

# RESTRAINT POLICY - FFSC

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## 1. Guidance on restrictive physical interventions Aims

Stafford Hall School being a part of Young Foundations, we are extremely proud to have developed our own Restrictive Physical Intervention (RPI) (Foundations for Safer Care (FFSC)) that is used across the company and has been approved by BILD. The primary aim of the course is to learn how to de-escalate situations and then the correct RPI methods. FFSC will encourage the following ethos:

- To ensure that any use of RPI reflects current legislation.
- To develop and sustain an ethos and practice in school which protects the dignity and safety of both students and staff.
- To create and sustain a safe and secure learning environment.
- To promote a shared understanding that, although always used as a last resort, physical control is an option that staff authorised by the Head of School may have to take.

Physical contact with children occurs in providing physical prompts, giving support in PE and, at times, supplying reassurance. The term Restrictive Physical Intervention (RPI) does not apply to such situations.

There may be circumstances where, when preventative strategies have failed, some form of RPI may be necessary. The school acknowledges the difference between restrictive forms of intervention, which are designed to prevent movement or mobility or to disengage from dangerous or harmful physical contact, and non-restrictive methods to manage behaviour.

School staff have a legal power to use force and lawful use of the power will provide a defence to any related criminal prosecution or other legal action. Suspension should not be an automatic response when a member of staff has been accused of using excessive force.

The term reasonable force covers a broad range of actions which may be used by most staff at some point in their careers. Force is usually used either to control or restrain. This can range from guiding a student safely by the arm, to more extreme circumstances such as breaking up a fight or where a student needs to be restrained to prevent violence or injury. Reasonable in the circumstances means using no more force than is needed. Control means either passive physical control, such as standing between students or blocking a student's path, or active physical contact such as leading a student by the arm out of a classroom.

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Restraint means to hold back physically or to bring a student under control. This would be used in more extreme circumstances. For example, when two students are fighting and refuse to separate without physical intervention.

All members of the school staff have a legal power to use reasonable force. This includes people whom the Head of School has temporarily put in charge of students such as unpaid volunteers.

Staff should, however, be aware that any physical contact with a child may be misconstrued by the child, colleagues and other observers. Support of emotionally distressed or physically injured children often involves some physical contact. Contact should be the minimum necessary to comfort and reassure the child.

RPI will usually be used in response to an emergency. For the use of RPI by a teacher or other authorised person to be justified, it must be demonstrated that it is warranted by, and in proportion to, the situation. Consideration should be given to the age, health, emotional state etc. of the student. Every possible step should be taken to prevent the situation, and to try and avoid the use of RPI.

In this school, all staff are authorised to use RPI. Authorisation is not given to parents/carers or volunteers. Supply staff will not be authorised unless they are familiar with the school's policy and have undertaken training.

It is important that staff understand the terminology in respect of Restrictive Physical Interventions:

- **Physical Presence:** describes a situation in which staff stand close by or in front of a student momentarily, or temporarily in the way of a student. Physical presence is a means of both communicating authority and re-establishing safety and security.
- **Restriction of Access or Exit:** describes a situation in which staff stand in doorways or corridors to restrict a student's movement, or in a room fitted with door catches beyond the reach of the student. It is a means of preventing students accessing dangerous environments, or leaving a room when it is judged it would be prejudicial to the maintenance of a safe and secure environment for them to do so.
- **Time Out/On-Call:** describes the removal of a student from an environment where he/she is less likely to disrupt. It serves the purpose of enabling the student to regain self-control.
- **Isolation:** describes the separation of a student from his/her peers and his/her supervision by a member or members of staff with the purpose of providing the student with continuous focused supervision and support. Students isolated from their peers and supervised by staff must not be in locked rooms.
- **Seclusion:** describes the forcible confinement and segregation of a student from his/her peers in situations that are unsupervised by staff. Stafford Hall School will not use seclusion.
- **Physical Diversion:** describes the means of deflecting a student from destructive and/or disruptive behaviour. For example, by holding a hand, placing a hand on the forearm, putting an arm around the shoulder or guiding by placing a hand on the

back. It should involve little force but serves to reinforce staff attempts to reason with the student.

