



ST. ANDREW'S
COLLEGE
Cambridge

COLLEGE POLICY DOCUMENT

Pupil Restraint Policy

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Aims

At St. Andrew's our aim is to provide a welcoming, secure and safe environment.

The aims of this policy are that all staff and, where appropriate, students understand clearly the options and strategies for restraining children safely.

Guidance

This policy should be read in conjunction with the guidance issued from time to time by the DCFS (the "Guidance"). At the date of this policy shown below, the Guidance issued in November 2007 may be found at

www.teachernet.gov.uk/docbank/index.cfm?id=12187

The college follows the principles and recommendations set out in this guidance

Pupil behaviour policies

This policy should also be read in conjunction with the college's student behaviour policies. The college aims to create an environment in which the use of force in relation to a student is unlikely. The principal will put strategies in place so all staff are aware of how to de-escalate serious incidents and ensure that individual plans are in place for Students whose behaviour could give rise to a serious incident.

Circumstances in which reasonable force may be used

Section 93 of the Education and Inspections Act 2006 enables college staff to use such force as is reasonable in the circumstances to prevent a pupil from doing, or continuing to do any of the following:-

- a. Committing a criminal offence (or for a pupil under the age of criminal responsibility, what would be an offence for an older pupil);
- b. Causing personal injury to, or damage to the property of, any person (including the pupil himself/herself); 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.

Who may use reasonable force

The staff to which this power applies are defined in Section 95 of The Act. They are:

- a. Any teacher who works at the school, and
- b. Any other person whom the Principal has authorised to have control or charge of pupils. This:
 - i includes support staff whose job normally includes supervising pupils and office staff;
 - ii can also include people to whom the Principal has given temporary authorisation to have control or charge of pupils such as paid members of staff whose job does not normally involve supervising pupils (for example sports coaching staff or the site manager and such authorisation will be expressly given either by the Principal).

The power may be used where the pupil (including a pupil from another school) is on the premises or elsewhere in the lawful control or charge of the staff member (for example on a school visit).

Reasonable force

There is no legal definition of when it is reasonable to use force but the following are guidelines:

- a. whether it is reasonable to use force will always depend on the precise circumstances of individual cases;
- b. the degree of force employed must be in proportion to the consequences it is intended to prevent;
- c. any force used must be the minimum needed to achieve the desired result;

- d. use of force to prevent trivial behaviour is not justified but deciding on whether behaviour is trivial depends on the circumstances (for example running in a corridor crowded with small children may be dangerous and not trivial).

Deciding if force would be appropriate

The judgement on whether to use force and what force to use should always depend on the circumstances of each case – crucially in the case of pupils with SEN or disabilities – information about the individual concerned.

Decisions on whether the precise circumstances of an incident justify the use of significant force must be reasonable. Typically such decisions have to be made quickly, with little time for reflection. This means staff will need to make the clearest possible judgements about:

- a. the seriousness of the incident, assessed by the effect of the injury, damage or disorder which is likely to result if force is not used. The greater the potential for
- b. injury, damage or serious disorder, the more likely it is that using force may be justified;
- c. the chances of achieving the desired result by other means. The lower the probability of achieving the desired result by other means, the more likely it is that using force may be justified; and
- d. the relative risks associated with physical intervention compared with using other strategies. The smaller the risks associated with physical intervention compared with other strategies, the more likely it is that using force may be justified.

Examples of situations

Examples of situations that particularly call for judgements of this kind include:

- a. a pupil attacks a member of staff or another pupil;
- b. pupils are fighting, causing risk of injury to themselves or others;
- c. a pupil is committing, or on the verge of committing, deliberate damage to property;
- d. a pupil is causing, or at risk of causing, injury or damage by accident, by rough play, or misuse of dangerous materials or objects;
- e. a pupil absconds from a class or tries to leave school other than at an authorised time. Refusal of a pupil to remain in a particular place is not enough on its own to justify use of force. It will be justifiable where as allowing a pupil to leave would:
 - i. entail serious risk to the pupil's safety (taking into account age and understanding), to the safety of other pupils or staff, or damage to property; or

- ii. lead to behaviour that prejudices good order and discipline, such as disrupting other classes;
- f. a pupil persistently refuses to follow an instruction to leave a classroom;
- g. a pupil is behaving in a way that seriously disrupts a lesson; or
- h. a pupil is behaving in a way that seriously disrupts a school sporting event or school visit.

In these examples the use of force would be reasonable (and therefore lawful) if it was clear that the behaviour was sufficiently dangerous or disruptive to warrant physical intervention of the degree applied and could not realistically be dealt with by any other means.

