



BOHUNT EDUCATION TRUST PHYSICAL INTERVENTION POLICY

1. Purpose

The purpose of this policy is to make clear the position of Bohunt Education Trust (BET) with regards to necessary physical interventions and to safeguard the well-being of students and staff when a situation or incident requires the use of physical intervention.

BET schools recognise that the use of physical restraint is a sensitive topic. This document is meant to provide reassurance and support to teachers and to ensure that practice is always in the best interests of the students concerned.

2. Physical Intervention and the Law

Who can use reasonable force?

All members of school staff have a legal power to use reasonable force¹. This power applies to any member of staff at the school. It can also apply to people whom the BET school's headteacher has temporarily put in charge of pupils such as unpaid volunteers or parents accompanying students on a school organised visit.

When can reasonable force be used?

Reasonable force can be used to prevent pupils from hurting themselves or others, from damaging property, or from causing disorder. In a school, force is used for two main purposes – to control pupils or to restrain them. 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.

What does not constitute physical intervention?

Physical intervention does not include the use of gentle physical prompting or guidance where the child is happy to comply and the aim is to assist him or her to participate appropriately in activities.

There are other situations where physical contact may be necessary eg; demonstrating exercises in PE lessons; administering first aid; or offering comfort to a distressed pupil. This does not constitute restraint but staff should be conscious of pupil perceptions and recognise that for some pupils touching may be unwelcome and misinterpreted despite good intentions.

Power of members of staff to use force

1. A person to whom this section applies may use such force as is reasonable in the circumstances for the purpose of preventing a pupil from doing (or continuing to do) any of the following, namely:
 - a. committing any offence,
 - b. causing personal injury to, or damage to the property of, any person (including the pupil himself), or
 - c. prejudicing the maintenance of good order and discipline at the school or among any pupils receiving education at the school, whether during a teaching session or otherwise.
2. This section applies to a person who is, in relation to a pupil, a member of the staff of any school at which education is provided for the pupil.
3. The power conferred by subsection (1) may be exercised only where—

¹ Section 93, Education and Inspections Act 2006

- a. the member of the staff and the pupil are on the premises of the school in question, or
 - b. they are elsewhere and the member of the staff has lawful control or charge of the pupil concerned.
4. Subsection (1) does not authorise anything to be done in relation to a pupil which constitutes the giving of corporal punishment within the meaning of section 548 of EA 1996.
 5. The powers conferred by subsection (1) are in addition to any powers exercisable apart from this section and are not to be construed as restricting what may lawfully be done apart from this section.
 6. In this section, "offence" includes anything that would be an offence but for the operation of any presumption that a person under a particular age is incapable of committing an offence.

3. Minimising the need to use force

BET recognises the importance of minimising the need to use any physical force with students. To this end the school works proactively to create an environment that reduces the likelihood of such circumstances by:-

- creating a calm environment that minimises the risk of incidents that might require using force arising
- using Social and Emotional Aspects of Learning approaches to how to manage conflict and strong feelings
- de-escalating incidents if they do arise
- only using force when the risks involved in doing so are outweighed by the risks involved in not using force.
- risk assessments and positive handling plans for individual pupils

4. Definition of Terms:

Handling – refers to any physical intervention applied by a member of staff where it necessary to make physical contact with a student in order to manage their conduct or ensure their own or others safety. Handling strategies may be restrictive or non-restrictive and include shepherding, guiding, supporting, blocking, confining, holding and, in the most extreme cases, restraining.

Use of Reasonable Force – is the application of appropriate and proportionate force required to achieve the required outcome from the handling strategy employed (see above) without further endangering the student, member of staff or others present at the time of physical intervention.

Restraint - is the positive application of force in order to actively prevent a child from causing significant injury* to him/herself or others or seriously damaging property.

*Significant Injury would include: actual or grievous bodily harm, physical or sexual abuse, risking the lives of, or injury to, themselves or others by wilful or reckless behaviour, and self-poisoning.

It must be shown that on any occasion where physical restraint is used there were strong indicators that if immediate action had not been taken, significant injury would have followed.

4. Implementation of Physical Intervention:

All members of staff working with students at the school are authorised to handle, use reasonable force or restrain students if/when such physical intervention is necessary.

No member of staff is required to employ any physical intervention strategy if they are not comfortable or confident to do so effectively.

No member of staff should intervene physically if they have reason to believe that to do so would worsen the situation/incident that is taking place.

In all circumstances where physical intervention is or may become required members of staff should ensure that adult assistance is requested before intervention, although it is understood that circumstances may lead to the need for intervention prior to the assistance arriving.

Staff considering handling, use of reasonable force or restraint must provide opportunity for the student to alter their behaviour/actions before employing a physical intervention strategy and should continue to make instructions to the student and details of their intended interventions clear.

The method of physical intervention employed must use the minimum reasonable force for the minimum length of time (additional guidance regarding what intervention is and is not appropriate is given in Appendix A).

5. Recording Physical Intervention

All incidents where staff feel that they have used force to modify behaviour or conduct should be recorded. It is not necessary to record every incident of contact with a child, but where a member of staff perceives that contact has been received at all negatively, they are advised to record the circumstances.

Intervention Recording Forms are available in the staff room and should be submitted to the designated officer (DO) within the BET school for Safeguarding and then to the Pastoral Heads of Year Office. The Deputy or Head Teacher will be informed of the intervention that has taken place.

It is the responsibility of the intervening member of staff to complete the record form on the day that the intervention took place.

The circumstances and nature of the physical intervention will be held on the record of the student involved.

The school will inform any necessary agencies/authorities of the physical intervention in accordance with DFE guidance. The School will ensure that parents/carers are appropriately informed.

For the safeguarding of both staff and student, any subsequent investigation of the situation/incident should be undertaken by a member of staff other than the one applying the physical intervention.

6. Searching Students

On occasions a member of staff may have reasonable grounds to suspect that a student is in possession of an item or items which contravene school regulations and could potentially cause harm to the student or others. Under these circumstances The Education Act 2011 extends the power of staff to search students without their consent. Searches will be conducted by two members of staff, at least one of whom will be the same sex as the student.

BET schools do not endorse and will not undertake a physical search of any students' person. Where necessary a student will be asked to remove his/her coat and/or blazer, empty all pockets, open their bags and in some circumstances remove their shoes and socks. Possessions and items of apparel that have been removed may then be searched by the staff present.

If undesirable items are discovered the school will use its power of confiscation to retain the offending item(s). Parents/carers, if not present, will be contacted to explain what has been found and any subsequent sanctions that have been applied. Where appropriate, parents/carers will be invited to retrieve the offending property and asked to ensure that they are not brought to school again.

In the event that illegal items are discovered then the Police will be informed immediately.

Appendix A:

Guidance for Staff re: Handling, Use of Reasonable Force & Restraint

1. Purpose of this document

- To provide for the safety and security of pupils in need of physical intervention.
- To clarify for staff, the steps they are allowed to take if a situation requiring physical intervention arises
- To enable staff to distinguish between what intervention is and is not acceptable.
- To help ensure that any physical intervention is minimal, infrequent, recorded and that relevant authorities and parents are appropriately informed.

2. The decision to employ a Physical Intervention Strategy

You should be aware that all staff who have responsibility for a student or group of students are authorised to employ physical intervention strategies in the event they are necessary and that the law allows you to intervene in this manner.

You should however be aware that you have a choice whether or not to intervene physically in any given situation and that you should not do so if you are uncomfortable with the situation or not confident to deal with it effectively.

You should be aware that in the event that you employ a physical intervention strategy, the parents of the child will be informed of your actions, the record of the intervention will be kept on the student's file and where necessary relevant authorities will be notified of the incident for your own future protection.

3. In what way can you Physically Intervene?

Any application of physical intervention must only use the **minimum force** for the **minimum time**.

There are a number of ways in which you can physically intervene and you must choose the strategy appropriate to the situation and presenting least risk to yourself, the student and other persons.

Appropriate actions include;

Shepherding or Guiding; using body positioning and positive gestures to move a student away from harm. This may include the placing of a hand on the back (between the shoulder blades) and using reasonable force to actively move them from one place to another.

Blocking or Interposing; placing yourself between the student and their objective (e.g exit, another student) thereby preventing the potential injury damage or prejudice to good order.

Holding and Leading; gripping the student appropriately (e.g by the upper arm) to prevent them from injury, damage, etc. In cases of resistance from a student, it may be necessary to employ holding to effectively achieve shepherding and, hence you are actively leading them away.

Restraining; used only in the most extreme cases, restraining may require a significant amount of force in order to prevent significant injury (as described in the policy). Essentially, restraining is a more extreme version of holding, may require more than one adult and may last significantly longer than other strategies. However, the same care must be taken to restrain a student appropriately.

4. In what ways must you NOT Physically Intervene?

The purpose of physical intervention is essentially to maintain good order and ensure the safety of all individuals, therefore it is never appropriate to employ a physical intervention strategy if you are not in control of your own emotions. Physical interventions must never be employed in anger or frustration. If you find yourself angry or frustrated by the situation at hand you must step back and allow someone else to manage the issue.

It is never appropriate to use physical intervention strategies as a punishment.

Just as there are a number of acceptable intervention strategies, there are also a number of actions it is completely inappropriate to take.

