



# Touch and the use of physical restraint policy

Bramley Church of England (VA) Infant and Nursery School

Your word is a lamp to guide me and a light for my path." Psalm 119(105)  
Rooted in Christian values, seek within, wonder why, reach out, aim high.

**Policy effective from** March 2021

**Approved by** Children and Learning Committee

**Last reviewed on** November 2021

**Next review due by** November 2024

## Version history

Version	Description of change	Author	Approved
1.0	Updated format attachment of response form	Shona Taylor	

In line with the School's vision and values, the school endeavours to ensure that all children are safe and treated with dignity and respect at all times. The main objective of this policy is to ensure all staff, parents and children are aware of the procedures and practice that will be carried out to ensure that this is the case at the school. This policy links with the school's behaviour policy, and special educational needs policy. It is intended to ensure that it will prevent serious breaches of school discipline and prevent injury to individuals or serious damage to property.

There will be times when restraint is needed to safeguard the individual or others but, broadly speaking, restraint should be the last response to behaviour that challenges. De-escalation techniques, appropriate to the child or young person, set within a positive and proactive approach to behaviour, should always be used to try and avoid the need to use restraint.

In order to minimise the need to use force or restrain child or young persons at staff will strive to:-

- create a calm environment that minimises the risk of incidents that might require using force and apply school rules consistently and fairly.
- develop an effective relationship between staff and a child or young person that is central to good order.
- ensure all supervision of children is carried out in a consistent manner so children and staff are comfortable within the setting.
- use relevant materials for approaches to teach children or young person's how to manage conflict and strong feelings.
- ensure all staff have appropriate instructions and training to enable them to be effective in their various roles in and out of the classroom.
- ensure that handling plans will be put in place and training given to ensure staff are equipped to deal with individual children who have been identified.
- Whenever possible, warn a child that force may have to be used before using it.

## **Acceptable forms of intervention and touch**

Children from the age of 2-7 attend out school. Young children require positive touch and a more hands on approach to support their personal, social and emotional development as well as supporting them in all other areas of learning. Physical contact is never made as a punishment. According to the needs of individual children, we may use physical touch/ intervention to:

- give reassurance to a child to comfort a child in distress
- to support a child in settling in the environment e.g. carrying a pre-school or nursery child into the setting with consent from parents
- ensure children have every opportunity to benefit from the curriculum e.g. modelling movement in PE
- To congratulate a child
- gently direct a child to support children in learning life skills such as toileting
- provide intimate care such as changing nappies
- provide support within a physical activity such as climbing/movement
- react in an emergency to avert danger to the child or others
- in rare circumstances, when restrictive physical intervention/ reasonable force is warranted

## **Responsibilities**

It is the Headteacher's duty to ensure all staff are aware of their statutory powers to use reasonable force and or restrain a child. As part of the induction process into school the head teacher will inform staff if they have the powers to restrain, and who they can turn to if they are in a situation with a child that may be causing concern. All staff at school may have the statutory powers to use force to restrain a child or young person or remove them from a classroom.

## **When might 'reasonable force' be necessary?**

Section 93 of the Education and Inspections Act 2006 authorises the use of reasonable force to prevent a pupil:

1. Committing a criminal offence, or what would have been a criminal offence if the pupil had been above the age of criminal responsibility (10 or older).
2. Causing injury or damage to property

Examples of the first two categories are:

- A pupil attacks a member of staff, or another pupil.
- Pupils are fighting.
- A pupil is committing, or on the verge of committing, deliberate and serious damage to property.
- 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.
- A pupil is running in a corridor or on a stairway in a way in which he or she might have or cause an accident likely to injure him or herself or others.
- A pupil absconds from a class or tries to leave school other than at an authorised time. The judgement of whether to use force in this situation would depend on an assessment of the degree of risk to the pupil if he or she is not kept in the classroom or school (age and understanding would be critical factors).

3. Prejudicing the maintenance of good order and discipline at the school

Examples of the third category are when a pupil:

- Refuses to follow an instruction to leave a classroom.
- Is behaving in a way that is seriously disrupting the learning of other pupils.
- Blocks a door to prevent others from leaving.

## **Strategies to diffuse a difficult situation**

The following strategies should be tried before using 'reasonable force';

- Keep calm
- Speak quietly
- Avoid confrontation
- Remove the audience either by taking the child away from the situation if the child will comply or, by removing the class from the situation.
- Before intervening physically, the adult, wherever possible, should tell the pupil to stop and what will happen if they do not.

## **What is 'reasonable force'?**

There is no legal definition of when it is reasonable to use force. That will always depend on the precise circumstances of individual case, but the degree of force used should always be:

- In proportion to the consequences it is intended to prevent; and
- The minimum needed to achieve the desired; and

- Take into account the age, understanding and gender of the pupil.

In all of these cases use of force would only be reasonable (and therefore lawful) if it was clear that the behaviour was sufficiently dangerous or disruptive to warrant physical intervention of the degree applied and could not realistically be dealt with by any other means.

The types of force used could include:

- Standing between pupils.
- Blocking a pupil's path.
- Leading a pupil by the hand or arm.
- Shepherding a pupil away by placing a hand in the centre of the back.
- Pushing.
- Pulling, and
- In more extreme circumstances, using restrictive holds (which would require specific expertise or training). Such holds include:
  - A staff member holding a pupil's arms at his/her sides.
  - Two staff members, one either side of a standing pupil, holding his/her crossed arms.
  - Two members holding a pupil's crossed arms in a seated position. (Crossing a pupil's arms can affect breathing. Such holds should only be used for the shortest possible time).

**Adults must not act in a way that might reasonably be expected to cause injury;** for example:

- Holding a pupil around the neck, or by the collar, or in any other way that might restrict ability to breathe.
- Slapping, punching, kicking or tripping up a pupil.
- Twisting or forcing limbs against a joint.
- Holding or pulling a pupil by the hair or ear.
- Applying pressure to the neck, chest, abdomen or groin areas.
- Forcing a pupil onto the floor or holding them face down on the floor.
- Using clothing or belts to restrict movement.
- Touching or restraining a pupil in a way that could be interpreted as sexually inappropriate conduct.

## **Post-incident Support**

After an incident occurs the following action should be taken:

- Assess the need for any medical help that goes beyond first aid
- Provide support for staff involved in the incident (physical and emotional).
- Record the incident.
- Hold the pupil to account, provide the opportunity for the pupil to engage in restorative conversations and inform their parents.
- Provide support for the pupil to develop strategies to avoid future crisis points. Ensure all staff are made aware of these strategies.
- Decide whether to involve multi-agency partners.
- Decide whether it is necessary to exclude the pupil (following the LA & DFCS Guidance).

## **Reporting and recording incidents**

All incidents where physical intervention/restraint has been used must be recorded as soon as possible. Incidents will be recorded in a book with numbered pages. The following information should be detailed:

- Name of pupil on which force was used.
- The day, date, time and location of the incident.
- The names of the staff involved (directly and as witnesses).
- The names of other pupils involved.
- The nature of the incident.
- The events leading to the use of force.
- Any de-escalation or, other strategies used to minimise need for use of force.
- Reason for using force.
- Description of force used.
- Subsequent actions, including thus related to the welfare of the pupil and staff involved.
- Information given to other staff, parents and external agencies.
- Injuries should be reported and recorded in accordance with school procedures.
- All staff will discuss the situation within 2 days with the Headteacher to ensure procedures were followed and discuss what learn can be gain and how further repercussions can be avoided.
- Staff and Headteacher will sign the recorded incidents sheet

## **Complaints**

In the event a parent wishes to make a complaint then the processes outlined in the school's complaint policy will be shared and followed.

### **To be read in conjunction with other relevant policies**

Behaviour

SEND

Intimate care

Toileting

First aid

Name of pupil on which force was used.	
Day and date	Time
Location of the incident.	
The names of the staff involved (directly and as witnesses).	
○ The names of other pupils involved.	
The nature of the incident, including: <ul style="list-style-type: none"><li>○ The events leading to the use of force.</li><li>○ Any de-escalation or, other strategies used to minimise need for use of force.</li><li>○ Reason for using force.</li><li>○ Description of force used.</li><li>○ Subsequent actions, including thus related to the welfare of the pupil and staff involved.</li></ul>	

RESPONSE AND VIEW OF THE YOUNG PERSON: (this field must be completed if possible) ANY OTHER RELEVANT FACTUAL INFORMATION:		
DETAILS OF ANY RESULTING INJURY: (injury to whom and any action taken)		
Accident form completed: Yes      No  Date:	OSHENS: Yes      No  Date:	CPOMS updated: Yes      No  Date:
HEADTEACHER'S COMMENTS:		Date:
PARENTS INFORMED  Yes      No	METHOD:	DATE: