

Wells Schools

PHYSICAL RESTRAINT POLICY

- 1 **Aims** The aims of this policy are to:
 - explain the rights of staff to use physical restraint when necessary;
 - explain the circumstances in which physical restraint may be justified;
 - set out the recording and reporting system; and
 - explain the various responsibilities.

- 2 **Powers of Members of Staff to Detain Students by Use of Force**
 - a. *The Education and Inspections Act 2006* confirmed the right of staff to use 'such force as is reasonable' for the purpose of preventing a student from:
 - committing an offence;
 - causing personal injury to, or damage to the property of, any person (including themselves)
 - prejudicing the maintenance of good order and discipline.

 - b. The explanatory notes to the Act give an example of 'reasonable force' - leading a student by the arm to enforce an instruction to leave the class. However, nothing in the law concerning the use of reasonable force legitimizes corporal punishment.

 - c. Where a school has students with known severe behavioural difficulties, only trained staff are allowed to use restraint techniques.

- 3 **Right to Search Students**
 - a. *The Violent Crime Reduction Act 2006* gives the Head Teacher, and any member of the School staff authorized by the Head Teacher, who has reasonable grounds for believing that a student may have with him/her or in his/her possession a knife or offensive weapon, the right to search that student.

 - b. The Head Teacher must ensure that the person carrying out the search is of the same sex as the student and the search must be carried out in the presence of another adult also of the same sex as the student. The student cannot be required to remove any clothing other than outer clothing and if the student's possessions are searched this must also be done in the presence of another adult. The person carrying out the search is able to use such force as is reasonable in the circumstances for exercising that power.

 - c. The Head Teacher cannot normally 'require' the School staff to conduct the searches, only 'authorise' them to do so.

- 4 **Circumstances Where Physical Restraint may be Justified**
 - a. Physical restraint should only be used as a last resort; other non-physical strategies for diffusing the situation must be tried first.

 - b. Whenever possible, the age, level of understanding and gender of the student should be considered. In addition staff should be mindful of any student who is on the Child Protection Register.

 - c. If there is a need to restrain a student with known behavioural difficulties, only staff trained in appropriate restraint techniques should attempt to restrain such students.

 - d. The Governing Body appreciates that in some instances (such as stopping a student who is running down a corridor) staff may have to act quickly, and without having the time to consider all the circumstances.

 - e. Examples of behaviour likely to lead to restraint:
 - physical attack by a student on an adult/other student;
 - deliberate damage to school property;
 - a student behaving in a way which places others at risk, e.g. pushing, tripping on a staircase, rough play or running in a corridor

- preventing a student running into a busy road;
- refusal by a disruptive student to leave the classroom.

f. Restraint is NOT a punishment and must not be used as such.

- ASSISTANCE should be sought whenever possible.
- the student(s) should be told that this has been done.
- any other students who are at risk should be removed.
- the use of restraint in a one-to-one situation should be avoided, witnesses are important.

g. Restraint should not lead to injury: staff SHOULD NOT:

- hold a student around the neck or collar, or in a way that might restrict breathing;
- slap, punch or kick;
- twist or force limbs against a joint;
- trip;
- hold or pull by the hair or ear; or
- hold a student face down on the ground.

5 Physical Contact with Vulnerable Students

a. Normally all staff should avoid physical contact with students. It is accepted that some more vulnerable students, and particularly those with Special Educational Needs, require more physical contact than other students in order to assist with their everyday learning. This is entirely appropriate and proper for staff, but it is crucial that they only do so in ways appropriate to their professional role and in accordance with the School's policies on which restraint techniques may be used and by whom. Except in an emergency, only trained staff should use restraint techniques on vulnerable students with behavioural difficulties, and the techniques which may be used are only the ones that the member of staff is trained to use.

b. Specific arrangements should be:

- understood and agreed by all concerned;
- justified in terms of the student's needs;
- consistently applied;
- open to scrutiny; and
- reviewed regularly.

c. When physical contact is made with students this should be in response to their needs at the time, of limited duration and appropriate given their age, stage of development, gender, ethnicity and background. d. If a member of staff believes that an action could be misinterpreted, the incident and circumstances should be recorded as soon as possible on the School's Incident Logs and, if appropriate, a copy placed on the student's file.

6 Staff Code of Conduct

a. Staff at this School are expected to:

- be aware that even well intentioned physical contact may be misconstrued by the student, an observer or by anyone to whom this action is described;
- always be prepared to explain actions and accept that all physical contact will be open to scrutiny;
- be aware of the Government guidance in respect of physical contact with students and meeting medical needs of students; and
- ensure that all incidents are reported and logged in the School's Incident Log.

b. Staff may legitimately intervene using physical restraint to maintain good order and discipline and prevent a student from:

- committing a criminal offence;
- injuring themselves or others;
- causing damage to property;
- engaging in behaviour prejudicial to good order

c. Staff should have regard to the health and safety of themselves and others.

- d. In all cases where physical intervention is deemed necessary, the incident and subsequent actions should be documented and reported.
- e. Under no circumstances should physical force be used as a form of punishment.
- f. The use of unwarranted physical force is likely to constitute a criminal offence.
- g. Staff at this School must:
 - adhere to the School's Physical Intervention Policy;
 - always seek to defuse situations; and
 - always use minimum force for the shortest period necessary.

7 Training and Support The Head Teacher will ensure that appropriate training is provided for key staff

8 Equal Opportunities
In implementing this policy all staff must take account of the School's Equality Policy.

9 Responsibilities The Governing Body is responsible for preparing and reviewing this Policy. The Head Teacher is responsible for the implementation and monitoring of this Policy within the School. All staff shall be made aware of this Policy and have a duty to ensure that it is implemented.

10 Monitoring and Review The Head Teacher will:

- * ensure that a recording and reporting system is in place and is maintained;
- * ensure that a senior member of staff is in charge of the Incident Log (see Appendix 1) and reports regularly to the Leadership Team.
- * report incidents and the outcome to the Governing Body.

Written Log of an Incident Involving Physical Restraint		
Date	Time	Staff member
Student	Tutor Gp	Place of incident
Adult Witnesses		

Student Witnesses
Reason for Restraint
Description of Action
Student Response to restraint
Details of any injuries or damage to property
Other notes, if relevant

**ALDERMAN PEEL
HIGH
SCHOOL**

IMPACT ASSESSMENT

FORM

Norfolk School - Equality Impact Assessment Form
(covering race, disability, gender, age, religion or belief and sexual orientation)

Complete the sections/questions below and place a tick in the boxes, as appropriate:

Section 1 - General Information

1. Title of the policy or practice being assessed:

Physical Restraint Policy

2. Aim(s) of the policy or practice being assessed:

- explain the rights of staff to use physical restraint when necessary;
- explain the circumstances in which physical restraint may be justified;
- set out the recording and reporting system; and
- explain the various responsibilities.

3. Type of policy or practice being assessed:

Existing

Proposed

4. Department and/or name of person responsible for the policy or practice:

Alastair Ogle

5. Which members of our school community are affected/likely to be affected by the policy or practice?

Pupils

Staff

Parents and carers

Governors

School volunteers

Visitors to the school

Wider school community


Other – (please list) _____

Not relevant to members of our school community ⇨ **Process Ends** ⇨ equality impact assessment not required

Section 2 - Monitoring impact - gathering evidence


6. Do we currently collect or plan to collect any data or information to monitor the impact of the policy or practice on members of our school community (as listed in Q5)?

Tick all that apply:



- Performance indicators or targets
- People profiles – eg pupils, staff, governors, visitors, wider school community
- User satisfaction methods – eg from pupils, parents and carers, staff, governors, visitors, wider school community
- Consultation methodologies, eg sampling of policies using pupils, parents and governor forums, 1-to-1 meetings with people from diverse groups
- Collating complaints and compliments
- Other – (please list) _____
- None 

7. Is the data we collect (or intend to collect) broken down into the following groups?



Tick all that apply:

- children or people from different ethnic backgrounds
- disabled children or people
- boys or girls, men or women, people who identify as transgender
- people of different ages
- children or people with different religions or belief
- children or people who are heterosexual, gay or lesbian
- None of the above 

8. Do we know, from the data or information collected, if the uptake of any services, benefits or opportunities associated with the policy or practice is generally representative of our school community?

- Yes
- No 
- Insufficient evidence to make a judgement 

9. Is there evidence or reason to believe that some groups within our school community may be affected differently by the policy or practice – either adversely or positively?



- No – Go to Section 3
- No – insufficient evidence to make a judgement–  Go to Section 3
- Yes  - these being:
 - children or people from different ethnic backgrounds
 - disabled children or people
 - boys or girls, men or women, people who identify as transgender
 - people of different ages
 - children or people with different religions or belief

children or people who are heterosexual, gay, lesbian or bisexual

Give detail of evidence and/or reasons why:

Section 3 - Anticipating future impact

10. Now consider what the policy or practice is aiming to deliver in the future, how will it do this and how it will impact on groups within our school community? Is there a possibility it may disadvantage or exclude from any groups within our school community? (See Appendix 2 – 'Equality strands and factors to consider' as a prompt)

- No
- Yes 
- Not sure 

Please describe any potential issues here:

Section 4 - Addressing the red flags:

11. You now need to think about the implications of any red flags triggered during this assessment.

- How straightforward will it be to address the red flag triggers?
Can you fill any gaps in information by carrying out small consultations (eg 1-to-1s) or surveys? Can you analyse existing data, or collect new data relevant to the policy or practice? Can you amend the policy or practice to address the issues? Decide how the red flag triggers can be best addressed appropriately and reasonably for your school.
- Are these red flags highlighting major gaps in your evidence or understanding which will need more detailed consideration?

Please indicate your conclusions below. This will explain the next steps you need to take.

- There are no red flags or issues identified. No further action is required. Go to Section 7 - Completion
- The red flags can be easily addressed for example, by collecting and analysing data, amending the policy or practice, or through carrying out small consultations.
Or we have identified an objective, lawful reason to justify the issue(s).
Go to Section 5 - Improvement Actions
- Red flags are highlighting major gaps in evidence or issues that will be difficult to address and we need to undertake more evidence gathering.
Go to Section 6 - Additional evidence gathering.

Section 5 - Improvement Actions

12. Please describe any actions which you intend to undertake to address any issues which have been highlighted by the EqlA. Then go to Section 7 - Completion.

Section 6 - Additional evidence gathering

If your assessment identified complex issues which would be difficult to address, or you had insufficient evidence to make a judgement, you need to undertake an additional evidence gathering process. This is described below:

(a) Gather and analyse relevant additional evidence to address gaps in your knowledge, enhance understanding of the issues and inform options for addressing these. Additional evidence may include any of the following:

- Involving for example, pupils, staff, parents, carers and governors from different equality groups in discussions about the how the policy or practice may affect them
- Information from specialist staff/in-house expertise, either within school or at Norfolk County Council (see Equalities and Diversity Contacts on equality pages on Norfolk schools intranet page)
- Benchmarking with other schools
- Analysing data of take up/use of policy or practice by school community profile groups
- Using results of any school surveys or consultation exercises undertaken in relation to equality
- Research reports on the needs and experiences of diverse groups
- National best practice guidance from, for example from Department for Children, Schools and Families, (www.dcsf.gov.uk) or Equalities and Human Rights Commission (www.equalityhumanrights.com)
- Expert views from organisations representing diverse groups (ie disability/race equality groups; trade unions etc – see Useful Resource Contacts on Norfolk schools equality pages for details of contacts)

(c) Use your additional evidence gathering and analysis to develop options for addressing the issues identified, and consulting with relevant management teams/governors where necessary to discuss issues and confirm proposed actions.

(d) Following completion of the above, please confirm the following:

Summary of evidence gathered, including any consultation:
The conclusions and agreed actions:

Section 7 - Completion

Name and job title:	Alastair Ogle (Headteacher)
Names and titles of any other people who assisted with this assessment:	
Date:	11-9-11
Date of next review:	11-9-13
When completed, a copy of this form should be saved with the master copy of the function/policy for audit purposes.	