



The Boston Witham Academies Federation

POLICY ON THE USE OF PHYSICAL INTERVENTION

Background

Park Academy Academy considers the use of physical intervention as appropriate in the last resort and has a comprehensive Behaviour for Learning Policy designed to minimize the requirement for physical intervention. Included in the policy are a range of strategies to prevent inappropriate behaviour and to promote appropriate behaviour so that the learning environment is safe and relationships are good. However, there may be the rare incident where physical intervention is an appropriate strategy for staff to use.

On 1st September 1998 a new provision came into force. It clarified the powers of teachers and other staff who have lawful control or charge of learners to use reasonable force to prevent learners committing a crime, causing injury or damage, or causing disruption. The new provision did not permit corporal punishment in any shape or form or the use of physical contact to deliberately intend to punish a learner, or which is primarily intended to cause pain or injury or humiliation. Concurrent with this, Section 93 of the Education and Inspection Act 2006, states that all members of school staff have a legal power to use reasonable force. This power applies to any member of staff at the school. It can also apply to people whom the Head of Academy has temporarily put in charge of pupils such as unpaid volunteers or parents accompanying learners on a school organised visit.

Section 550A allows those persons authorised by the Head of Academy to have control or charge of such learners, to use such force as is reasonable in the following circumstances to prevent a learner from doing, or continuing to do:

- committing a criminal offence
- injuring themselves or others
- causing damage to property
- engaging in any behaviour prejudicial to maintaining good order and discipline

The provision only applies on academy premises or while on authorised out of academy activities, e.g. field trip, academy trip, etc.

'Reasonable force' has no legal definition. However, these considerations are relevant:

- a) Use of force is considered reasonable only if the circumstances of the particular incident warrant it.
- b) Degree of force used must be in proportion to the circumstances of the incident and the seriousness of the behaviour, or the consequence it is intended to prevent.
- c) All force should be the minimum required to achieve the desired result.
- d) The reasonable use of force and the degree of force that could reasonably be employed might also depend on the age, understanding and sex of the learner.

Principles:

1. Staff are reminded that all physical contact with learners should be avoided. Care should be taken when this is unavoidable, e.g. PE/Games lessons.
2. A senior member of staff should be called to assist in difficult situations.
3. Before all intervention several other strategies and actions should be taken:
 - Ask/tell the learners to desist
 - Inform learners of the consequences of their actions
 - Keep communication channels open with the learner
 - Keep calm
 - Intervention by an authorised person should not be considered on their own in the following circumstances:
 - when a learner is physically large
 - more than one learner is involved
 - the authorised person feels threatened by the situation
 - the authorised person feels unable to cope with the situation
 - the authorised person is at risk in the situation
4. Only then and in extreme circumstances should a member of staff consider intervening and using 'reasonable force'.
5. The following list of permitted physical interventions is not exhaustive but provides some examples of situations where reasonable force can be used:
 - physically interposing between learners;
 - blocking a learner's path;

- holding;
- pushing;
- pulling;
- leading a learner by the hand or arm;
- shepherding a learner away by placing a hand in the centre of the back; or
- (in extreme circumstances) using more restrictive holds.

This policy also acknowledges its legal duty to make reasonable adjustments for disabled children and children with special educational needs (SEND) when using reasonable force. Particular care should also be taken with members of the opposite sex.

Non-permitted physical interventions will include:

- holding a learner around the neck, or by the collar, or in any way that might restrict a learner's ability to breathe;
- slapping, punching or kicking a learner;
- twisting or forcing limbs against the joint;
- tripping up a learner;
- holding or pulling a learner by the hair or ears;
- holding a learner face down on the ground;
- holding or touching a learner in a way that may be considered indecent.

Ultimately, the academy cannot use force as a punishment – it is always unlawful to use force as a punishment.

6. In accordance with Section 550ZB (5) of the Education Act 1996, the Head of Academy and authorised staff can use such force as is reasonable given the circumstances to conduct a search for the following “prohibited items”:

- Knives and weapons
- Alcohol
- Illegal drugs
- Stolen items
- Tobacco and cigarette papers
- Fireworks
- Pornographic images
- Any article that has been or is likely to be used to commit an offence, cause personal injury or damage to property.

Force **cannot** be used to search for items banned under the academy rules (advice from ‘Use of Reasonable Force, July 2013’).

7. Only authorised persons may intervene and the first action should always be diffusion and physical intervention only used in the last resort. Those authorised under Section 550A of the 1996 Education Act covers only the Teaching Staff.

All other academy staff are not normally authorised. However, should they not have time to summon a member of teaching staff, non-teaching staff should attempt to diffuse the situation in the best interests of the child and to prevent harm. The authorisation of the teaching staff is permanent unless this is withdrawn from individual members of staff. Persons from the non-teaching staff and others may be temporarily authorised for activities such as academy trips in which they are involved.

8. Where the academy is aware of a learner who may require physical control or restraint, this should be planned for and detailed written guidance be available to staff and shared with parents.

