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Designated SLT Link: Julian Young
Archway School has a duty to monitor the operation and effectiveness of policies. Designated authority: Governors' Welfare & Discipline Committee



Physical Intervention Policy

Aims

To respect the care and safety of all students, staff and all people who are part of the school community.

To create a calm environment that minimises the risk of incidents arising that may require physical intervention.

To ensure that Section 93 of the Education and Inspections Act 2006 is followed. The Act enables school staff to use such force as is reasonable in the circumstances to prevent a student from doing, or continue to do, any of the following:

- committing an offence
- causing personal injury or damage to the property of any person (including the student himself/herself); or
- prejudicing the maintenance of good order and discipline at the school or among any students receiving education at the school, whether during a teaching session or otherwise.

Principles

- Staff other than teachers and volunteer helpers are also able to physically intervene if necessary, provided that they have been authorised by the head teacher to have control or charge of students.
- People with such authorisation might include teaching assistants, midday supervisors, education welfare officers and people accompanying students on visits.
- Physical intervention at Archway School must be viewed as part of a broad range of interventions with the main focus being on preventative approaches.
- Wherever possible, physical intervention should be avoided. In extreme cases, when the use of reasonable force is necessary, it must be in a way that maintains the dignity and safety of all concerned.
- The head teacher will keep an up-to-date list of authorised people and ensure that guidance is provided so that everyone is clear on the policy.

- There is no legal definition of when it is reasonable to physically intervene. However, to be judged lawful the force used must be in proportion to the consequences it is intended to prevent.
- Physical intervention must not be used for relatively low level behaviours such as non-compliance.
- Any incident of physical intervention must be reported to the Assistant Headteacher in charge of Safeguarding who will record the details."
- Parents should always be informed of any incidents of active physical intervention (restraint) and provided with the opportunity to discuss it.
- The parent has the right to challenge and complain about action taken by staff. The school must follow the complaints procedure in order to investigate an incident.
- If the complaint includes an allegation of abuse the school must follow the Gloucestershire Safeguarding Procedures.
- The Welfare and Discipline Committee will monitor all recorded incidents annually on behalf of the Governing body.

Responsibilities

Headteacher

Senior Leadership Team

Heads of Department and Year

All teaching and support staff

All people authorised by the head teacher

Further References

Education and Inspections Act 2006

LA Guidance on the use of Physical Interventions

TeacherNet – Restraining pupils – use of force

Safeguarding Policy

Behaviour for Learning Handbook

Monitoring Procedures

Equality Policy

LA Exclusions Guidance

Anti-bullying Policy

Complaints procedures

Weapons Policy

Croner's Legal Guide

Use of Reasonable Force (DfE) – advice for headteachers, staff and governors

PHYSICAL INTERVENTION POLICY – GUIDELINES

All incidents, that may develop into a situation where physical intervention may need to be used, should be de-escalated and a clear oral warning to the student/s that force may need to be used should be given.

Judgement on whether to use physical intervention and what force to use should always depend on the circumstances of each case and – crucially in the case of students with SEND – information about the individual concerned.

Staff should not put themselves at risk. An individual would not be seen to be failing in their duty of care by not using force to prevent injury, if doing so threatened their own safety.

Physical intervention should only be used when the risks involved in doing so are outweighed by the risks involved in not using force.

It is advisable, that if possible, physical intervention should not be used unless or until another responsible adult is present to support, observe and call for assistance.

Physical intervention should be used for the minimum amount of time to gain control over the individual(s) / situation.

Situations where Physical Intervention may be used

In schools physical intervention is generally used for two different purposes - to control students and to restrain them.

- Control can mean either passive physical contact (e.g. standing between students or blocking a student's path) or active physical contact (e.g. leading a student by the hand or arm, or ushering a student away by placing a hand in the centre of the back).
- When members of staff use restraint they physically prevent a student from continuing what they were doing after they have been told to stop. The use of restraint techniques is usually used in more extreme circumstances, such as when two students are involved in a fight and physical intervention is needed to separate them.

Some examples of situations where physical intervention might be used are:

- to prevent a student from attacking a member of staff, or another student, or to stop a fight between two or more students;
- to prevent a student causing deliberate damage to property;
- to prevent a student causing injury or damage by accident, by rough play, or by misuse of dangerous materials or object;
- to ensure that a student leaves a classroom where the student persistently refuses to follow the BfL procedures, and when the duty member of staff arrives;
- to prevent a student behaving in a way that seriously disrupts a lesson after following all BfL procedures; or
- to prevent a student behaving in a way that seriously disrupts a school sporting event or school visit, after following all the BfL procedures.

Who can use Physical Intervention?

Section 95 of the Education and Inspections Act 2006 advises on whom the power of reasonable force apply to:

- A teacher that works at Archway and
- Any person whom the Head has authorised to have control or charge of students.

This includes support staff whose job normally includes supervising students such as teaching assistants, learning mentors, invigilators, and lunchtime supervisors.

This can include people to whom the Head has given temporary authorisation to have control or charge over students such as paid members of staff whose job does not normally involve supervising students (for example catering or premises-related staff)

Unpaid volunteers (for example parents accompanying students on school organised visits).

It does not include other students (for example prefects or sixth formers).

- These powers can be used when students are on school premises or on school visits (including students from other school who are visiting Archway).

Keeping a record of Physical Intervention

Detailed and up to date records should be kept on any incidents where force is used. Records of incidents should include the following information:

- The name(s) of the student(s) involved
- When and where the incident took place
- Why the use of physical restraint was deemed necessary
- Details of the incident, including all steps taken to defuse the situation and resolve it without force and the nature of physical intervention that was used
- The duration of the physical intervention
- The student's response
- The outcome of the incident
- A description of any injuries suffered by the student or others and/or any property damaged during the incident.