

Term of policy: Every 3 years

Approved by: Board of Trustees

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Sources: NGA, The Key

Online location: Google Drive folder: Policies

Consulted with JCC? Yes No

Introduction

This policy replaces any previous policy and follows the DfE regulations.

In line with the School's Equal Opportunities and Special Educational Needs policies, we aim to give all students equal opportunities to take part in all aspects of School life, as far as is appropriate, practicable and compatible with giving regard to health and safety and the efficient education of other students.

The policy will follow the five principles of the Children's Plan:

- to support parents and families
- to allow children to reach their full potential
- to enable children to enjoy their childhood whilst preparing for adult life
- to provide services in response to children and family needs
- to use preventative measures to help students avoid the possibility of failure

This policy is based upon the School's commitment to the development and maintenance of good behaviour and a positive and inclusive ethos for all members of the School community.

Foreword

Rooks Heath School is a mixed 11 to 18 multicultural comprehensive in the London Borough of Harrow. This policy is formulated by Associate Headteacher, in consultation with staff and is monitored by other members of the School's Leadership and Management Group. The policy is subject to review every 3 years by the School's Leadership and Management Group and is subject to approval by the governors of the School.

Statement of Intent

This policy aims to:

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

Powers of Members of Staff to Detain Students by Use of Force

1. *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); and
 - prejudicing the maintenance of good order and discipline
2. The DfE guidance notes 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 legitimises corporal punishment.
3. Where a school has students with known severe behavioural difficulties, only trained staff are allowed to use restraint techniques. Any nominated member of staff must be trained in the technique that is to be used. No staff can physically restrain students exhibiting extremes of behaviour unless so trained.

Right to Search Students

1. In line with DfE guidance (circular 34/2014 '*Searching, screening and confiscation*') a search may be undertaken where unlawful substances may be present. The Head Teacher, and any member of the School staff authorised by the Head Teacher, who has reasonable grounds for believing that a student may have with him/her or in his/her possession drugs, alcohol, stolen property, fireworks or an offensive weapon, the right to search that student. The student should be given the opportunity to voluntarily hand in the item.
2. If the student refuses, the Head Teacher will be called in to deal with the situation. If the Head Teacher has reasonable grounds for suspecting that a student is in possession of a prohibited substance then he, or a member of staff authorised by him, can search the student. The

requirement that the searcher is the same sex as the student and that a witness is present will continue to apply in nearly all searches. There is a limited exception to this rule. A member of staff can carry out a search of a student of the opposite sex to them and without a witness present, but only where there is a reasonable belief that there is a risk that serious harm will be caused to a person if they do not conduct the search immediately and where it is not reasonably practicable to summon another member of staff. Where it is practicable to summon a staff member of the same sex as the student and a witness then the teachers wishing to conduct a search must do so.

3. If a search reveals any 'offensive weapons' or knives, or 'evidence in relation to an offence' the School will inform the Police immediately. The School has no discretion in this, not even if the School wishes to resort solely to internal discipline procedures.

Circumstances Where Physical Restraint May be Justified

1. Physical restraint should only be used as a last resort; other non-physical strategies for diffusing the situation must be tried first.
2. 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.
3. If there is a need to restrain a student with severe behavioural difficulties, only staff trained in appropriate restraint techniques should attempt to restrain such students.
4. 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.
5. 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
6. Restraint is NOT a punishment and must not be used as such:
 - Assistance should be sought whenever possible
 - The student(s) should be told why they have been restrained
 - 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.
7. 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
- Hold a student face down on the ground.

Physical Contact with Vulnerable Students

1. 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.

2. Specific arrangements should be:
 - Understood and agreed by all concerned
 - Justified in terms of the student's needs
 - Consistently applied
 - Open to scrutiny
 - Reviewed regularly

Specific arrangements may be included on a student's IEP, PSP or recorded elsewhere.

3. 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.
4. In all cases where a student has been restrained, it will be reported to a member of Senior Management, who will inform the parent/carer.

Staff Code of Conduct

1. Staff 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 made aware of the Government guidance in respect of physical contact with students and

- Take into account any medical needs of students
2. 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 detrimental to good order
 3. Staff should have regard to the health and safety of themselves and others
 4. In all cases where physical intervention is deemed necessary, the incident and subsequent actions should be recorded in Webfolder.
 5. Under no circumstances should physical force be used as a form of punishment
 6. The use of unwarranted physical force is likely to constitute in either a criminal offence or civil proceedings by the parent/carer. In addition disciplinary action will be taken by the School.
 7. Staff must:
 - Adhere to the School's Physical Restraint Policy;
 - Always seek to defuse situations
 - Always use the minimum force necessary for the shortest period necessary.

Training and Support

The Head Teacher will ensure that appropriate training is provided for staff who are authorised to use physical restraint.

Equal Opportunities

In implementing this policy all staff must take account of the School's Single Equalities Scheme. Only trained staff are authorised to use permitted restraint techniques on students with disabilities who may exhibit severe behavioural difficulties.

Monitoring and Review

The Head Teacher will:

- Ensure that all incidents are recorded in the School's MIS (currently Bromcom)
- The Deputy Head (Pastoral) is in charge of ensuring incidents are recorded and reported regularly to the STRP group.
- Report incidents and the outcome to the Governing Body, annually in the summer term.