Wherever possible these judgements should take account of the particular characteristics of the pupil, including his or her age, understanding and any SEN or disability that he or she may have. This would include the outcomes of any risk assessment and, as appropriate.

Power of Search

The Violent Crime Reduction Act 2006 (s. 45) gives the Principal and staff authorised by him/her, to search pupils without their consent for weapons where they have reasonable grounds to suspect that a pupil has a weapon. Reasonable force may also be used in exercising this power. However, where resistance is expected, the DCSF advises that the police be called.

Situations where staff should not normally intervene without help

Sometimes an authorised member of staff should not intervene in an incident without help, unless it is an emergency. Help may be needed in dealing with a situation involving an older pupil, a large pupil, more than one pupil or if the authorised member of staff believes he or she may be at risk of injury. In these circumstances he or she should take steps to remove other pupils who may be at risk and summon assistance from other authorised staff, or where necessary, call the police.

Using force

Before using force staff should, wherever practicable, tell the pupil to stop misbehaving and communicate in a calm and measured manner throughout the incident. Staff should not give the impression of acting out of anger or frustration, or to punish a pupil and should make it clear that physical contact or restraint will stop as soon as it ceases to be necessary.

The types of force used could include:

- a) Passive physical contact resulting from standing between pupils or blocking a pupil's path;
- b) Active physical contact such as:
 - i. leading a pupil by the hand or arm
 - ii. ushering a pupil away by placing a hand in the centre of the back
 - iii. in more extreme circumstances, using appropriate restricting holds, which may require specific expertise or training.

Where there is a high and immediate risk of death or serious injury, any member of staff would be justified in taking any necessary action (consistent with the principle of seeking to use the minimum force required to achieve the desired result). Such situations could include preventing a pupil running off the pavement on a busy road or preventing a pupil from hitting someone with a dangerous object such as a glass bottle or hammer.

Staff should make every effort to avoid acting in a way that might reasonably be expected to cause injury. However, in the most extreme circumstances it may not always be possible to avoid injuring a pupil.

Staff should always avoid touching or restraining a pupil in a way that could be interpreted as sexually inappropriate conduct.

It is always unlawful to use force as a punishment. This is because it would fall within the definition of corporal punishment, prohibited by the Education Act 1996.

Recording incidents

All significant incidents that require restraint will be recorded in a form as set out in Annex A. Parents/agents will be informed of any recordable incident and will usually be offered an opportunity to discuss the incident with the Principal or appropriate class teacher and given a copy of this policy. The incident log will be updated by the Principal after each occasion where restraint has been used.

All injuries will be recorded in accordance with the school's Health & Safety policy.

The Principal will make an annual report to the Director as to the recordable incidents (without identifying the individuals involved).

Complaints

Any complaints or allegations about the use of force to restrain or control children will be dealt with in accordance with the school's complaints procedure.

Post-incident support

Appropriate post-incident support will be provided as set out in the Guidance.

Staff training

It is the responsibility of the principal to ensure that staff are fully informed of the college's policy and understand what authorisation entails. The Principal will arrange training and guidance to staff as appropriate.

Review

This policy has been reviewed by Directors and the Principal.

This policy will be reviewed upon the Principal becoming aware that the Guidance has been revised and at the same time as any revision of the school's pupil behaviour policies.

Reviewed: July 2016

Next Review: July 2017

APPENDIX A
ST. ANDREW'S
PUPIL RESTRAINT – INCIDENT REPORT FORM –

1. Basic information

Name of Pupil on whom force was used by a member of staff|:

DOB: _____ Yr: _____

2. Events leading to this incident

2.1 Where the incident occurred _____

2.2 When the incident occurred Time: _____ Day/Date: _____

2.3 Details of how the incident began _____

3. Describe the Incident

3.1 Description of incident by staff involved, including any attempts to de-escalate and warnings given that force might be used

3.2 Details of other pupils involved (directly or as witnesses) including whether any of the pupils involved were vulnerable for SEN, disability, medical or social reasons _____

3.3 Details of any other witnesses _____

3.4 Reason for using force and description of force used _____

3.5 Details of any injury suffered by staff, pupils or any first aid and/or medical attention required

3.6 Reasons for making a record of the incident _____

3.7 Follow up, including post-incident support, details of any disciplinary action against pupils and involvement of external agency _____

3.8 When and how those with parental responsibility were informed about the incident and any views they have expressed _____

Report compiled by:

Name and role:

Signature:
Date: