



## FINBOROUGH SCHOOL RESTRAINT OF PUPILS POLICY

The school does not allow or threaten any form of corporal punishment and strongly advocates a reasoned approach to all disciplinary problems. However, it is not unlawful to use appropriate force to restrain pupils in certain circumstances. Section 550A of the Education Act 1996 seeks to clarify the circumstances in which reasonable force or restraint can be used. This has been developed further in the Education and Inspections Act, 2006. The DFE has published advice, 'Use of Reasonable Force' (July 2013), and this policy is based on that guidance. All staff can access this guidance via the DFE website.

### **Circumstances**

- Self-defence from attack. Any force must be proportionate and minimal
- If a child is in imminent risk of injuring themselves or others (e.g. a fight between children)
- If a child is causing, or is likely to cause, damage to property (including the pupil's own property)
- If a pupil is attempting to run away and may be in danger as a result
- If a pupils behaviour is such that it becomes prejudicial to the maintenance of good order. Such behaviour would be persistent, e.g. refusing to stop repeated and offensive verbal abuse of a teacher or other pupil.

In each of the circumstances above it would normally be preferable to use non-confrontational techniques to de-escalate the situation first (talking, persuading, isolation in a safe place).

Ideally no member of staff should intervene physically on their own – unless there is an immediate need such as a child about to run off a pavement into the path of a vehicle. When possible a member of the SLT should be called before any action.

Factors such as special educational needs, level of comprehension – in the case of a non-native speaker of English for example – must be taken into account. However, in some circumstances it may be necessary to use a degree of reasonable force.

### **Reasonable Force**

Reasonable force is only legal if the circumstances discussed above warrant it. Any force used has to be "reasonable". There is no precise legal definition of "reasonable" force and what follows is a guide. In general reasonable implies minimal and necessary.

Types of force that may be employed:

- Blocking a pupils path
- Holding by the arm
- Guiding by placing the hand in the centre of the back
- Pulling by the arm
- Leading by the arm or hand
- Restraining arms and legs – this type of restraint really requires training and tends to be used with students who have a history of behaviour requiring this type of restraint.



In extreme circumstances of threat to life or danger of severe injury all staff are entitled to use any proportionate methods to defend themselves or others.

Types of force that **may not** be employed:

- Punching or kicking
- Holding around the neck or collar
- Twisting limbs or joints
- Pulling or holding by the hair or ears
- Holding a pupil face down on the ground
- Tripping a running pupil

It is never acceptable to use **force intended** to cause injury or harm.

In any use of force or restraint staff should be careful not to do anything that could be considered indecent.

## EYFS

Within the EYFS setting, further to the above, physical intervention would only be allowable to avert immediate danger of personal injury; the circumstances of any intervention should be recorded in as much detail as possible and passed on to the Head of Prep school and the parents informed on the same day or as soon as is reasonably practicable. Staff should also bear in mind the EYFS Physical Contact Policy and Safeguarding policy.

## Staff

All staff, including pastoral staff employed by the school who have charge of pupils, may use force in the circumstances and to the degree outlined above. This applies to staff on the school premises and outside the school premises when they are responsible for pupils – e.g. a school trip.

## Incident Management

Most incidents that may require the use of a degree of force are by their very nature unpredictable. However, the following guidance should be kept in mind.

- If possible always try to defuse a problem without any physical contact.
- If there is time seek assistance from another member of staff before taking action.
- Never put yourself and others at unreasonable risk, if necessary remove any other pupils in the vicinity to a safe place and inform the pupil(s) causing the problem that you are going to get help (if need be the police).
- Do not use pupils to attempt to restrain another pupil.





In some circumstances there may be a particular pupil who has a history of types of behaviour that may require use of force or restraint (e.g. a pupil who runs away frequently). In such circumstances those staff who are in regular contact with that pupil should work out an agreed action plan with the Principal and Heads of School.



## Reporting

All incidents involving any use of physical contact or restraint must be recorded in detail, along with witness statements when possible onto the school database, and a copy passed to a member of the SLT to be placed on the Physical Restraint File.

Reason for Review/Amendments	Last review August 2020
Details of changes	<ul style="list-style-type: none"><li>• Policy reviewed to ensure current legislation and practices are included.</li><li>• Policy updated with changes to staffing and responsibilities.</li></ul>
Date of next review	Annual review August 2021 (Boarding / Pastoral Governance)

Name	Position	Responsible for	Signature	Date
J Sinclair	Principal	Governance/ oversight		Aug 2020
L Sinclair	HR Director	Recruitment/ Staff policies		Aug 2020
S Clark	Headmaster	Implementation (academic staff)		Aug 2020
K Walmsley	Headmaster's PA / Admissions	Document Administration (non- academic staff)		Aug 2020