- **Restrictive Devices:** describes those approved mechanical devices - for example, helmets - that are used in a planned manner to prevent self-injury.
- **Physical Control:** describes the positive use of reasonable minimum force to divert a student from committing a criminal offence, harming himself/herself or others, seriously damaging property or disruptive behaviour which prejudices the establishment and maintenance of a safe and secure learning environment. Physical control is normally limited to holding a student in a standing or sitting position.

## 2. General principles

The Education and Inspections Act 2006 enables anyone who is a member of staff of any school at which education is provided to students to use reasonable force in specified circumstances:

- Where the student is engaging in any behaviour prejudicial to maintaining good order and discipline at the school or among any of the school's other students, whether that behaviour occurs in a classroom during a teaching time or elsewhere.
- Self-injuring or placing himself/herself at risk.
- Causing personal injury to, or damage to the property of, any person (including the pupil himself/herself).
- Committing any offence.
- Committing a criminal offence (even if the student is below the age of criminal responsibility).

Types of incidents:

- Where the action is necessary in self-defence or because there is an imminent risk of injury.
- Where there develops an increasing risk of injury, or significant damage to property.
- Where a student is behaving in a way that is significantly compromising good order or discipline.

Examples of situations which fall within one of the first two categories are:

- Student attacks a member of staff or another student.
- Students are fighting.
- A student is engaged in increasingly at-risk behaviour.
- A student is causing, or at risk of causing, injury, damage by accident, by rough play, or by misuse of dangerous objects or materials.
- A student is running in a corridor or on a stairway in a way which he or she is likely to injure himself or herself.
- A student absconds from a class or tries to leave the school (NB this will only apply if a student could be at risk if not kept in the classroom or at school).

Examples of situations which fall into the third category are:

- A student refuses to comply with a directive to leave a classroom in an escalating situation.
- A student is behaving in a way that is seriously disrupting a lesson.

Any form of corporal punishment in schools is illegal, and this ban is absolute. Any use of RPI should be consistent with the legal obligations and responsibilities of the school and its staff, and the rights and protection afforded to students under the law.

RPI should be used only in the best interests of the students and in conjunction with other strategies designed to support students to learn alternative non-challenging behaviours. RPI must not be used with intent to:

- Punish.
- Cause or threaten hurt.
- Oppress, threaten, intimidate or bully.
- Secure compliance with staff instruction.

Within the RPI continuum, physical control should only be used:

- With minimum and reasonable force.
- Rarely and exceptionally.
- As a last resort where all other courses of action have failed.
- With the minimum degree of intrusion required to resolve the situation.

Staff should not act in a way that might reasonably be expected to cause injury. For example:

- Holding a student around the neck or by the collar or in any other way that might restrict the student's ability to breathe.
- Slapping, punching or kicking a student.
- Twisting or forcing limbs against a joint.
- Tripping a student.
- Holding or pulling a student by the hair or ear.
- Holding a student face down on the ground.

Acceptable measures of physical intervention

RPI can only be deemed reasonable if:

- It is warranted by the circumstances of the incident.
- It is delivered in accordance with the seriousness of the incident and the consequences which it aims to prevent.
- It is carried out as the minimum to achieve the desired result.
- The age, understanding and gender of the student are taken into consideration.

RPI may involve staff:

- Physically positioning themselves between students (physical presence).
- Blocking a student's path (restriction of access or exit).
- Escorting a student or shepherding a student away (physical diversion).
- In extreme circumstances staff may need to hold a student (physical control).

### 3. Recording

Where RPI has been used to manage a student, a record of the incident may need to be kept. Where physical control has been used, a record of the incident must be kept. This record should be made on an Incident Report on the Rivo System, which will include the

name of the student, the date, time and place of the incident, a brief description of the incident and actions taken.

In addition, specific details of the use of physical control must be recorded on a Major Incident Report. The Incident Report must be completed as soon as possible after the incident, normally prior to staff going off duty, and must be signed by all the staff involved and the Head of School or by someone directed to by the Head of School. In addition, specific details on the use of physical control must be recorded on the incident report.

Reporting should include:

- How the incident developed.
- Attempts made to calm the situation.
- Names of any staff or students who witnessed the situation.
- The outcome of the incident including any injuries sustained by a student or member of staff.
- Any damage to property which has resulted.
- Whether/how parents have been informed.
- After investigation, a summary of actions taken.

