



**HORRIS HILL  
SCHOOL**

# **The Use of Force or Physical Restraint Policy**

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## The Use of Force or Physical Restraint

- 1. Physical restraint:** All forms of corporal punishment are unlawful and the use of unwarranted physical force is likely to constitute a criminal offence. The use of physical intervention should be avoided if possible. There are circumstances when it is appropriate for Staff to use force to safeguard children. This is enshrined in law and 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.
- 2. Application of code of restraint:** It only applies where no other form of control is available and where it is necessary to intervene. The use of force or physical contact may be reasonable and proportionate in the circumstances to prevent a pupil from doing, or continuing to do any of the following:

  - 2.1** committing a criminal offence;
  - 2.2** injuring themselves or others;
  - 2.3** causing damage to property, including their own; or
  - 2.4** engaging in any behaviour prejudicial to good order and discipline at the School or among any of its pupils, whether that behaviour occurs in a classroom or elsewhere.
- 3. Before intervening:** Before intervening physically you should, wherever practicable, tell the pupil to stop and what will happen if he or she does not. You should continue attempting to communicate with the pupil throughout the incident and should make it clear that physical contact or restraint will stop as soon as it ceases to be necessary. You should always avoid touching or holding a pupil in a way that might be considered indecent. You should also avoid any form of aggressive contact such as holding, pushing, pulling or hitting which could amount to a criminal assault, nor act in a way that might reasonably be expected to cause injury.
- 4. Inform senior staff:** You should inform the Head immediately following an incident where force has been used. This is to help prevent any misunderstanding or misrepresentation of the incident, and it will be helpful in the event of a complaint. You should include written and signed accounts of those involved, including the pupil. The parents, guardians or carers of the pupil should be informed about serious incidents involving the use of force. The Head will advise as to when parents should be contacted.
- 5. Action taken in self-defence or in an emergency:** The law allows anyone to defend themselves against an attack provided they do not use more force than is necessary. Similarly, where a pupil is at risk of immediate injury or on the point of inflicting injury on someone else, any member of Staff (whether authorised or not) would be entitled to intervene.

**6. Using reasonable force:** There is no legal definition of “reasonable force”. It will always depend on the circumstances. The term ‘reasonable force’ covers the broad range of actions used by staff that involve a degree of physical contact to control or restrain children. This can range from guiding a child to safety by the arm, to more extreme circumstances such as breaking up a fight, or where a young person needs to be restrained to prevent violence or injury. ‘Reasonable’ in these circumstances means ‘using no more force than is needed’. The use of force may involve either passive physical contact, such as standing between pupils or blocking a pupil’s path, or active physical contact such as leading a pupil by the arm out of the classroom. Note that:

- 6.1 any use of force should be proportionate to the behaviour of the pupil involved and the seriousness of the harm prevented;
- 6.2 you should recognise the additional vulnerability of children with SEN, disabilities and certain medical conditions before using reasonable force;
- 6.3 physical force could not be justified to prevent a pupil from committing a trivial misdemeanour;
- 6.3 any force should always be the minimum needed to achieve the desired result; and
- 6.4 whether it is reasonable to use force and the degree of force that could be reasonably employed might also depend on the age, understanding and sex of the pupil.

### **Physical contact in other circumstances**

There are occasions when it is entirely appropriate and proper for staff to have physical contact with pupils, but it is crucial that they only do so in ways appropriate to their professional role. A ‘tactile’ teaching style is entirely unacceptable at Horris Hill School.

Staff must ensure they are fully conversant with the Physical Intervention Policy.

If physical contact is made with pupils this should be in response to their needs at the time, of limited duration and appropriate.

Staff should use their professional judgement at all times about the appropriateness of any physical contact. Physical contact should never be secretive, or for the gratification of the adult, or represent a misuse of authority. If a member of staff believes that an action could be misinterpreted, the incident and circumstances should be made clear to the Headmaster.

Physical contact that occurs regularly with an individual pupil is likely to raise questions unless the justification for this is part of a formally agreed behavioural or educational plan (for example in relation to pupils with specific learning needs or physical disabilities). Any such contact should be the subject of an agreed and open school policy and subject to review.

