



Cheney School
Think for yourself; act for others

Positive Handling Policy (Restraint Policy)

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Approved by LGB: To be completed October
2022

Next Review Date:

Introduction

Cheney School fully recognises the responsibility it has under the Education Act 2011 to have arrangements in place to safeguard and promote the welfare of children.

This policy is a whole school policy and applies to all pupils. Care and consideration will be given to the age of the child when following the guidance in this policy.

This policy applies to all staff, volunteers and contractors, paid and unpaid, working in the school including governors.

This policy has been written using advice taken from Use of Reasonable Force, Advice for Headteachers, staff and Governing Bodies DfE 2013

The school acknowledges its legal duty to make reasonable adjustments for disabled children and children with special educational needs (SEND). Equality Act 2010, SEN and Disability Code of Practice 0-25 years 2015.

This policy should be read in conjunction with the Respect for Learning (Behaviour) Policy October 2020. Cheney School takes a “no touch” approach, therefore individuals, whether students or staff should refrain from physical contact unless absolutely necessary to prevent risk or harm. This means that any form of restraint should only be used as a last resort where there is no alternative.

Aims

The aims of this policy are to:

- explain to staff the right to use physical restraint when necessary;
- explain the circumstances in which physical restraint may be justified;
- set out the recording and reporting system; and
- explain the various responsibilities.

For the Purposes of this Policy Document:

- Reasonable force is defined as using no more force than is needed in the circumstances.
- Physical restraint is defined as the positive application of force in order to protect/prevent a pupil from causing injury to themselves or others or seriously damaging property. It is necessary in more extreme cases, for example to stop a physical fight.
- Physical intervention is defined as the use of physical contact being used to aid a situation but with minimal touch and without the use of force. This is less intrusive than physical restraint.
- Injury means ‘significant injury’; this would include actual or grievous bodily harm, physical or sexual abuse, risking the lives of, or injury to, themselves or others, by wilful or reckless behaviour, and self - poisoning.

Who can use Reasonable Force?

- All members of school staff have legal power to use reasonable force.

- This power applies to any member of staff at the school.
- It can also apply to people whom the Head has temporarily put in charge of pupils such as unpaid volunteers or parents accompanying students on a school organised visit.
- 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.

When can Reasonable Force be used?

Reasonable force can be used:

- to prevent pupils from hurting themselves or others, from damaging property, from committing an offence, or from causing disorder;
- to prevent a pupil leaving a room where allowing the pupil to leave would risk their safety or lead to behaviour that puts others at risk;
- to prevent a pupil from attacking a member of staff or another pupil, or to stop a fight;
- to restrain a pupil at risk of harming themselves.

Guidelines for the Use of Physical Restraint

Professional judgement should be used in circumstances where the use of physical restraint and reasonable force is needed.

- Staff should not hesitate to act in an emergency provided they follow the guidelines in this policy. Staff should always satisfy themselves that the action they take would be considered justifiable by a wider audience of professional colleagues.
- In any application of physical restraint, the minimum reasonable force should be used to calm down the situation.
- Help should be summoned from colleagues; pupils should never be involved in restraint.

What to do in circumstances when the use of physical restraint and reasonable force is needed

- Approach the pupil calmly but firmly.
- Where possible, the consequences of refusing to stop the behaviour should be explained and it should be communicated to the pupil that physical contact or restraint will stop as soon as it ceases to be necessary.
- A calm and measured approach is required by staff throughout.

Method of Restraint

The method of restraint employed must use the minimum force for the minimum time and must observe the following:

Restraint is not a punishment and must not be used as such. Restraint must not:

- Involve hurting the pupil
- Involve deliberately inflicting pain on the pupil
- Restrict the pupil's breathing
- Involve contact with sexually sensitive areas
- Involve locking the pupil in a room

During any incident the person restraining should:

- Offer verbal reassurance to the pupil
- Cause the minimum level of restriction of movement
- Reduce the danger of any accidental injury
- Cease the restraint if there are any signs of physical distress in the pupil such as sudden change in colour, difficulty breathing or vomiting

Physical intervention can take several forms and may involve staff:

- Physically interposing between pupils
- Blocking a pupil's path
- Holding
- Guiding away from an incident by holding the arms
- 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

Recording Incidents

Use of reasonable force by adults in school should be recorded in the **Bound Book**. Serious incidents involving the use of physical restraint must be reported to the **Head and the Deputy Head as soon as possible after the incident**.

Telling parents when force has been used on their child

- Staff will inform parents at the earliest opportunity if their child has been restrained.

What happens if a pupil complains when force is used on them?

- All complaints about the use of force should be thoroughly, speedily and appropriately investigated.
- Where a member of staff has acted within the law – that is, they have used reasonable force in order to prevent injury, damage to property or disorder – this will provide a defence to any criminal prosecution or other civil or public law action.
- When a complaint is made the onus is on the person making the complaint to prove that his/her allegations are true – it is not for the member of staff to show that he/she has acted reasonably.
- If an allegation of abuse is made against a member of staff, the procedures set out in the Safeguarding and Child Protection Policy will be followed.