



RESTRAINT POLICY

INTRODUCTION

1. This policy is a 'Whole School Policy' and informs practice in the Senior School, Prep School and Nursery. This policy has been produced in line with the following documents:

- 'Use of reasonable force in schools', Department for Education, 2013;
- Education and Inspections Act 2006, Section 91–93;
- 'Behaviour and discipline in schools: advice for headteachers and school staff', Department for Education, 2016; and
- 'The special educational needs and disability code of practice: 0 to 25 years', Department for Education and Department of Health, 2015.

WHAT MIGHT BE DEEMED 'REASONABLE'?

2. There is no legal definition of 'reasonable force' as circumstances will always dictate what might be regarded as acceptable and what is not. 'Reasonable force' covers the broad range of actions used by most teachers at some point in their career that involve a degree of physical contact with pupils. Force is usually used either to control or restrain. This can range from guiding a pupil to safety by the arm through to more extreme circumstances such as breaking up a fight, or restraining a pupil to prevent violence or injury. It is always unlawful to use force as a punishment.

3. Restraint is permissible. There will be times when staff feel that they need to intervene physically to keep children safe (or to keep staff safe). Nothing in this policy is intended to undermine actions of adults that we would expect from any reasonable parent to keep their child safe or to imply a 'no touch' approach. We expect adults to be skilled and confident in finding the best ways to keep children safe; ways that promote their rights and respect their dignity.

HOW MIGHT FORCE OR RESTRAINT BE USED?

4. Reasonable force can be used to prevent pupils from hurting themselves or others, from damaging property, or from causing disorder. The decision on whether or not to physically intervene is down to the professional judgement of the staff member concerned and should always depend on the individual circumstances. Examples of situations where members of staff may use reasonable force include:

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

Staff should not intervene physically if there is risk that restraint could be misinterpreted (e.g. considered indecent). When evaluating a restraint or a restriction of liberty, the legislation requires us to consider:

- Was this action legal and necessary – for example, was this action taken to prevent a child injuring themselves or someone else or causing serious harm to property or in a school to maintain good order and discipline?
- Could this action be considered as ‘reasonable’ in this particular circumstance? Was it the minimum force necessary? Was it proportionate?

WHO CAN USE REASONABLE FORCE?

5. The power to use reasonable force 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.

UNACCEPTABLE TECHNIQUES

6. The DfE identifies certain restraint techniques which present an unacceptable risk when used on children and young people. These techniques 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

ACTION TO BE TAKEN AFTER AN INCIDENT WHERE FORCE HAS BEEN USED

7. All incidents where restraint has been used must be reported as soon as possible to the Head or the Prep Head and a written record made of the incident outlining:

- the names of those involved
- when and where the incident occurred
- names of staff and pupil who witnessed the incident
- the reason that force was necessary (e.g. to prevent injury)
- a brief description of how the incident developed and the steps taken to calm the situation
- what force was used and for how long
- the pupil’s response and the outcome of the incident
- details of any injuries sustained, damage caused and action taken to deal with these.

NOTIFYING PARENTS OF PHYSICAL CONTACT

8. DfE guidance states it is good practice for schools to speak to parents about serious incidents involving the use of force although the decision is at the discretion of the school (see Use of reasonable force: DfE 2013).

EYFS SPECIFIC GUIDANCE

9. Early Years Foundation Stage (EYFS) children refer to children in the nursery and reception class aged 2 to 5 years. The behavior of children is managed as identified in the *Behaviour for Learning Policy*. Physical intervention will only be used for averting immediate danger of personal injury to any person (including the child) or to manage a child's behaviour if absolutely necessary. Where this does arise, the incident will be recorded and reported to parents on the same day or as soon as practically possible. Staff are reminded that it is an offence to give corporal punishment to a child and it should not be given or threatened.

OTHER PHYSICAL CONTACT WITH PUPILS

10. It is not illegal to touch a pupil and that there are occasions when physical contact with a pupil is 'proper and necessary'. Examples of where touching a pupil might be proper or necessary, include:

- Holding the hand of the child at the front/back of the line when going to assembly or when walking together around the school
- When comforting a distressed pupil
- When congratulating or praising a pupil
- When demonstrating how to use a musical instrument
- When demonstrating exercises or techniques during PE lessons or sports coaching
- When giving first aid

This policy was approved by the Academic Committee on 8 Oct 18.