

Policy last reviewed:	March 2025
Next review due:	March 2028
Member of staff responsible	Assistant Headteacher – DSL
Governor’s Committee:	N/A - SLT

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**Vision Statement:** Our vision is to be a centre of excellence for learning, inspired by Christian values, where every person in our school community fulfils their potential.

**Mission Statement:** Our mission is to be a deeply Christian inclusive community which values every individual as a child of God.

**Values Statement:** The school aims to serve its community by providing an education of the highest quality within the context of Christian belief and practice. It encourages an understanding of the meaning and significance of faith and promotes Christian values through the experience it offers to all its students.

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**Dignity** Underpinning all that we do is the core belief in the ultimate worth of each person as a child of God – precious, valued and loved by God. Dignity comes from the knowledge of our ultimate worth as human beings.

**Community** Having understood our value as individual human beings, we express this value through the quality of the relationships that we share with each other. Community, living well together, is of very great importance to us as a school, as is the place we each take in the wider community locally, nationally and internationally.

**Wisdom** As a school we seek to foster confidence, delight and discipline in seeking wisdom, knowledge and truth. This is achieved through the nurturing of academic habits and skills, emotional intelligence, resilience and creativity across the breadth of the curriculum.

**Hope** As we prepare our students for the future, we look to open up horizons of hope and aspiration, encouraging our students to embrace these with confidence and sending them out to make a difference to the world in which they live.

## **Purpose**

Our aim is to maintain consistent and safe practices in the use of handling, reasonable force & restraint and this policy has been written to make clear the position of the school 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.

## **Statement of intent**

The Holy Trinity Church of England Secondary School recognises that the welfare of the child is paramount and that each one has the right to be protected from harm. It seeks to protect all students from any form of physical intervention which is unnecessary, inappropriate, excessive or unlawful.

However, it is also recognised that on occasions and **as a last resort**, situations may arise where, in order to ensure the welfare and protection of children or other adults, staff may need to use physical restraint.

Staff using reasonable and appropriate physical force, in line with this guidance, will have the support of the school authorities and of the Local Authority (LA).

## **Physical Intervention and the Law**

The law allows all adults who are authorised by the Executive Headteacher to be responsible for students to use such force as is reasonable to prevent a student:

- a) Committing a criminal offence (or for younger children that which would be an offence)
- b) Causing personal injury, injury to others or damage to property
- c) Engaging in any behaviour prejudicial to maintaining good order and discipline

Staff should not hesitate to act in these situations provided they follow this policy. However, they should always satisfy themselves that the action they take would be considered justifiable by a wider audience of their professional colleagues.

The law does not in any way authorise the use of corporal punishment against students and forbids a teacher to use any degree of physical contact which is deliberately intended to punish a student, or which is primarily intended to cause pain, injury or humiliation. That ban applies in all circumstances and has done so since 1987.

## **The use of force can be regarded as reasonable only if the circumstances of the particular incident warrant it.**

The use of any degree of force is unlawful if the particular circumstances do not warrant the use of physical force. Therefore, physical force could not be justified to prevent a student from committing a trivial misdemeanour, or in a situation that clearly could be resolved without force.

The degree of force employed must be in proportion to the circumstances of the incident and the seriousness of the behaviour or the consequences it is intended to prevent. Any force used should always be the minimum needed to achieve the desired result

## **Circumstances where physical restraint may be appropriate**

Any member of staff, as every citizen, has the right to defend her or himself against attack, providing s/he does not use disproportionate force, and to act in an emergency to prevent injury to a student or by a student to someone else. Section 550A of the Education Act 1996 indicates that teachers and authorised staff may also intervene in less extreme situations.

## **There are three broad categories where, as a last resort, reasonable force might be appropriate or necessary to control or restrain a student:**

Where action is necessary in self-defence or because there is an imminent risk of injury.

2. Where there is a developing risk of injury, or significant damage to property.
3. Where a student is behaving in a way that is compromising good order and discipline (particular caution should be exercised in these latter circumstances - see below).

## **Examples of situations that fall within one of the first two categories are:**

- a student attacks a member of staff or another student
- students are fighting and the teacher feels they can intervene without placing themselves at risk
- a student is causing, or at risk of causing, injury or damage by accident, by rough play - or by misuse of dangerous materials or objects
- a student is running in a corridor or on a stairway in a way that may cause an accident likely to injure him or herself or others
- a student absconds from a class or tries to leave school (N.B. this will only apply if a student could be at risk if not kept in the classroom or at school)
- a student is on the verge of committing deliberate damage or vandalism to property (N.B. staff members should only intervene where they feel it is safe to do so. Personal safety is always more important than property)

## **Examples of situations that fall into the third category are:**

- a student persistently refuses an order to leave a classroom
- a student is behaving in a way that is seriously disrupting a lesson

**However, members of staff should be particularly cautious about the use of force in non-urgent circumstances like these. Teachers should always exhaust all other appropriate behaviour management strategies before ever considering using force.**

In situations where there is no direct risk to people or property and the key issue is establishing good order, any action which could exacerbate the situation needs to be avoided. The possible consequences of intervening physically, including the risk of increasing disruption or provoking attack, need to be very carefully evaluated.

Other than in emergencies, members of staff are not expected to attempt to restrain a student if they may put themselves at risk.

## **Staff Authorisation**

The law applies when a teacher, or other authorised person, is on the school premises or when he/she has lawful control or charge of the student concerned elsewhere e.g. on a field trip or authorised off-site school activity. It allows all teachers to use reasonable force to control or restrain students. All members of staff who may have to intervene physically with students must understand the options and strategies open to them. A copy of this policy is kept in the All-Staff Microsoft teams file and in the CPOMS library and a summary is found in the staff handbook in the Safeguarding Children section.

The Executive Headteacher, whose responsibility it is, also authorises Learning Support Assistants and Cover Supervisors to follow the guidance which applies to teachers and ensures that all staff receive guidance on behaviour management strategies and training as appropriate.

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

## **Definition of Terms:**

**Handling** – refers to any physical intervention applied by a member of staff where it is 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.

## **Types of intervention**

The intervention can take several forms, but the force used should always be the minimum necessary in the circumstances.

- Physically interposing between students
- Blocking a student's path
- Pushing
- Pulling
- Leading a student by the hand
- Shepherding a student away by placing a hand in the centre of the back
- Holding, which is specifically intended to avoid causing injury to the student or others in the vicinity
- (In extreme circumstances) Using more restrictive holds (only where specific training has been received and approved by the School)
- In exceptional circumstances, where there is immediate risk of injury, a member of staff may need to take any necessary action that is consistent with the concept of 'reasonable force'. Examples of this are; to prevent a young student running off a pavement onto a busy road, or to prevent a student hitting someone, or throwing something or striking someone with a dangerous object

## **Unacceptable types of intervention**

Actions considered 'unacceptable' by the school and the LA (as they might reasonably be expected to lead to injury) include:

- holding a student round the neck, or by the collar, or in any way that might restrict the student's ability to breathe
- slapping, punching or kicking a student
- twisting or forcing limbs against a joint (e.g. forcing a child/young person's arm up his/her back)
- tripping a student
- holding or pulling a student by the hair or ear
- shaking a student
- tying up or binding a student
- lifting a child/young person off the floor as a means of control
- jabbing a child/young person with a finger or implement
- exerting excessive pressure on any part of a child/young person's body

- holding a student face down on the ground
- touching or holding a student in a way that might be considered indecent

Although the school makes clear through this policy the procedures which should be followed, it is vital that staff exercise sound judgements and act with discretion in reacting to a particular set of circumstances.

### **Children with Special Educational Needs and Disabilities**

Special needs, which render an individual child physically more vulnerable, should obviously be taken into account as should the age, understanding and sex of the student.

Where a child has serious and/or complex individual needs, parents or colleagues from outside agencies may be involved in establishing the guidelines for that child and/or programmes of behaviour modification. This includes ensuring:

- that parents are clear about the circumstances and type of physical intervention that may be necessary (e.g. a copy of this policy).
- that briefings for staff ensure they are aware of what action they should be taking.
- what arrangements there are for staff needing to summon additional support.
- the need to seek medical advice if dealing with students who have specific health considerations.

### **Before Intervening**

If a student or young person is likely to commit a crime, cause injury, damage or serious disruption, staff may decide that physical intervention is necessary as a last resort, or, in an emergency. Before using force to control or restrain staff should:

- try to deal with the situation through other behaviour management strategies (except in emergencies).
- (except in emergencies) consider whether they will place themselves at risk of injury by intervening, for example when dealing with older, larger students. Where they judge this to be the case, teachers should remove other students who might be at risk and summon assistance from colleagues, or where necessary the Police.
- tell the child to stop and warn the child of the consequences of his/her behaviour.
- if at all possible summon additional staff support and tell the child this has been done. This has the dual purpose of reducing the risk to the member of staff and providing a witness should the situation develop.
- Until assistance arrives continue to attempt to defuse the situation orally.

## **Whilst Intervening**

The member of staff must:

- employ minimum force for the minimum period necessary to restrain the student.
- keep talking to the student, making it clear to him/her that the physical contact or restraint will stop as soon as it ceases to be necessary.
- avoid threatening or committing any act of punitive violence.
- keep his/her temper under control.
- have regard to others in the vicinity.

## **After Intervening**

- The member of staff reports the necessity of intervention to a member of the Senior Leadership Team who will also consider Child Protection issues
- In most cases, if the member of the Senior Leadership Team judges it is necessary, members of staff concerned provide a contemporaneous written record of the incident using a 'Use of Physical Restraint Report Form' (see Appendix A). This is for internal use but may be made available to the LA, Police and/or Social Services if investigating a complaint. Forms are available from the Staff Shared Area of the network and will be completed on every occasion that force, even minor, is used
- The student is seen by First Aid staff, if the incident results in injury and an Accident/Incident Reporting Form is completed. This may be instead of, or in addition to, the 'Use of Physical Restraint' form

## **The Senior Leadership Team will:**

- Investigate incidents (not minor or trivial, which are simply logged) and evaluate them in the light of the school's risk assessment procedures, communicating any conclusions reached.
- Notify parents/carers of the action being or to be taken and initiate appropriate follow-up.
- Initiate appropriate follow-up with the child/young person involved and others present if appropriate.
- Offer support, as appropriate to staff involved.

## **Complaints/Allegations**

The school involves parents immediately when an incident occurs with their child. The policy and the member of staff's adherence to the policy are explained. Usually, careful and sensitive responses by all concerned lead to agreement and to a plan for repairing and rebuilding the relationship and ensuring that there will be no recurrence of the behaviour leading to the incident.

Clearly if there is not agreement and/or a complaint is made or there is a dispute about the use, or type of force used, by a member of staff, there may be an investigation, either under disciplinary procedures or by the Police and/or Social Services under child protection procedures.

Should the use of physical restraint lead to an allegation of physical abuse which is to be investigated under disciplinary procedures, the school follows the advice in the Pan-Sussex Safeguarding Procedures Online 8.2 Allegations Against People who Work with, Care for or Volunteer with Children. It follows the advice in the West Sussex Child Protection Procedures about investigations under child protection procedures relating to allegations against teachers.

### **Training**

The school provides regular training for new staff and updates to all. The school will continue to monitor staff development needs and opportunities with respect to positive behaviour management strategies. This may include the promotion of effective behaviour management, conflict resolution and the avoidance and diffusion of aggression and restraint.

### **Links with other Policies:**

Safeguarding Children

Anti-Bullying

Behaviour and Discipline

Equality and Diversity

Prohibited items (inc. Searching Students)

**Appendix A:**

**Physical Intervention Record**

<b>Name of Student</b>		<b>Tutor Group</b>	
Is this young person a looked after child / SEN / vulnerable?			

**When did the incident occur?**

<u>Date</u>	<u>Day of week</u>	<u>Time</u>	<u>Where?</u>

**Staff involved**

<u>Name</u>	<u>Designation</u>	<u>Team Teach trained?</u>	<u>Involved:</u> <u>physically?</u> <u>(P)</u> <u>as observer?</u> <u>(O)</u>	<u>Staff signature</u>

**Please describe the incident and include:**

1. What was happening before?
2. What do you think triggered this behaviour?
3. Any other information relevant to include.

**Details of any methods used to avoid the need to use that measure (what you did, what you said, what you tried)**

Humour, Negotiation, Verbal Advice & Support, Firm Clear Directions, Limited Choices, Distraction, Diversion, Reassurance, Planned Ignoring, Calm talking, Calm stance, Patience, Swap Adult, Reminders about Consequences, Success Reminders.

**Why was a PI necessary and in the best interests of the young person?**

Risk to Self, Risk to Others, Risk to Physical Environment, Risk to Psychological Environment, Prevention of Psychological Distress, Prevention of Physical Harm, Prevention of Criminal Offence.

**Team Teach technique(s) used (tick as appropriate)**

<u>Technique</u>	<u>Standing/escort</u>	<u>Sitting/chairs</u>	<u>Kneeling</u>	<u>Ground</u>
<u>Breakaway/defensive</u>				
<u>One person</u>				
<u>Two people</u>				

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?\*(e.g. did the child lift their weight off the floor, or go deadweight)

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 student. 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

Does the individual support plan 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 " CPOMs " Skin Map "

Other (please specify) .....

Were any students involved debriefed? Yes / No

Which adult debriefed the student(s)? .....

Is more follow up needed with the student? Yes / No

If yes, who with? .....

Were staff offered a debrief? Yes / No

Was it taken up? Yes/No

Who conducted the debriefing? .....

Parents/carers were informed

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

Form completed by:	Name	Designation	Date and time

**If further advice is required around any issues related to physical intervention or the completion of this form please contact Kate Bramley as Deputy Headteacher - DSL.**

**PLEASE UPLOAD THIS FORM TO CPOMS**

## **Appendix B:**

### **Summary Guidelines to Staff on Reasonable Restraint**

- Last resort only! Only to prevent student causing injury to him or herself, to others or to property
- Must be proportionate and the minimum needed to achieve the desired result
- Whenever possible, attempt to intervene and resolve the issue verbally first
- Remain calm and assertive, and avoid shouting
- Use only minimum necessary force and seek to avoid causing injury to the student.
- Record and report to Designated Safeguarding Lead using pro-forma on Staff Shared Area\Safeguarding Children\Policy\Physical Intervention