

Legal Framework

Physical Restraint should be limited to emergency situations and used only in the last resort. Under the Children (NI) Order 1995, it is only permissible as described under the heading "Physical Control".

Article 4 of the Education (N.I.) Order 1998 clarifies powers that already exist in common law.

It enables teachers and other members of staff in the school, authorised by the Headteacher, to use such force as is reasonable in the circumstances, to prevent a pupil from:

- Committing an offence;
- Causing personal injury to, or damage to the property of, any person (including the pupil himself); or
- Engaging in any behaviour prejudicial to the maintenance of good order and discipline at the school or among its pupils, whether during a teaching session or otherwise.

Examples of possible situations and further information are given in the DCSF document 'The use of force to control or restrain pupils'.

What does it mean to restrain a child?

Physical restraint is the positive application of force with the intention of protecting the child from harming himself or others or seriously damaging property. The proper use of physical restraint requires skill and judgement, as well as knowledge of non-harmful methods of restraining.

Why use restraint?

Physical restraint should avert danger by preventing or deflecting a child's action or perhaps by removing a physical object, which could be used to harm himself/herself or others. Physical restraint skilfully applied may be eased by degrees as the child calms down in response to the physical contact. It is only likely to be needed if a child appears to be unable to exercise self-control of emotions and behaviour.

General aims

The staff at Baynards Primary School recognise that the use of reasonable force is only one of the strategies available to secure pupil safety/well-being and also to maintain good order and discipline.

Our policy on the use of reasonable force is part of our overall pastoral care policy and closely related to our policies on managing pupil behaviour in the "Behaviour and Discipline Policy" and "Child Protection Policy".

Aims

- To protect every person in the school community from harm.
- To protect all pupils against any form of physical intervention which is unnecessary, inappropriate, excessive or harmful.
- To provide adequate information and training for staff so that they are clear as to what constitutes appropriate behaviour and to deal effectively with violent or potentially violent situations.
- To give full support to staff who have been assaulted or have suffered verbal abuse from pupils or others.

Risk Assessment

Although most young people at Baynards Primary School will never require any form of physical restraint, staff may have to deal with some young people who exhibit disturbed, distressed and distressing behaviour. It is therefore necessary to carry out a risk assessment.

We will attempt to reduce risk by managing:

- The environment
- Body language
- The way we talk
- The way we act

Environmental Risk Assessment

We will complete a risk analysis within the school and put in place strategies to minimise these risks in identified locations.

Individual Risk Assessment

If we become aware that a pupil is likely to behave in a disruptive way that may require the use of reasonable force, it is our intention to plan how to respond if the situation arises. Such planning needs to address:

- Managing the pupil (e.g. reactive strategies to de-escalate a conflict, holds to be used if necessary);
- Involving the parents to ensure that they are clear about the specific action the school might need to take;
- Briefing staff to ensure they know exactly what action they should be taking (this may identify a need for training or guidance);
- Ensuring that additional support can be summoned if appropriate.

Procedures

In the event of physical restraint having been used it is important to consider the strategies, which are deemed acceptable, and the recording procedures that should be in place.

Action Steps:

- Tell the pupil who is misbehaving to stop and state possible consequences of failure to do so;
- If possible summon another adult;
- Continue to communicate with the pupil throughout the incident;
- Make it clear that restraint will be removed as soon as it ceases to be necessary.

Appropriate follow-up action should be taken, which may include:

- Providing medical support
- Providing respite for those involved

* A calm and measured approach to a situation is needed and staff should never give the impression that they have lost their temper or are acting out of anger or frustration when handling a problem.*

Recording

Staff should record all incidents of restraint in accordance with School Policy and report these to the Headteacher using the agreed Local Authority format (copies available in the school office).

Parents/carers should be contacted as soon as possible and the incident explained to them. This action should also be recorded.

Complaints

We all have a duty of care to the young people in our school and cannot escape our legal responsibilities by avoiding taking appropriate and necessary action. Involving parents when an incident occurs with their child, together with a clear policy adhered to by the staff, and should help to avoid complaints from parents. It will not prevent all complaints, however, and a dispute about the use of force by a member of staff might lead to an investigation, either under disciplinary procedures or by the Police and social services department under child protection procedures.

Staff, subjected to physical violence or assault, have the right to be supported in making a formal complaint to the police and, if necessary, taking private action against an assailant.

It is our intention to inform all staff, pupils, parents and governors about these procedures and the context in which they apply.

We will review this policy on a yearly basis.

Statement for Parents

In keeping with our home/school partnership, we will inform all parents/carers of our policy on Physical Restraint by making the policy available.

Training

All members of staff will receive training to prevent violent behaviours.

All staff will receive training as the last resort to restrain if the child is:

- Committing an offence;
- Causing personal injury to, or damage to the property of, any person (including the pupil himself); or
- Engaging in any behaviour prejudicial to the maintenance of good order and discipline at the school or among its pupils, whether during a teaching session or otherwise.

Completed by NM
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