#### ***This means that staff should:***

- be aware that even well intentioned physical contact may be misconstrued by the pupil, an observer or by anyone to whom this action is described
- never touch a pupil in a way which may be considered indecent or unnecessary

- always be prepared to explain actions and accept that all physical contact be open to scrutiny
- 7 **When physical contact may be appropriate:** Physical contact with a pupil may be necessary and beneficial in order to demonstrate a required action, or a correct technique in, for example, singing and other music lessons or during PE, sports and games. Any physical contact should be in response to the pupil's needs, of limited duration and appropriate to the pupil's age, stage of development, gender, ethnicity and background. Physical contact can be easily misinterpreted and should be limited. Staff should use professional judgement.
  - 8 **Guidance on using physical contact:** You should observe the following guidelines (where applicable):
    - 8.1 explain the intended action to the pupil;
    - 8.2 do not proceed with the action if the pupil appears to be apprehensive or reluctant, or if you have other concerns about the pupil's likely reaction;
    - 8.3 ensure the physical contact continues for as short a time as possible;
    - 8.4 ensure that the door is open and if you are in any doubt, ask a colleague or another pupil to be present during the demonstration; and
    - 8.5 consider alternatives if it appears likely that the pupil might misinterpret the contact.
  - 9 **Report concerns:** If you are at all concerned about any instance of physical contact, inform the Headmaster without delay, and make a written record and on the pupil's file if necessary.
  - 10 **Offering comfort to distressed pupils:** Touching may be appropriate where a pupil is in distress and needs comforting. You should use your own professional judgement when you feel a pupil needs this kind of support and should be aware of any special circumstances relating to the pupil. For example, a child who has been abused may find physical contact particularly difficult. You should always notify the Headmaster when comfort has been offered, record the action and should seek guidance if unsure whether it would be appropriate in a particular case.
  - 11 **Administering first aid:** When administering first aid you should explain to the child what is happening and ensure that another adult is present or is aware of the action being taken. The treatment must meet the School's health and safety at work rules and intimate care guidelines, and parents, guardians or carers should be informed. Staff should:
    - 11.1 adhere to the School's Medical Policy on first aid and administering medication;
    - 11.2 comply with the necessary reporting requirements;
    - 11.3 make other adults aware of the task that is being undertaken;
    - 11.4 explain what is happening;

- 11.5 report and record the administration of first aid by contacting the School's Nurse
  - 11.6 have regard to any health plans; and
  - 11.7 ensure that an appropriate health / risk assessment is undertaken prior to undertaking certain activities.
- 12 **Pupils' entitlement to privacy:** Children are entitled to privacy when changing or showering. However there still must be an appropriate level of supervision to ensure safety. You should:
- 12.1 avoid physical contact or visually intrusive behaviour when children are undressed;
  - 12.2 announce yourself when entering changing rooms and avoid remaining unless required;
  - 12.3 not shower or change in the same place as children; and
  - 12.4 not assist with any personal care task which a pupil can undertake themselves.
- 13 **Intimate care:** Sometimes intimate care is required, for example when assisting with toileting or removing wet clothes. You should:
1. comply with the School's Intimate Care Guidelines;
  2. advise other Staff of the task being undertaken and consult where there is any change from the agreed procedure. A record should be kept of the justification for any variations and this information should be shared with parents, guardians or carers;
  3. explain to the child what is happening;
  4. comply with applicable professional codes of practice, as appropriate; and
  5. comply with regularly reviewed, formally agreed plans, as appropriate.
- 14 **Where a child has been abused:** Where a child has previously been abused, Staff should be informed on a 'need to know' basis, and should be extra cautious when considering the necessity of physical contact. Some children may seek inappropriate physical contact. Staff should sensitively deter the pupil and help them understand the importance of personal boundaries. Such incidents should be reported and discussed with the Designated Safeguarding Lead and where appropriate parents, guardians or carers.
- 15 **Children with special educational needs or disabilities:** Some children may need more physical contact to assist their everyday learning, which should be agreed and understood by all concerned, justified, openly applied and open to scrutiny. The Designated Safeguarding Lead and SENCO will establish whether any reasonable adjustments are required for such pupils.