Staff may find it helpful to seek advice from a senior colleague when compiling a report. After the incident, copies of the report will be placed on file and, where necessary, the appropriate action taken under disciplinary or Child Protection procedures.

Action after an incident

The Head of School will ensure that each incident involving the use of physical control is reviewed and investigated further as required. If further action is required in relation to a member of staff or a student, this will be pursued through the appropriate procedures.

#### **4. Complaints**

The availability of a clear policy about RPI and early involvement of parents/carers should reduce the likelihood of complaints but may not eliminate them. Any complaints about staff will be dealt with under the school's complaints procedure.

#### **5. Appeals**

If parents/carers remain dissatisfied with the decision following investigation into their complaint, then they can have the opportunity to appeal against the decision of the Proprietor of the school. All appeals must be made in writing. Parents/carers will also have the opportunity to attend the appeal hearing in person. The School Advisory Body (SAB) will consider all the information and come to a final decision.

#### **6. Review**

This policy will be reviewed within the timetable for policy review established by the SAB of the school.

Monitoring (Head of School)

The Head of School should monitor any use of RPI by examining:

- The frequency of its use.
- The justification of its use.
- Its nature.

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- Its users.
- The views of students concerning its use.

The Head of School must ensure that:

- The need to use RPI is minimised.
- RPI is used only in the appropriate circumstances.
- Only the appropriate degree of RPI is used in particular situations.

The Head of School must also:

- Report on the use of RPI to the SAB.
- Report specifically on the use of physical controls.
- Take appropriate action over issues of concern of either a general or specific nature.
- Make available on request the Major Incident Record File to the authority's officers.

## 7. The Proprietor

The Proprietor should monitor the use of RPI within the school ensuring that:

- The incident of RPI is reported to them termly.
- Incidents comply with the school policy.
- Trends are recognised.
- Action is taken to reduce the use of physical control.

The following should be read in conjunction with the above notes on RPI.

Reasonable force can be used to prevent students from hurting themselves or others, from damaging property, or from causing disorder. In school, force may be used for two main purposes – to control students or to restrain them. The decision whether to physically intervene is down to the judgment of the member of staff and will depend on the individual circumstances. The following list is not an exhaustive one but provides some examples of situations where reasonable force can and cannot be used. Staff can use reasonable force to:

- Remove disruptive students from a classroom where they have refused a request to follow an instruction to do so.
- Prevent a student behaving in such a way that disrupts a school event or a school trip or visit.
- Prevent a student leaving a classroom, where allowing the student to leave would risk their safety or lead to behaviour that disrupts the behaviour of others.
- Prevent a student from attacking a member of staff or another student, or to stop a fight in the playground.

Staff cannot:

- Use force as a natural consequences/sanction, and it is always unlawful to do so.

The school does not require parental consent to use force on a student.

## Using force

Certain restraint techniques present an unacceptable risk when used on children and young people. These are:

- The seated double embrace, which involves two members of staff forcing a person into a sitting position and leaning them forward, while a third monitors breathing.
- The double basket-hold, which involves holding a person's arms across their chest.
- The nose distraction technique, which involves a sharp upward jab under the nose.

## Staff training

The school will decide which members of staff will require training in the use of force and what that training will be.

## Informing parents/carers

The school will contact parents/carers about a serious incident involving the use of force, as well as recording the details of such an incident. In deciding what is a serious incident, staff must use their professional judgement and consider the following:

- The student's behaviour and level of risk at the time of the incident.
- The degree of force used.
- The effect on the student or the member of staff.
- The student's age.

## Student complaints

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 to prevent injury, damage to property or disorder – this would provide a defence to any criminal prosecution or civil or public law action.

When a complaint is made, the onus is on the person making the complaint to prove that his/her allegation is true - it is not for the member of staff to show that he/she has acted reasonably.

Suspension will not be an automatic response when a member of staff has been accused of using excessive force. If a decision is taken to suspend a teacher, the school will ensure that the teacher has access to a named person who can offer support.

## Other contact

It is not illegal to touch a student. There are occasions when physical contact, other than reasonable force, with a student is proper and necessary:

- Holding the hand of a student at the back of a line when going to assembly or when walking around the school together.
- When comforting a distressed student.
- When a student is being congratulated or praised.
- To demonstrate how to use a musical instrument.
- To demonstrate exercise or techniques during PE lessons or sports coaching.
- To give first aid.