9. Should an incident under Section 550A occur where force is required, such as holding or pushing, the member of staff must fill in the relevant form (Appendix 1) immediately and report the incident verbally to the CEO, Head of Academy or senior leaders. Where such an incident is reported parents will be informed and a meeting may be requested.

Monitoring Responsibility	CEO
Next Review Date	
Approval Body	Board of Directors
Date Ratified	
Chair of Committee Signature	

Park Academy Academy Positive Handling Form

Positive Handling

Escort

Name:

Year:

Date:

Time:

Location:

Activity:

Report Compiler:

Position:

Name (s) of staff involved:,

Name(s) of witness :

ANTECEDENTS (A description of events leading up to the incident/behaviour) & RISK:

BEHAVIOUR – Highlight in numerical order

Persistent refusal to follow instructions <input type="checkbox"/>	Hitting <input type="checkbox"/>	Disruption to lesson/ activity <input type="checkbox"/>	Property damage <input type="checkbox"/>
Pushing/nipping <input type="checkbox"/>	Verbally abusive <input type="checkbox"/>	Kicking <input type="checkbox"/>	Spitting <input type="checkbox"/>
Biting <input type="checkbox"/>	Head butting <input type="checkbox"/>	Absconding <input type="checkbox"/>	Self-mutilation <input type="checkbox"/>
Other:			

DE-ESCALATION TECHNIQUES USED:

Verbal advice & support <input type="checkbox"/>	Reassurance <input type="checkbox"/>	Calm script / talking <input type="checkbox"/>	Persuasion <input type="checkbox"/>
Distraction <input type="checkbox"/>	Appropriate humour <input type="checkbox"/>	Option offered <input type="checkbox"/>	Step away <input type="checkbox"/>
Time out offered <input type="checkbox"/>	Choices / limit /consequences <input type="checkbox"/>	Planned ignoring <input type="checkbox"/>	Negotiation <input type="checkbox"/>
Contingent touch <input type="checkbox"/>	Success reminded <input type="checkbox"/>	Humour <input type="checkbox"/>	Transfer adult <input type="checkbox"/>
Other:			

REASONS FOR INTERVENTION:

Immediate danger of personal injury to pupil <input type="checkbox"/>	Other pupil (s) <input type="checkbox"/>	Member of staff <input type="checkbox"/>
Disruption to other pupils <input type="checkbox"/>	Bullying pupil (s) <input type="checkbox"/>	To avoid damage to property <input type="checkbox"/>
Behaviour likely to compromise good order <input type="checkbox"/>	Absconding <input type="checkbox"/>	Prevent/disrupt a criminal act <input type="checkbox"/>
Other:		

POSITIVE HANDLING STRATEGIES USED:

Techniques	Standing			Sitting/chair			Kneeling		
	Event	Time	Initials	Event	Time	Initials	Event	Time	Initials
Under arm support									
Under arm with shoulder support									
Single elbow support									
Double elbow support									
Wrap									
Other									

Additional Comments:

MEDICAL INTERVENTION

Breathing Checked	<input type="checkbox"/>	signed:
Checked for bruises:	<input type="checkbox"/>	signed:

Injury to pupil: No

If yes checked by First Aider Refer to GP? Yes/No If Yes details:

Injury to other pupils: Yes/No If Yes details:

Injury to staff: Yes/No If Yes details:

TIME OF RESOLUTION OF THE INCIDENT:

Successfully returned to class	<input type="checkbox"/>	Needs further time out	<input type="checkbox"/>	Excluded	<input type="checkbox"/>	Other	<input type="checkbox"/>
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I have read and agree with the details contained in the report – staff involved with incident

Signed:

Signed:

Signed:

If staff member(s) in disagreement please detail reasons and sign below

Reasons:

Signed:

Signed:

Signed:

RESPONSE AND VIEW OF THE PUPIL:

This report has been read by/read to and discussed with the pupil	<input type="checkbox"/>
Pupil refuses to discuss incident	<input type="checkbox"/>

Pupil agrees with its content	<input type="checkbox"/>
Any views of the pupil	

This section is to be completed by the Headteacher, or member of SLMT on duty

Staff Debriefing	By Whom	Comments/Further Action Required

Parents Informed	<input type="checkbox"/>	Name:	Time:	Date:
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Parental/Guardian Comments if applicable:

Was sufficient/appropriate de-escalation undertaken?	<input type="checkbox"/>
Were there grounds for use of physical control?	<input type="checkbox"/>
Were approved physical controls used?	<input type="checkbox"/>
Has appropriate/sufficient post incident action been taken?	<input type="checkbox"/>
Is the record keeping comprehensive and complete?	<input type="checkbox"/>
Were all relevant people informed?	<input type="checkbox"/>
Were there any staff/pupil complaints about the incident?	<input type="checkbox"/>

Other comments by the SLMT:

Signed:

Date:

Further action/consequence:

Education Welfare Officer contacted	<input type="checkbox"/>	Social Services contacted	<input type="checkbox"/>
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THE FULLY COMPLETED FORM SHOULD BE FORWARDED TO SLMT AS SOON AS POSSIBLE
NO LATER THAN 24 HOURS FOLLOWING THE INCIDENT

SLMT's MONITORING