



Guiding us
step by step
into the future

Restraint Policy

Member(s) of staff responsible	Paul Hiatt
Governor responsible	Chair of personnel committee
Sub-Committee responsible	Personnel committee
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1.0	Jan 2008	Original Issue
2.0	Sept 2011	Reviewed, no changes
3.0	Feb 2013	Reviewed

[This policy has been drawn up in response to the New Guidance on the Use of Force to Control or Restrain Pupils by the DCSF - please make reference to Section 93 of the Education and Inspections Act 2006.]

1. The Law on the Use of Force

1.1 The law states that a member of school staff may use such force as is reasonable in the circumstances to prevent a pupil from doing, or continuing to; cause personal injury to, or damage to the property of, any persons including himself [sic] or others; committing any offence (or doing something that would be a criminal act if the child was of the age of criminal responsibility) or prejudicing the maintenance of good order and discipline at the school during a teaching session or otherwise.

1.2. However, all adults in school are advised that they are not required by the school to restrain children under any circumstances.

1.3. There remains a common law and child protection 'duty of care' upon all adults in school to protect the wellbeing of all children within school, and to intervene as they personally feel appropriate in any given set of circumstances. The power of restraint operates in addition to this common law duty of care and in addition also to the common law power of any citizen to use reasonable force in self-defence.

1.4. Schools also have the power to be able to use force under the Violent Crime Reduction Act to search pupils without consent (authorised staff only).

2. Warden Hill School's Position Regarding the Use of Force/Restraint

2.1 Staff at Warden Hill School accept that physical restraint is only used as a last resort when the action is in self-defence; where there is a developing risk of injury; significant damage to property; or where a pupil is behaving in a way that is compromising good order and discipline. Other strategies and techniques will be used before the application of restraint. Please refer to Warden Hill School's Behaviour Policy for further information on our behaviour expectations and the means by which we seek to reduce the likelihood of situations occurring where the use of force may be necessary.

2.2 Teachers in the school are authorised to use reasonable force to control or restrain pupils. Other individuals authorised at the headteacher's discretion are:

- Teaching Assistants
- Learning Support Assistants
- Learning Mentors
- Mid-day Supervisors
- Nursery Nurses or Assistants
- Unpaid volunteers including parent volunteers

2.3 The headteacher is to keep a record of who is authorised to use force in the school

2.4 Examples of situations where reasonable force might be appropriate are as follows:

- when a pupil attacks a member of staff
- when pupils are fighting
- when a pupil is deliberately damaging property
- when a pupil is causing or at risk of causing damage or injury by accident, by rough play or by misuse of dangerous materials or objects
- when a pupil is behaving in a way that is seriously disrupting a lesson
- when a pupil persistently refuses to leave an area

2.5. The power to restrain pupils applies on the school premises or elsewhere when under school control.

2.6. Any physical intervention used will always be the minimum needed to achieve the desired result.

2.7. If any of the named people are aware a situation is developing, the following steps should be taken in line with the school's behaviour policy:

- tell the pupil to stop, and inform them of the consequences should they continue
- warn the child that physical restraint will be used if they do not do as they are asked
- keep calm and do not give the impression you have lost your temper
- send for assistance
- send other children away if possible
- tell the pupil that you are restraining him/her to avoid the pupil harming themselves, others or property. Where potential witnesses are present it is helpful if they hear you give this explanation
- physical intervention should be an act of care and control
- use only the minimum force necessary
- attempt to communicate with the child throughout the incident
- be sensitive of your own strength and body weight and to issues of gender
- inform the Headteacher if he or she has not been involved
- record the incident fully in the incident book

2.8. Appropriate force includes:

- 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
- using more restrictive holds in extreme circumstances

2.9 Warden Hill School will ensure that staff are aware of any individual behaviour plans or specific needs of pupils, especially for any pupils with disabilities, which may impact on the range, type and appropriateness of any physical intervention.

2.10 Detailed written reports of any occasions where force is used are kept in an incident book which is in the office. This includes:

- Date/Time/Place
- Pupil involved
- Reason force is used
- Details of the incident
- Pupil's response
- Outcome of the incident
- Any injuries sustained
- Identities of witnesses

2.11 The Headteacher will keep such written information securely and monitor the use of restraint. He/she may also be the first to exercise judgement on whether the restraint used was reasonable, having made initial inquiries, although other procedures will apply if queries or complaints arise.

2.12 The Headteacher will advise the parent/guardian of any incident involving their child either immediately or at the end of the day according to the seriousness of the incident. If there is the possibility of a claim for compensation the complainant must be referred to the Director of Education, as the senior officer of the LEA, with child protection responsibilities without delay.

2.13 Where a member of staff is assaulted or suffers injury as a consequence of using reasonable force or restraint they are advised to contact their professional organisation or trade union.

3. Touching in Other Circumstances

3.1 Warden Hill School recognises that touch can often be an effective communication tool. For example:

- when demonstrating a PE skill
- when providing first aid
- comforting a child in distress
- when supporting a child with SEN
- when giving praise or congratulations

3.2 In such situations, staff will apply sound professional judgement - touch will be appropriate and will avoid situations or contact that could be misinterpreted.

This policy has links to the following school policies and procedures:

- equality and diversity
- behaviour
- acceptable use policy (internet safety)
- safeguarding (child protection) policy
- complaints procedure
- first aid
- pastoral care
- positive handling and restraint

- health and safety
- sex education
- SEN
- school trips
- attendance
- anti-bullying