

**HOLTSMERE END JUNIOR SCHOOL  
PUPIL RESTRAINT POLICY**

**January 2010**

**Review 2012**

At Holtsmere End Junior School our aim is to provide a welcoming, secure and safe environment.

This policy should be read in conjunction with the guidance issued from time to time by the DCSF. The school follows the principles and recommendation set out in this guidance. It should also be read in conjunction with the school's pupil behaviour policies. Our aim is to create an environment in which the use of force in relation to a pupil is unlikely.

**Circumstances in which reasonable force may be used**

Section 550A of the Education Act 1996 allows teachers and other persons who are authorised by the Headteacher to use force as is reasonable in all the circumstances to prevent a pupil from doing or continuing to do, any of the following.

- Commit a criminal offence (including behaving in a way that would be an offence if the pupil were not under the age of criminal responsibility)
- Injuring themselves or others
- Causing damage to property (including the pupils own property)
- Engaging in any behaviour prejudicial to maintaining good order and discipline.

**Staff authorised to use force**

The staff to which this power applies are defined in section 95 of the Act. They are:

1. Any teacher who works at the school and
2. Any other person whom the headteacher has authorised to have control or charge of pupils. This includes:
  - Support staff whose job normally includes supervising pupils such as teaching assistants, lunch time supervisors and office staff.
  - Can include people to whom the headteacher has given temporary authorisation i.e. a member of staff who does not normally supervise children or a volunteer (for example a parent accompanying pupils on school-organised visit)

**Reasonable Force**

There is no legal definition of when it is reasonable to use force but the following are guidelines:

- Whether it is reasonable to use force will always depend on the precise circumstances of individual cases
- The degree of force used must be proportional to the consequences it is intended to prevent.
- Any force must be the minimum needed to achieve the desired result.
- The use of force to prevent trivial behaviour is not justified.

### **Deciding whether to use force**

Judgement on whether to use force and what force to use depends upon the circumstances of each case. Any force used should always be the minimum needed to achieve the desired result.

#### **Staff need to make judgements about:**

- The seriousness of the incident, assessed by the effect of the injury, damage or disorder which is likely to result if force is not used.
- The chances of achieving the desired result by other means.
- The relative risks associated with physical intervention compared with using other strategies.

Wherever possible these judgements should take account of the particular characteristics of the pupil, including age, SEN or disability the pupil may have.

### **Using force**

Before using force staff should wherever practicable, tell the pupil to stop misbehaving and what will happen if they do not. The member of staff should communicate in a calm and measured manner throughout the incident. Staff are advised that as far as possible, they should not use force unless or until another responsible adult is present to support, observe and call for assistance.

Types of force used could include

- Standing between pupils or blocking a pupil's path
- Leading a pupil by the hand or arm
- Ushering a pupil away by placing a hand in the centre of the back
- In more extreme circumstances using appropriate restricting holds, which may need specific expertise or training.
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Where there is a high and immediate risk of injury, any member of staff would be justified in taking any necessary action (consistent with the principle of seeking to use the minimum force required to achieve the desired result). For example to prevent a pupil running off the pavement onto a busy road, or to prevent a pupil hitting someone, or throwing something.

There are some situations where it is better to remove the rest of the pupils from the class if a child is a danger to them. The child causing the problem can then be dealt with.

Staff should always avoid touching or restraining a pupil in a way that could be interpreted as sexually inappropriate conduct.

### **Recording incidents**

It is important that there is a detailed, contemporaneous, written report of any occasion (except minor or trivial incidents) where force is used. See Annex A

Parents/carers will be informed of any recordable incident and will usually be offered an opportunity to discuss the incident with the Headteacher, Deputy Headteacher or appropriate class teacher and given a copy of this policy.

All injuries will be recorded in accordance with the school's Health and Safety Policy.

The Headteacher will make an annual report to the Governing Body as to the recordable incidents.

**Complaints**

Any complaints or allegations about the use of force to restrain or control children will be dealt with in accordance with the school's complaints procedure.

**Post Incident Support**

Appropriate post-incident support will be provided as set out in the guidance.

**Staff Training**

It is the responsibility of the Headteacher to ensure that staff are fully informed of the school's policy and understand what authorisation entails. The Headteacher will arrange training and guidance to staff as appropriate.

**Review**

This policy will be reviewed by staff and Governors. In addition parents are invited to comment on this policy.

**USE OF FORCE TO CONTROL OR RESTRAIN PUPILS: INCIDENT RECORD**

<b>Details of pupil on whom force was used by a member of staff (name, class)</b>	
<b>Date, time and location of incident</b>	
<b>Names of Staff involved (directly or as a witness)</b>	
<b>Details of other pupils involved directly or as witnesses, including any pupils involved who were vulnerable – SEN, disability, medical or social reasons</b>	
<b>Description of incident by staff involved, including any attempts to de-escalate and warnings that force might be used.</b>	
<b>Reason for using force and description of force used.</b>	
<b>Any injury suffered by staff or pupils and any first aid required.</b>	
<b>Follow up, including post-incident support, any disciplinary action against pupils</b>	
<b>When and how parent/carer informed and any views expressed</b>	
<b>Has any complaint been lodged</b>	
<b>Report compiled by:</b> <b>Name:</b> <b>Role:</b> <b>Signature:</b> <b>Date:</b>	<b>Report countersigned by:</b> <b>Name:</b> <b>Role:</b> <b>Signature:</b> <b>Date:</b>