

Positive Touch and Restraint Policy

'Inspire to Achieve; Persevere to Succeed.'

September 2023

Introduction

At Gascoigne Primary School, we believe that in order to learn, children need to feel safe, secure and valued. Through the implementation of our Behaviour and Anti-bullying policies and our PHSE policy, we aim to create a safe, calm, orderly and supportive school environment that minimises the risk of harm of any kind.

Where a difficulty arises, we will always try to de-escalate the incident, only using 'reasonable force' where a child is placing themselves or others at risk or where the risks involved in doing so are outweighed by the risks involved in not using 'reasonable force'.

All school staff need to feel able to manage inappropriate risk and behaviour and have an understanding of how challenging behaviours can be communicated. They also need to know what options are appropriate when managing challenging situations and need to be free of undue worries about the risks of legal action against them if they use an appropriate level of 'physical' intervention to help safeguard a child or group of children.

Furthermore, all parents need to know that their child is safe with us and will be properly informed if their child is subject to the use of 'reasonable' force, (also referred to as a 'Restrictive Physical Intervention').

Acceptable forms of contact and physical intervention

In school there are occasions, for a variety of reasons, when staff will have cause to make 'physical' contact with a child. With this in mind, this school does not operate a 'no touch' policy as it would not enable us to effectively support the safety and emotional well-being of the children. Reasons for 'physical' contact include:

- to comfort a pupil in distress, (as long as this is appropriate to their age);
- to congratulate a child for something, (e.g. use of 'hi five' or a handshake);
- to gently direct a pupil;
- for curricular reasons, (e.g. in PE, Drama etc);
- in an emergency in order to avert danger to the pupil or pupils;
- in rare circumstances where the use of reasonable force is required to ensure the safety and wellbeing of the child in question, to stop significant damage to property or injury to others. *(N.B – in these situations, successfully managing the situation using other means is low or has already failed.)*

In all situations where physical contact takes place between staff and children, staff will always consider:

- the pupil's age and level of understanding; □ the pupil's individual characteristics and history; □ the location where the contact takes place.

Physical contact is never undertaken as a punishment or to inflict pain. Furthermore, physical contact will not become common practice between a member of staff and a particular child or be made with a child's neck, breasts, abdomen, genital area or any other sensitive part of the body.

Definition of reasonable force / restrictive physical intervention

Reasonable force / restrictive physical intervention are terms used to describe interventions where bodily contact, using force, is made. It refers to any instance in which a teacher or other authorised adult has to, in specific circumstances, use “reasonable force” to control or restrain pupils. Whilst there is no legal definition of “reasonable force”, staff use the following four considerations as guiding principles:

- the use of force can only be regarded as ‘reasonable’ if the circumstances of an incident warrant it and where the chances of achieving the desired result, by other means, is low or have failed;
- the degree of force must be in proportion to the circumstances of the incident and the seriousness of the behaviour or consequences it is intended to prevent;
- the degree of force should be the minimum needed to achieve the desired result. It is important that staff effectively manage incidents by communicating calmly with non- threatening verbal and body language;
- the use of force will not be justified if used to prevent or manage ‘trivial’ misbehaviour.

The definition of physical force also includes the use of mechanical devices, (e.g. splints on the pupil, prescribed by medical colleagues, to prevent self-injury), forcible seclusion or the use of locked doors. It is important for staff to understand that, although no physical contact may be made at these times, this is still regarded as a ‘Restrictive Physical Intervention’.

Staff authorised to use force

The law allows teachers and other persons authorised by the Headteacher, to use reasonable force to prevent a child from doing or continuing to do any of the following:

- committing a criminal offence;
- injuring themselves or others;
- causing damage to property;
- engaging in any behaviour that is prejudicial to maintain the good order and discipline at the school and that places themselves or others in danger or at risk.

At Gascoigne Primary School all permanent staff members automatically have the statutory power to use reasonable force. This power includes adults whom the headteacher has given temporary authorisation to, e.g. parents in control of pupils when accompanying them on a school visit. This power also applies on school premises as well as elsewhere when staff are in ‘lawful’ control of children. Parental consent is not required to restrain a pupil.

Deciding whether to use restraint

As already outlined, there are situations when physical management may be necessary.

When members of staff use restraint they will physically prevent a pupil from continuing what they were doing after they have been told to stop. At these times, potential consequences of not intervening should be sufficiently serious to justify the use of force and should only be used where the chances of achieving the desired result, by other means, is low.

For example:

- To prevent a pupil from attacking another pupil or a member of staff.
- To prevent a pupil causing injury or damage either on purpose, by accident, through rough play or by misuse of dangerous materials.
- To prevent a pupil causing deliberate damage to property.
- To prevent a pupil leaving school where this would entail serious risks to the pupil (or other pupils) safety.
- To prevent a pupil putting themselves in a situation that places them or others in immediate danger.

The judgement on whether to use reasonable force should depend on the circumstances of each case and, crucially in the case of pupils with SEN or disabilities, information about the individual concerned. Furthermore, if there are pupils who have positive handling plans, staff should be aware of the techniques that should be used with them.

The use of reasonable force

Before using force staff should try to engage the pupil in a calm tone, making clear that their behaviour is unacceptable and explain that physical intervention will only be used to ensure their safety or the safety of others. Sometimes leading a pupil by the hand or arm or by placing a hand in the centre of their back might calm a situation. Staff might prevent a pupil from running into a busy road or prevent a pupil from hitting another child or adult with a dangerous object.

As the safety and wellbeing of all staff and pupils is paramount, when deciding how to use reasonable force, staff should always first give consideration for both their own safety and that of others as well as remember that we only ever use the minimum level of force needed to restore safety and appropriate behaviour.

The guiding principles relating to the use of reasonable force are as follows:

- It is an act of care and control, not punishment. It is never used to force compliance with staff instructions;
- staff will only use it when there are good grounds for believing that immediate action is necessary and in the pupil's and/or other pupil's best interests;
- staff will take steps in advance to avoid the need for the use of reasonable force through dialogue and diversion and at the level of understanding of the child or young person;
- to prevent severe distress, injury, or damage, only the minimum force necessary will be used; □ after an incident, staff will be able to show that the intervention used was in keeping with any 'positive handling plan' and the school's policy;
- every effort will have been made to secure the presence of other staff, and these staff may act as assistants and/or witnesses;
- as soon as it is safe, the 'physical' intervention will be relaxed to allow the pupil to regain selfcontrol;
- a distinction will be maintained between the use of a one-off intervention, which is appropriate to a particular circumstance, and the use of repeated intervention;
- intervention and escalation will be avoided at all costs, especially if it would make the overall situation more destructive and unmanageable;
- the age, understanding and competence of the individual pupil will always be taken into account;
- in developing Individualised Behaviour Plans, consideration will always be given to approaches appropriate to each pupil's circumstance;
- procedures are in place for supporting and debriefing pupils and staff after every incident as it is essential to safeguard the emotional well-being of all parties involved;
- If a member of staff thinks a pupil might be carrying a weapon, alcohol, drugs or stolen property, they should talk to the Headteacher / Deputy Headteacher.

Recording and reporting incidents

Each significant incident, where a member of staff uses force on a pupil, must be recorded and written up in detail by both the staff involved and by any members of staff who witnessed the incident. This information is recorded in the school's Bound Book.

Except in cases where reporting the incident will or is highly likely to result in significant harm to the pupil, parents should be informed, by the headteacher or deputy **headteacher, as soon** as possible after the incident has occurred. *(N.B – where parents are not notified for safeguarding reasons, the local authority will be informed instead.)* When contacted parents should be told when and where the

incident took place, what strategies were used to avoid the use of force, what force was used, whether any injuries occurred and what follow-up actions were taken.

Post-incident support, (for staff and pupils)

Supporting staff and children after an incident has occurred will take place in the following ways:

- all parties involved will be de-briefed to identify what happened and why;
- children will be supported with their understanding of what happened, why they had to be stopped / restrained, what will happen next and what the school will do to support them in the future;
- help will be available to help re-build relationships and, where possible, avoid the incident or crisis point reoccurring;
- any member of staff involved in an incident, who would like support to cope with the physical and emotional consequences, should either go and see the headteacher or deputy headteacher;
- in addition to support from the school, staff may wish to seek the advice of the police and their union representative;
- if the pupil is already known to other services, all relevant multi agency partners will be informed of the incident and kept updated of subsequent actions.

Developing a positive handling plan

Where it is felt that a child is likely to require the use of reasonable force, a Positive Handling Plan will be completed. To ensure everyone is clear about what specific action the school may take, when and why, the Positive Handling Plan will be developed in consolidation with parents/carers, the pupil, staff working with the child, the SENCO and often a specialist teacher from the Behaviour Support Team. This plan is aimed at helping the pupil and staff to avoid difficult situations through understanding the factors that influence challenging behaviour and by identifying the early warning signs that indicate foreseeable behaviours may be developing.

A positive Handling Plan will include:

- a completed risk assessment to ensure staff and others understand and consider the risks, act reasonably and learn from what happens;
- a **record** of risk reduction options considered, already tried and discounted;
- information on how to manage the pupil, strategies to use to de-escalate a conflict and information about the point at which the need to use reasonable force will be taken;
- the identification of key staff who know exactly what is expected. (It is best that these staff are well known to the pupil);
- the system used to summon additional support, if and when required; □ the identification of any current and future training needs.

Staff Training

Staff in school complete the Team Teach training programme, which is delivered by trained staff from Barking and Dagenham's Behaviour Support Service. (This training is revisited where a specific pupil or group of pupils increase the likelihood of this form of intervention being required).

Complaints and allegations

It is intended that by adopting this policy and keeping parents and governors informed, parents will understand when and why contact / use of reasonable force is used; however, parents and pupils have a right to complain about any action taken by school staff, as outlined in the school's complaints procedure.

Specific allegations against a member of staff will be reported to the Local Authority's Designated Officer (LADO) and, after discussion and advice, will be processed using the guidance and procedures outlined in the most appropriate school policy. These policies include:

- Managing Allegations Against Staff Policy

- Responding to Parental Concerns Policy
- Safeguarding and Child Protection Policy

Related policies

This policy should be read in conjunction with the following policies:

- Behaviour Policy
- Anti-bullying Policy
- PSHE and Citizenship Education Policy
- SEN policy
- Relationship and Sex Policy
- Safeguarding Policy
- Child Protection Policy
- Staff Code of Conduct
- Managing Allegations Against Staff Policy
- Responding to Parental Concerns Policy

Monitoring and review

This policy and its procedures will be monitored and reviewed by the governing body and updated in line with any revised government best practice guidelines.

The impact of this policy will also be monitored through analysis of incident data, and will be reviewed alongside the school's Behaviour Management policy.

Review September 2024

