

# The Federation of the Church Schools of Shalfleet and Yarmouth

## Achieving Together for a Brighter Future



# PHYSICAL INTERVENTION A STATEMENT OF POLICY

Approved by	CW
Portfolio	Safeguarding
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Policy Type	Non Statutory
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Signed: \_\_\_\_\_ Date: \_\_\_\_\_

# PHYSICAL INTERVENTION WITH PUPILS POLICY

## 1.0 Introduction

This policy is based on Department for Education (DfE) guidance "Use of reasonable force. Advice for headteachers, staff and governing bodies (July 2013). The Federation of the Church Schools of Shalfleet and Yarmouth recognise that there is a need, reflected in common law, to intervene when there is an obvious risk of safety to its pupils, staff and property.

The Federation of the Church Schools of Shalfleet and Yarmouth is committed to ensuring that all our staff and adults with responsibility for pupil's safety and welfare will deal professionally with all incidents involving aggressive or reckless behaviour, and only use physical intervention as a last resort in line with DfE guidance. If used at all it will be in the context of a respectful, supportive relationship with the pupil. We will always aim to ensure minimal risk of injury to pupils and staff.

School staff have a power to use reasonable force and lawful use of the power will provide a defence to any related criminal prosecution or other legal action. All our staff are authorised to use physical intervention (see paragraph 10.0 of this document for details).

The nominated member of the Federation's Leadership Team with responsibility for advising on the implementation of this policy is the Head Teacher.

It is important to recognise that the use of restrictive physical interventions needs to be consistent with the Human Rights Act (1998) and the United Nations Convention on the Rights of the Child (ratified 1991). These are based on the assumption that every child and person is entitled to:

- respect for his or her private life
- the right not to be subjected to inhuman or degrading treatment
- the right to liberty and security
- the right not to be discriminated against in his/her enjoyment of those rights.

Restrictive physical interventions need to be child specific and should always be reasonable and proportional to the circumstances. They should recognise the need to maintain dignity of all concerned as well as always being intended to preserve their safety. The Statutory Framework for the Early Years Foundation Stage (EYFS) states that physical intervention can only be taken for the purposes of averting immediate behaviour if absolutely necessary

## 2.0 School Expectations

The best practice regarding physical intervention outlined below should be considered alongside other relevant policies in the school, specifically those policies involving behaviour, peer on peer abuse, child protection and health and safety.

Section 93 of the Education and Inspections Act (2006) enables school staff to use such force as is reasonable in a range of circumstances including:

- **Risk to the safety of the staff, pupils or visitors;**
- **Risk of serious damage to property;**
- **Behaviour which is seriously prejudicial to good order and discipline; or**
- **The committing of a criminal offence.**

*The Headteacher authorises all members of staff employed by the school to undertake reasonable force in the above mentioned circumstances.*

In the above situations, staff must judge whether or not physical interventions would be reasonable or appropriate. This judgment will take into account the circumstances of the incident. All staff should be aware that the use of physical intervention in response to a clear or developing danger of injury will always be more justifiable than the use of force to prevent damage or misbehaviour. The judgement over which

approach to adopt in any circumstances will be based on the professional experience and expertise of the member of staff concerned taking account of:

- The duties and responsibilities consistent with the approach of a good parent;
- Action which is reasonable in relation to the circumstances; and
- An approach which is appropriate for the purpose

The Federation of the Church Schools of Shalfleet and Yarmouth is committed to ensuring that all staff and adults with responsibility for children's safety and welfare will deal professionally with all incidents involving aggressive behaviour, and only use physical intervention as a last resort, in line with DfE advice, and always ensuring minimal risk of injury to pupils and staff. If pupils are behaving disruptively or anti-socially, every effort will be made to manage behaviour positively to prevent a deterioration of the situation and to restore a safe, secure environment.

Our staff will understand the importance of listening to and respecting pupils to create an environment that is calm and supportive especially when dealing with pupils who may have emotional and behavioural needs that may increase their aggression. All our staff will understand the importance of responding to the feelings and wellbeing of the pupil, as well as to the behaviour itself.

### **3.0 Our Practice Regarding Specific Incidents:**

Staff intervening with pupils will seek assistance from other members of staff as early as possible, since single-handed intervention increases the risks of injury to both parties and does not provide a witness.

All staff who become aware that another member of staff is intervening physically with a pupil will have responsibility to provide a presence and to offer support and assistance should this be required.

Where possible, staff who have not been involved in the initial confrontation leading up to an incident may be in a better position to intervene or restrain the pupil if this proves necessary.

