RESTRAINT POLICY AND GUIDELINES

Note: This policy applies to the Early Years Foundation Stage as well as to the whole school.

Introduction
The use of reasonable force should always be a last resort for teachers and support staff. It is essential that Chesham Preparatory School should offer clear, precise advice and guidance to its staff in its restraint policy so that there can be no confusion.

The Education and Inspections Act 2006 enables school 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:

- committing any offence (or, for a pupil under the age of criminal responsibility, what would be an offence for an older pupil).
- causing personal injury to any person (including the pupil themselves).
- causing damage to the property of any person (including the pupil themselves).
- prejudicing the maintenance of good order and discipline at the school, and among any pupils receiving education at the school, whether during a teaching session or otherwise.

The act also defines to whom the power applies as follows:

- any teacher who works at the school.
- any other person whom the Headmaster has authorised to have control or charge of pupils.
  Specific mention is made of support staff, teaching assistants, learning support assistants, learning mentors and lunchtime supervisors.

It is imperative that support staff are made aware of the school’s policy, whether the Headmaster has authorised them to use reasonable force and, if so, to what level and in what circumstances.

The power to use reasonable force applies whether pupils are on school premises or elsewhere, as long as they are in the lawful control or charge of a staff member. This includes school visits.

All staff should be made aware of these guidelines. The local BCSB (Safeguarding board) believes that staff should follow these guidelines and act with caution due to the possibility of complaints and allegations against staff.
When is it reasonable to use force?

There is no legal definition of ‘reasonable force’, so it is not possible to set out comprehensively when it is reasonable to use force, or the degree of force that may reasonably be used. It will always depend on all the circumstances of the case.

Factors influencing this judgement include:

- the seriousness of the incident, assessed by the effect of the injury, damage or disorder that is likely to result if force is not used.
- the chances of achieving the desired result by other means.
- the relative risks associated with physical intervention compared with using other strategies.

Educational staff ARE NOT allowed to use corporal punishment under any circumstances. This has been unlawful in the maintained sector since 1987 and in all sectors (including independent schools) since 1999.

Guidelines on using restraint

**Use your voice first:** verbal instructions should be given before and during any physical intervention.

This should include telling the pupil who is misbehaving to stop and what will happen if he or she does not. The member of staff should continue attempting to communicate with the pupil throughout the incident, and should make it clear that physical contact or restraint will stop as soon as it ceases to be necessary. A calm and measured approach to a situation is needed and teachers should never give the impression that they have lost their temper, or are acting out of anger or frustration, or to punish the pupil.

**Use force only when necessary to resolve the incident:** this should be the minimum force required, lasting for the shortest practicable time - the purpose should be restraint and the reduction of risk.

Staff should not act in a way that might reasonably be expected to cause injury, for example by holding a pupil around the neck; slapping, punching or kicking the pupil; tripping a pupil; or holding a pupil by the hair or the ear. Staff should also always avoid touching or holding a pupil in a way that might be considered indecent.

**Do not strike blows or retaliate against pupils:** to do so would exceed your authorisation to intervene, and create a significant risk of an allegation of assault being made.

Sometimes a teacher should not intervene in an incident without help (unless it is an emergency). For example, when dealing with an older pupil, or a physically large pupil, or more than one pupil, or if the teacher believes he or she may be at risk of injury. In those circumstances the teacher should remove other pupils who might be at risk and summon assistance from a colleague or colleagues, or where necessary telephone the Police. The teacher should inform the pupil(s) that he or she has sent for help. Until assistance arrives the teacher should continue to attempt to defuse the situation orally, and try to prevent the incident from escalating.
Action in self-defence or in an emergency

There may be incidents in which action to restrain a child may be taken outside this policy, by someone who has not been explicitly authorised under the policy. Everyone has the right to defend themselves against a physical attack provided they do not use a disproportionate degree of force to do so. Similarly, in an emergency, for example if a pupil was at immediate risk of injury or on the point of inflicting injury on someone else, any member of staff would be entitled to intervene.

Policy reviewed: October 2017

Next review: October 2018

Person responsible: The Headmaster