



COPTHORNE PRIMARY SCHOOL

PUPIL RESTRAINT POLICY

Date of issue	Review date	Date ratified by Governing Body	
18 th May 2019	April 2021	18 th May 2019	
	Print name	Signature	Date
Head Teacher	Mrs F Whalley		
On behalf of Governing Body	Mr P Gerrard		

Copthorne Primary School

Pupil restraint and the use of force policy

Corporal punishment and the inappropriate use of force cannot be used in any circumstances but there are occasions when the extreme behaviour of pupils may require more than verbal control techniques. Physical intervention is not unlawful: reasonable force can be used where necessary to control or restrain pupils. All staff need to understand in what circumstances physical intervention may be required and to understand the meaning of 'reasonable force'.

Section 550A of the Education Act 1996 clarifies the powers of teachers and other staff who have lawful control or charge of pupils, to use reasonable force in certain circumstances.

Copthorne Primary School recognises that a number of other policies and procedures developed and operated by school form part of the wider agenda of Safeguarding and Promoting Children's Welfare and this policy should be read in conjunction with the policies listed below:

- Whole school anti bullying Policy
- Child Protection Policy
- Behaviour Policy

Reasonable Force

There is no legal definition force. The use of force will always depend on all the circumstances of the case. Staff need to take into account two considerations:

- i) The use of force can be regarded as reasonable only if the circumstances of the particular incident warrant it. The use of any degree of force is unlawful if the particular circumstances do not warrant the use of physical force. Physical force could not be justified to prevent a pupil from committing a trivial misdemeanour or in a situation that could be resolved without force.
- ii) The degree of force must be in proportion to the circumstances of the incident and the seriousness of the behaviour or the consequences it is intended to prevent. Any force used should always be the minimum needed to achieve the desired result.

Whether it is reasonable to use force and the degree of force that could reasonably be employed might also depend on the age, understanding and sex of the pupil.

Circumstances which may require the use of reasonable force under section 550A

To prevent a pupil from doing, or continuing to do, any of the following:

- i) committing a criminal offence (including behaviour in a way that would be a criminal offence if the pupil were not under the age of criminal responsibility)
- ii) injuring themselves or others

- iii) causing damage to property(including the pupils own property)
- iv) engaging in any behaviour prejudicial to maintaining good order and discipline at the school.

The provision applies when a teacher, or other authorised person, is on the school premises or when he or she has control or charge of pupils on an authorised out of school activity.

Authorisation to use force

Only persons authorised by the headteacher can use reasonable physical force under section 550A. Copthorne Primary teaching staff and support staff who work in classrooms and lunchtime supervisors are authorised to use reasonable force in the circumstances above. However, Section 550A does not cover all situations in which it might be reasonable to use a degree of force. For example, all staff have a right to defend themselves against an attack provided they do not use a disproportionate degree of force to do so. Also in an emergency, for example if a pupil was at immediate risk of injury or on the point of inflicting injury on someone else, any member of staff would be entitled to intervene. Section 550A makes it clear that authorised staff are entitled to intervene in other, less extreme situations.

Dealing with extreme behaviour

All staff should ensure that they have a thorough understanding of the behaviour policy and are available to confidently and consistently use the control techniques laid out in the policy. All staff should understand how their behaviour can calm or escalate disruptive behaviour. For example, an adult's aggressive verbal behaviour or body language could provoke a disturbed or misbehaving child to use extreme behaviour.

Before intervening physically, wherever practicable, the adult should tell the pupil who is misbehaving to stop and explain what will happen if or she does not stop. Throughout the incident the adult should continue to communicate calmly with the child and explain that physical contact or restraint will stop as soon as it is not necessary. The adult should remain calm and not show anger, frustration or give the pupil the impression that he or she is being pushed at that point. Sanctions in line with the school's behaviour policy will follow.

In a non-urgent situation force should only be used when other methods have failed. Physical force is not a substitute for good behavioural management.

Some instances, where reasonable force is deemed necessary, will call for rapid action (e.g. when a child is about to injure another child). In other cases there will be time to plan the action required (e.g. when a child is engaging in behaviour which, if it persists will result in the breakdown of good order and discipline). In such cases staff should whenever possible seek the advice and help of one another member of staff. In all circumstances, it is advisable to have an adult witness present, but this will not always be possible, particularly where rapid action is required to prevent injury or serious damage.

Staff should not put themselves at risk. If a child is physically large, help should be sought. Sometimes it may be necessary to move all other pupils who might be at risk and then summon help from a colleague. The adult should inform the pupil that help has been sent for. Until help arrives, the adult should try to defuse the situation verbally and try to prevent the incident from escalating.

It is unlawful to use any degree of physical contact when it is deliberately intended to punish a pupil, or when it is primarily intended to cause pain, injury or humiliation.

Application of force

Physical intervention might involve:

- Physically interposing between pupils- holding
- Blocking pupils path - pushing
- Leading a pupil by the hand or arm - pulling
- Shepherding a pupil away by placing a hand in the centre of the back or in extreme cases using more restrictive holds.

Staff must not act in a way that might reasonably be expected to cause injury, for example:

- Holding a pupil round the neck, or by the collar, or in a way that could affect breathing
- Slapping, punching or kicking a pupil.
- Twisting or forcing limbs against a joint.
- Tripping up a pupil.
- Holding or pulling a pupil by the hair or ear
- Holding a pupil face down on the ground

In restraining a pupil, staff must avoid all actions which can be construed as physical aggression:

- Slapping, punching or kicking a pupil
- Tripping up a pupil

Staff should always avoid touching or holding a pupil in a way that might be considered indecent.

In exceptional circumstances staff may need to take any necessary action that is consistent with the concept of reasonable force: for example to prevent a pupil running into a busy road, or to prevent a pupil throwing something or hitting someone.

Recording incidents

Whenever physical force has been used, the headteacher, deputy or senior member of staff should be informed immediately.

The adult involved should record the details on the 'Physical Restraint' report form as soon as possible after the event and pass this to the headteacher. The report should include:

- The names of the pupils involved
- When and where the incident took place
- Names of staff or children witnessing the incident
- The reason the force was necessary

- How the incident began and progressed
- What was said by the parties
- The steps taken to diffuse or calm the situation
- The degree of force used, how it was applied and for how long
- The pupils response and the outcome of the incident
- Details of any injury suffered by the pupil, other pupil or staff and any damage to property.

Staff should keep a copy of the report

This should be discussed with the headteacher or deputy. Parents may be informed straight away or at the end of the day according to the severity of the incident.

Complaints

Following the policy and informing parents promptly should avoid the need for complaints.

Complaints will be dealt with either under disciplinary procedure or by the police and social services department under child protection procedures. The headteacher will seek advice from the LEA where formal complaints arise from physical restraint

Physical contact in other circumstances

Physical contact may be necessary in P.E to demonstrate exercise and techniques, to help very young children change for P.E or when children engage in practical activities (e.g. in design technology) or if First Aid is given. If a child needs to move clothing to receive First Aid, another adult should be present wherever possible. Young children and children with special educational needs may need physical prompts to help. Children who have difficulty keeping rules (e.g. in the playground or moving round school) may need to accompany the teacher or assistant, holding the adult's hand. This should be used as an opportunity to teach the child how to behave in that situation or to prevent the child lapsing into misbehaviour and should not develop into a dragging situation. If the child refuses to accompany the adult, use the behaviour system procedures, and if the situation seriously escalates should reasonable force be used (e.g. a young child refuses to come into school at the end of the play time) – with older children give them the option (come in and talk or stay out) and walk away.

Touching others is a normal way of communicating and of demonstrating acceptance, care, encouragement and reassurance. The absence of touch often signals rejection or dislike to young children. Young children themselves frequently touch staff as a way of communicating or showing friendship. Adult should restrict their communicative touch to a gentle touch on arms, shoulders, hands or head. Children who have difficulty developing eye contact or processing information will often respond when the face is gently cupped so that the child has to look at the speaker. It is also quite normal to hold a child's hand for guidance or because a child wants this reassurance, for example, while walking through school, in the play ground or escorting children along the roadside.

Teachers will use their own professional judgement in using appropriate touch to communicate and support pupils. Young children will need more than older children. Teachers should also be aware of children who are particularly sensitive to physical contact and be aware of cultural differences.

Physical Restraint Report Form

Names	Signed
When and where incident took place	
Names of staff/children witnessing the incident	
Reason the force was necessary	
How the incident began and progressed	

What was said by the parties	
Steps taken to diffuse or calm the situation	
Pupils response and the outcome of the incident	
Details of injury suffered by the pupil, other pupil or staff and any damage to property	

Completed by: _____ Signed: _____

Date: _____