Inappropriate actions include;

- **Hitting or Striking**; while it is entirely possible that in the course of an intervention (eg. breaking up a fight) you may be hit yourself, you must not strike a student.
- **Deliberately inflicting pain**; it is not okay to twist limbs or put pressure on joints (eg. arm up a student's back), pull or hold hair, pinch or hold a student in a pain inducing way (eg. by the ear).
- **Making contact with sexually sensitive areas of the body**; where at all possible contact should be restricted to arms, shoulders and the back as previously described.
- **Restricting breathing**; by holding round the throat or for a prolonged period around the chest. It is also never appropriate to sit on/straddle a student or hold them face down to the floor.

5. Guidance for managing your intervention

- Always give a student an opportunity to resolve the situation without use of physical intervention first.
- Always send for assistance from colleagues or another authorised adult; other students should never be involved in physical intervention. You may have to intervene before help arrives, but not managing this entirely on your own is safer for all concerned.
- Be aware of your emotions. Are you comfortable and confident to deal with this scenario without anger? If not – don't intervene.
- Continue to communicate with the student (and witnesses) throughout the incident even if the student doesn't respond. Be clear about what you are doing and inform the student that the intervention will cease when it is no longer necessary.
- Apply only appropriate strategies and the minimum required force to achieve the required outcome (prevention of injury/harm, student/staff safety, restoration of good order). Release the student once this has been achieved.
- Manage the situation calmly – even if the student responds negatively.
- Complete a 'Physical Intervention Record Form' as soon as possible after the event.

6. Minimising the need for Physical Intervention

In most circumstances Physical Intervention really should be a last resort or an emergency action. Therefore, all staff should:

- endeavour to create a calm environment which will minimise the risk of incidents where the use of physical intervention may be required;
- endeavour to teach pupils how to manage strong emotions and conflict through opportunities for SMSC and wider aspects of the school curriculum;
- quickly seek to de-escalate incidents if they do arise;
- only use reasonable force when the risks involved in doing so are outweighed by the risks involved in not using force;
- be aware of risk assessments and positive handling plans for specific individual pupils.

7. Complaints and Allegations

- The possibility that a complaint may be lodged by a parent whose child has been physically restrained cannot be ruled out.
- This is less likely if the parents are party to the planning which has taken place and are informed about the necessary actions, in agreement and informed appropriately should an incident occur.
- In circumstances where a complaint is lodged it would be for a disciplinary panel or the court to decide whether the use and degree of force was reasonable in all the circumstances.
- To meet such circumstances, it is important that the school has procedures for managing complaints. It is expected that the member of staff involved would make time available to meet with the pupil and his/her parents/carers to discuss the incident. Such meetings should also be attended by the Head teacher or a senior member of staff. Assistance may also be sought from a governor, professional body or member of a voluntary organisation to support pupils and parents/carers.

A list of authorised personnel is available from the school but will include all teachers and staff who are contracted by the school.

Physical Intervention Record Form

Name of Student

Year Group

Is this young person a looked after child/SEN/vulnerability?

When did the incident occur?

Date	Day of week	Time	Where?
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Staff involved

Name	Role	Team Teach trained?	Involved: physically? (P)	Staff signature
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			as observer? (O)	

Please describe the incident and include:

1. What was happening before? 2. What do you think triggered this behaviour? 3. What de-escalating techniques were used prior to physical intervention? 4. Why was a PI deemed necessary? 5. Any other information relevant to include.

Please give details below of hold, e.g. single elbow, double elbow, wrap, etc.

How long was the child/young person held?

If the child/young person was held on the ground: Did they go to ground independently?*

□

Were they taken to ground by staff?*

□

**tick as appropriate*

Good practice dictates that schools should review what happened and consider what lessons can be learned, which may have implications for the future management of the pupil. These need not be added to this form but should be incorporated in the individual plans for the child.

Has the child/young person been held before?

Yes/No

A child/young person should have an individual plan clearly detailing reactive strategies and physical intervention approaches if they have been involved in physical interventions on more than one occasion.

Does the PSP need to be reviewed as a result of this incident?

Yes/No

Does the risk assessment need to be reviewed as a result of this incident?

Yes/No

If yes, who will action and when? (less than four weeks)

Who was the incident reported to, and when?

Was there any medical intervention needed?

Yes/No

Include names of any injured person and brief details of injuries

Please specify any related record forms

Accident Book Anti Bullying and Racist Incident Record Form

Skin Map Violent Incident Record Complaints recorded

Other (please specify)

Was the pupil debriefed? Yes/No

Were staff offered a debrief? Yes/No

Was it taken up? Yes/No

Parents/carers were informed

Date	Time	By whom?	By direct contact, telephone, letter?

Form completed by:	Name	Designation	Date and time

Review period: 3 years

Review date: December 2020

Last updated: December 2017