



NEWHALL

PRIMARY ACADEMY AND NURSERY

“Aiming high; Reaching higher”

Physical Intervention Policy

Audience:	Parents School staff Local Governing Bodies
Approved:	September 2020
Other related policies:	Positive Behaviour Management Child Protection and Safeguarding SEND Equalities
Policy owner:	Charmaine Ward
Policy model:	Newhall
Review:	Reviewed June 2022
Version number:	3

Honesty Respect Responsibility Resilience Aspiration Reflection

At Newhall Primary Academy and Nursery, we are committed to a positive behaviour policy which encourages children to make positive behaviour choices. On rare occasions circumstances may result in a situation that requires some form of physical intervention by staff. Our policy for physical intervention is based upon the following principles and is in line with the DFE Use of reasonable force guidance

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/444051/Use_of_reasonable_force_advice_Reviewed_July_2015.pdf

- Physical intervention should be used only as a last resort when other appropriate strategies have failed and the child is placing themselves or others at risk of harm.
- Any physical contact should be only the minimum required.
- Physical intervention must be used in ways that maintain the safety and dignity of all concerned.
- Incidents must be recorded and reported to the Head Teacher as soon as possible.
- Parents will be informed of each incident.

The Legal Framework

Section 93 of the Education & Inspections Act 2006 allows 'teachers and other persons who are authorised by the Head Teacher who have control or charge of pupils to use such force as is reasonable in all the circumstances to prevent a pupil from doing, or continuing to do, any of the following:

causing injury to his/herself or others
committing an offence
damaging property
prejudicing the maintenance of good order & discipline

Our approach

At Newhall Primary Academy and Nursery, we aim to avoid the need for physical intervention and regard this as a last resort in a minority of situations. We always aim to deal with behaviour using a positive approach and therefore this policy should be read in connection with our Behaviour Policy.

It is not possible to define every circumstance in which physical restraint would be necessary or appropriate and staff will have to exercise their own judgement in situations which arise within the above categories. Staff should always act within the school's policy on behaviour, particularly in dealing with disruptive behaviour.

Staff should be aware that when they are in charge of children during the school day, or during other supervised activities, they are acting in loco parentis and have a 'Duty of Care' to all children they are in charge of. They must, therefore, take reasonable action to ensure all pupils' safety and wellbeing. Staff are not expected to place themselves in situations where they are likely to suffer injury as a result of their intervention.

Use of physical restraint

Physical restraint should be applied as an act of care and control with the intention of re-establishing verbal control as soon as possible and, at the same time, allows the pupil to regain self-control. It should never take a form which could be seen as punishment.

Staff are only authorised to use reasonable force in applying physical restraint, although there is no absolute definition of this. What constitutes reasonable force depends upon the particular situation and the pupil to whom it is being applied. As a general rule, only the force necessary to stop or prevent danger should be used, in accordance with the guidelines below. In all circumstances, alternative methods should be used as appropriate with physical intervention or restraint, as last resort.

When physical restraint becomes necessary:

- Tell the pupil what you are doing and why
- Use the minimum force necessary
- Involve another member of staff if possible
- Tell the pupil what s/he must do for you to remove the restraint (this may need frequent repetition)
- Use simple and clear language
- Hold limbs above a major joint if possible e.g. above the elbow
- Relax your restraint in response to the pupil's compliance

Actions after an incident

Physical restraint often occurs in response to highly charged emotional situations and there is a clear need for debriefing after the incident, both for the staff involved and the pupil. The Head Teacher or Nursery Manager should be informed of any incident as soon as possible and will take responsibility for making arrangements for debriefing once the situation has stabilised. An appropriate member of the teaching staff should always be involved in debriefing the pupil involved and any victims of the incident should be offered support, and their parents informed.

If the behaviour is part of an ongoing pattern it may be necessary to address the situation through the development of a Positive Handling Plan, which may include an anger management programme, or other strategies agreed by the SENCO.

It is also helpful to consider the circumstances precipitating the incident to explore ways in which future incidents can be avoided.

All incidents should be recorded immediately on the Pupil Restraint Form (attached as an appendix). All sections of this report should be completed so that any patterns of behaviour can be identified and addressed. In the event of any future complaint or allegation this record will provide essential and accurate information.

A copy should be filed in the child's appropriate file and in a central school file in order to inform individual and school risk assessments.

A member of the leadership team will contact parents as soon as possible after an incident, normally on the same day, to inform them of the actions that were taken and why, and to provide them with an opportunity to discuss it.

Risk Assessments

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

- Strategies to be used prior to intervention
- Ways of avoiding 'triggers' if these are known
- Involvement of parents to ensure that they are clear about the specific action the school might need to take
- Briefing of staff to ensure they know exactly what action they should be taking (this may identify a need for training or guidance)
- Identification of additional support that can be summoned if appropriate
- The school's duty of care to all children and staff

Complaints and Allegations

A clear restraint policy, adhered to by all staff and shared with parents, should help to avoid complaints from parents. It is unlikely to prevent all complaints, however, and a dispute about the use of force by a member of staff might lead to an investigation, either under the complaints disciplinary or allegation management procedures.

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

Nursery Government Guidance

Managing children's behaviour (taken from EYFS Framework 2021)

3.53.Providers are responsible for managing children's behaviour in an appropriate way.

3.54.Providers must not give or threaten corporal punishment to a child and must not use or threaten any punishment which could adversely affect a child's well-being. Providers must take all reasonable steps to ensure that corporal punishment is not given by any person who cares for or is in regular contact with a child, or by any person living or working in the premises where care is provided. Any early years provider who fails to meet these requirements commits an offence. A person will not be taken to have used corporal punishment (and therefore will not have committed an offence), where physical intervention was taken for the purposes of averting immediate danger of personal injury to any person (including the child) or to manage a child's behaviour if absolutely necessary. Providers, including childminders, must keep a record of any occasion where physical intervention is used, and parents and/or carers must be informed on the same day, or as soon as reasonably practicable.



Record of Physical Intervention or Restraint

Date of Incident:

Pupils Name:

Time of Incident:

Class:

Members of staff involved:

Adult witnesses to the physical intervention:

Pupil witnesses to the physical intervention:

Outline of event leading to physical intervention:

Outline of physical intervention (including restraint method used):

Outcome of the physical intervention including any injuries/treatment:

Details of parents/carers informed of incident:

Member of SLT to make contact:

Outline of parents/carers response:

Signature of staff completing report:

Signature of SLT: