefully whether, and if so when, physical intervention is right. Staff should always try to deal with a situation through other strategies before using force. All staff need developed strategies and techniques for dealing with difficult pupils and situations which they should use to defuse and calm a situation. In a non-urgent situation force should only be used when other methods have failed.
8. That consideration is particularly appropriate in situations where the aim is to maintain good order and discipline, and there is no direct risk to people or property. As the key issue is establishing good order, any action which could exacerbate the situation needs to be avoided. The possible consequences of intervening physically, including the risk of increasing the disruption or actually provoking an attack, need to be carefully evaluated.

9. The age and level of understanding of the pupil is also very relevant in those circumstances. Physical intervention to enforce compliance with staff instructions is likely to be increasingly inappropriate with older pupils. It should never be used as a substitute for good behavioural management.

RECORDING INCIDENTS

10. It is important that there is a detailed, contemporaneous, written report of any occasion (except minor or trivial incidents) where force is used. It may help prevent any misunderstanding or misrepresentation of the incident, and it will be helpful should there be a complaint.
11. Schools should keep an up-to-date record of all such incidents, preferably in an incident book. Immediately following any such incident the member of staff concerned should tell the Head or a senior member of staff and provide a written report as soon as possible afterwards. That should include:
- the name(s) of the pupil(s) involved, and when and where the incident took place;
 - the names of any other staff or pupils who witnessed the incident;
 - the reason that force was necessary (e.g. to prevent injury to the pupil, another pupil or member of staff);
 - how the incident began and progressed, including details of the pupil's behaviour, what was said by each of the parties, the steps taken to defuse or calm the situation, the degree of force used, how that was applied, and for how long;
 - the pupil's response, and the outcome of the incident;
 - details of any injury suffered by the pupil, another pupil, or a member of staff and of any damage to property.

Staff may find it helpful to seek advice from a senior colleague or a representative of their professional association when compiling a report. They should also keep a copy of the report.

12. Incidents involving the use of force can cause the parents of the pupil involved great concern. It is always advisable to inform parents of an incident involving their child, and give them an opportunity to discuss it. The Head teacher, or member of staff to whom the incident is reported, will need to consider whether that should be done straight away or at the end of the school day, and whether parents should be told orally or in writing.

COMPLAINTS

13. Involving parents when an incident occurs with their child, plus a clear policy about physical contact with pupils that staff adhere to, should help to avoid complaints from parents. It will not prevent all complaints, however, and a dispute about the use of force by a member of staff might lead to an investigation, either under disciplinary procedures or by the Police and social services department under child protection procedures. DfE Circular 10/95: Protecting Children From Abuse, gives guidance about the latter and about procedures for dealing with allegations against staff.
14. The possibility that a complaint might result in a disciplinary hearing, or a criminal prosecution, or in a civil action brought by a pupil or parent, cannot be ruled out. In

those circumstances it would be for the disciplinary panel or the court to decide whether the use and degree of force was reasonable in all the circumstances. In that event, however, the panel, or court, would have regard to the provisions of section 550A. It would also be likely to take account of the school's policy on restraint, whether that had been followed, and the need to prevent injury, damage, or disruption, in considering all the circumstances of the case.

PHYSICAL CONTACT WITH PUPILS IN OTHER CIRCUMSTANCES

15. There are occasions when physical contact with a pupil may be proper or necessary other than those covered by Section 550A of the 1996 Act. Some physical contact may be necessary to demonstrate exercises or techniques during PE lessons, sports coaching, or CDT, or if a member of staff has to give first aid. Young children and children with special educational needs may need staff to provide physical prompts or help. Touching may also be appropriate where a pupil is in distress and needs comforting. Staff will use their own professional judgement when they feel a pupil needs this kind of support.

16. There may be some children for whom touching is particularly unwelcome. For example, some pupils may be particularly sensitive to physical contact because of their cultural background, or because they have been abused. It is important that all staff receive information on these children. In addition, the school will need to develop clear common practice towards particular groups of children and events. There should be a common approach where staff and pupils are of different sexes. Physical contact with pupils becomes increasingly open to question as pupils reach and go through adolescence, and staff should also bear in mind that even innocent and well-intentioned physical contact can sometimes be misconstrued.

APPENDIX 1			
MODEL PHYSICAL SAFETY RISK ASSESSMENT	PUPIL DETAILS		
	Incident Type/Hazard	Control Measures	Comments
Low Risk	1. Verbal Abuse 2. Minor Squabbles 3. Intimidating Behaviour The above are examples and incidents that may be recognised in accordance with SBP.	Intervene verbally. Apply standard sanctions in accordance with school behaviour Plan. Record incident on school system. If there is a repetition there should be a review on assessment. Inform parents.	
Medium Risk	1. Strong Verbal Abuse 2. Intimidating and Bullying Behaviour 3. Aggressive/Threatening Acts against another Person or Property The above are examples and incidents that may be recognised in accordance with SBP.	Intervene verbally. Persuade aggressor to move to safe place. Apply sanctions in accordance with School Behaviour Plan. Record on school system. Inform parents of incident and action taken. If repetition occurs, review assessment and monitor.	
High Risk	1. Fighting 2. Very Aggressive and Abusive Behaviour towards Pupils and Staff 3. Vandalism, Destruction of School or Personal Property	Intervene verbally – get help/assistance – move any audience on. By-standers – restrain and physically remove aggressor to a place of safety in accordance with Guidance on Restraint. Consider police intervention – in accordance with SBP. Consider use of fixed term exclusion. Plan and agree future intervention strategies with parents following review with appropriate Educational Advisors and initiate close monitoring and supervision. Ensure that incident is reported to Corporate Risk Management Unit.	