A pupil's behaviour may be adversely affected by the presence of an audience. Wherever possible, the audience will be removed, or if this is not possible, the pupil will be removed from the audience. The pupil and members of staff will withdraw to a quiet, but not completely private, place. Two members of staff should be present or a door left open so that others are aware of the situation.

Staff will be aware of the need to tell the pupil being restrained, in a calm and gentle manner that the reason for the intervention is to keep the pupil and others safe.

All staff should be supported by a back-up system to enable staff to call for help in emergencies.

### **4.0 Physical Intervention/Restraint Approaches which can be regarded as reasonable in appropriate circumstances**

The following approaches are regarded as reasonable in appropriate circumstances, after having used de-escalation techniques:

- a. standing between pupils;
- b. blocking a pupil's path;
- c. leading a pupil by the hand, forearm or arm, or arm and shoulder;
- d. ushering a pupil away by placing a hand in the centre of the back;
- e. in more extreme circumstances, using appropriate restrictive holds, which may require specific training.

### **5.0 Holds to be avoided in all circumstances**

5.1 The following holds must **not** be used.

- holding a pupil around the neck, or by the collar, or in any other way that might restrict a pupil's ability to breathe
- slapping, punching or kicking a pupil
- twisting or forcing limbs against a joint
- tripping a pupil
- holding a pupil by the hair or ear
- holding a pupil face down on the ground.

### **Additional advice for employees**

Staff are expected to apply professional judgement to determine the level of danger to the pupil or to others, including themselves. In considering whether any form of intervention is appropriate staff should consider the following:

- The age and previous conduct of the pupils in relation to the likelihood of the use of force precipitating a violent confrontation;
- The likely effectiveness of alternative responses to the situation;
- The seriousness and likely consequences of the developing incident;
- The extent to which any physical intervention could lead to a further breakdown of discipline.

Physical intervention, when applied, should be passive in intent, with minimum application of force and through limitation of movement and should not include physical blows . As soon as it is safe to do so the intervention should be gradually eased to allow the pupil to gain self-control.

### **6.0 Recording an Incident**

It is important that there is a detailed written report, using the relevant form, whenever force is used. This may prevent misunderstandings and will be invaluable should there be a complaint.

Notes will also be made in the same way by any other members of staff involved, such as a witnesses or additional providers of support. The notes will be signed and dated on the same day.

The notes must contain the following information:

- the name and the job title of the member of staff who used reasonable force
- the name of the pupil involved
- when and where the incident took place
- names of staff and pupils who witnessed the incident
- the reason the force was necessary

The Description of the incident should include:

- behaviour of the pupil which led up to the incident
- any attempts to resolve the situation
- what was said by staff and pupils
- the degree of force used
- how it was applied
- how long it was used for
- the pupil's response and the eventual outcome
- details of any injuries suffered by either staff or pupils
- details of any damage to property
- details of any medical treatment required (an accident form will be completed)
- details of any follow-up, including contact with the parents/carers of the pupil involved
- any other relevant details e.g., the involvement of any other agency

Pupil witnesses may also be asked to provide a written account if appropriate.

These notes should be kept in the incident file.

## **7.0 Debrief**

After any incident of physical intervention a debrief will take place for staff and pupils.

A plan will be agreed with the student moving forward for positive behaviour reinforcement.

## **8.0 Parents**

Parents / carers will be informed of the school's policy regarding physical intervention in the following ways:

- This policy will be displayed on the school website.

Parents/ carers will be informed after a non-routine incident where physical intervention is used with their child.

## **8.0 Complaints**

If a parent/carer or pupil is concerned about any aspect of the management of an incident requiring physical intervention, they should inform the Headteacher of their concern. If the concern relates to action by the Headteacher, the parent/carer should contact the Chair of Governors and follow the normal school complaint procedures.

All complaints about the use of force should be thoroughly, speedily and appropriately investigated.

This policy should be read in conjunction with:  
Keeping Children Safe in Education (2018)  
Working Together to Safeguard Children (2018)  
Child Protection and Safeguarding  
Code of Conduct for Safe Working Practice  
Allegations against Staff  
Complaints  
Inclusion  
Equality





## Staff Incident Debrief Form

**Staff involved:**

**Supported by:**

**Discussion points:**

**Points for further consideration/sharing:**

**To the staff involved. Is there anything further you require or person you would like to see?**

**Signature of staff involved:**

**Signature of support colleague:**

Date:



## Supporting a young person after a physical intervention

What happened? (The young person's view)

What happened? The adults view

Looking for patterns

Planning for the future

Young person's printed name:

Signature:

Adult printed name:

Signature:

Incident date:

Incident time: