



# THE FULHAM BOYS SCHOOL

<b><i>Policy Title</i></b>	Physical Intervention Policy
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## Revisions Table

<b><i>Version</i></b>	<b><i>Date</i></b>	<b><i>Edited by</i></b>	<b><i>Description of Change</i></b>
Summer 2018	Summer 2018	Simon Kellie	Following items amended: 1.3 3.4, 3.4.1, 3.4.2, 3.4.3, 3.4.4, 3.4.5 3.5 6.3 7.1, 7.3

The master copy of this document can be found on the FBS Google Drive, under the "Policies" folder. This is one of a number of policies that are reviewed by the Governing Body, the full list can be found on the FBS Google Drive in the Policies Folder. Minor revisions that just adjust factual items (eg contact details / names) can be made by the author without formal review, and must be recorded in the Revisions table above. Revisions table front sheet was added to all policies during policy review of Summer 2018.



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## PHYSICAL INTERVENTION POLICY

Date of Next Review: Summer 2019

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## **1. INTRODUCTION**

- 1.1 There has been a common misconception since the Children Act 1989 that any physical contact with a child or young person is unlawful. Teachers and other staff have always had powers under common law to use reasonable force to prevent children or young people committing a crime, causing injury or damage to themselves or others.
- 1.2 The aim of the guidelines in this policy is to assist all staff at FBS to deal effectively with challenging behaviour; to ensure that staff are protected from harm and to ensure that boys are protected from any form of physical restraint/intervention which is inappropriate.
- 1.3 These guidelines are in line with Section 93 of EIA 2006 which replaces Section 550A of the Education Act 1996 (the new also measures include a legal right to confiscate inappropriate items such as mobile phones or music players; statutory powers to discipline pupils on the way to and from school; greater legal scope and flexibility in giving detentions – including after school or Saturdays; a legal duty to make provision to tackle all forms of bullying). These guidelines are also in line with Use of Reasonable Force by the DfE 2013.

## **2. LEGISLATION**

- 2.1 There is no legal definition on what physical restraint is; however it is understood that to physically restrain a student is to control the child or young person through the positive application of force.
- 2.2 It is unlawful for any member of staff to use any degree of physical contact which is deliberately intended to punish a child or young person or which is intended to cause pain, injury or humiliation.
- 2.3 Section 550A of the Education Act 1996 refers to the use of force by teachers and non-teaching staff (as authorised by the Head Teacher) to physically restrain the child or young person in order to prevent him/her:
  - 2.3.1 committing an offence
  - 2.3.2 causing personal injury to or damage to property
  - 2.3.3 engaging in behaviour prejudicial to good order and discipline at the school or amongst its students
- 2.4 Any form of corporal punishment is unlawful.

## **3. WHEN THE USE OF FORCE IS NECESSARY**

- 3.1 Circumstances when it is reasonable to use force, or the degree of force that may be reasonably be used, will always depend on all the particular circumstances:
  - 3.1.1 the use of force can be regarded as reasonable only if the circumstances of the particular incident warrant it
  - 3.1.2 the use of any degree of force is unlawful if the particular circumstances do not warrant its use
  - 3.1.3 the degree of force will depend on the age, understanding, physical maturity of the boy
  - 3.1.4 teachers are allowed to defend themselves against an attack provided they do not use a disproportionate degree of force

- 3.1.5 teachers are allowed to intervene if a boy is at immediate risk of injury or on the point of inflicting injury on someone else
- 3.2 Strategies other than physical intervention should be attempted to deal with a situation.
- 3.3 Strategies and techniques for dealing with difficult boys and situations should be attempted to defuse and calm a situation.
- 3.4 Schools can use reasonable force to:
  - 3.4.1 Remove disruptive children from the classroom where they have refused to follow an instruction to do so;
  - 3.4.2 Prevent a pupil behaving in a way that disrupts a school event or a school trip or visit.
  - 3.4.3 Prevent a pupil leaving the classroom where allowing the pupil to leave would risk their safety or lead to behaviour that disrupts the behaviour of others.
  - 3.4.4 Prevent a pupil from attacking a member of staff or another pupil, or to stop a fight in the playground.
  - 3.4.5 Restrain a pupil at risk of harming themselves through physical outbursts.
- 3.5 Whenever physical restraint is used by a member of FBS Staff they are required to complete 'Physical Restraint/Intervention Report Form' found in Appendix 1 of this policy following the incident.
- 3.6 Where there is an immediate risk of injury or damage to property, a member of staff may have to intervene physically immediately; however, wherever possible, staff should consider whether an alternative strategy could be used.
- 3.7 All staff need to be aware of health and safety issues when dealing with boys with volatile behaviour therefore:
  - 3.7.1 The School will carry out a risk assessment particularly in relation to boys with known volatile behaviour, although risk assessments are only exercises in probability and are useful but limited in scope
  - 3.7.2 Whole school procedures will be in place when dealing with particular boys

#### **4. TYPES OF INTERVENTIONS AND RESTRAINTS**

- 4.1 Although it is not possible to describe fully the range of interventions or restraints which may be used, these may include:
  - 4.1.1 physically interposing between boys
  - 4.1.2 blocking a boy's path
  - 4.1.3 holding a boy
  - 4.1.4 (in extreme cases) pushing or pulling a boy
  - 4.1.5 leading a boy by the hand or arm from an incident
  - 4.1.6 shepherding a boy away from an incident by placing a hand in the centre of the back
  - 4.1.7 (in extreme cases) using restrictive holds.

4.2 Staff should not feel obliged to intervene where their own personal safety is at risk or where they believe such intervention could lead to an accusation of assault or abuse. They do, however, have a duty of care to summons assistance.

4.3 Staff must not:

- 4.3.1 hold a boy around the neck or by the collar or in any other way that might restrict the ability to breathe
- 4.3.2 slap, punch, kick, or strike a boy with an object
- 4.3.3 twist or force limbs against a joint
- 4.3.4 trip up a boy
- 4.3.5 hold or pull a boy by the hair
- 4.3.6 hold or touch a boy in a way that might be considered indecent

## **5. DURING THE INTERVENTION**

5.1 A calm and measured approach should be adopted

5.2 Staff should not give the impression that they have lost their temper or are punishing the boy

5.3 Staff should summon assistance as soon as possible.

## **6. FOLLOWING THE INCIDENT**

6.1 Any incident where a boy is putting himself, others or property at risk, requiring physical restraint, should be recorded and/or reported to a senior member of staff.

6.2 Parents should be informed of any incident involving their son as soon as possible, no later than the end of the school day, either orally or in writing.

6.3 Parents will be given the opportunity to discuss the incident with the DSL or Head Master if they wish.

6.4 The member(s) of staff involved should provide a written report as soon as possible, and should be reminded that the teaching unions are available for advice, should it be needed.

6.5 The School will keep a record of all incidents, to include:

- 6.5.1 the name(s) of the boy(s) involved
- 6.5.2 the date, time and place of the incident
- 6.5.3 names of key staff or boy(s) who witnessed the incident
- 6.5.4 the reason that the physical restraint was necessary
- 6.5.5 how the incident began and progressed
- 6.5.6 details of the boy's behaviour
- 6.5.7 what was said by each of the parties
- 6.5.8 the steps taken to diffuse the situation
- 6.5.9 the degree of force used
- 6.5.10 how and for how long the physical restraint was applied
- 6.5.11 the boy's response

- 6.5.12 the outcome of the incident
- 6.5.13 details of any injury or damage to property

6.6 The School will use the incident recording form as at Appendix 1.

## **7. DE-BRIEFING**

- 7.1 The member(s) of staff involved in the restraint will be encouraged to consider the situation with a member of the Senior Leadership Team as soon as possible following the incident.
- 7.2 The opportunity should be taken to evaluate the situation and could serve to de-brief the member of staff and to inform future situations
- 7.3 The boy may themselves feel upset. Following the incident and, as part of working through the problem, the boy should be advised as to why it was necessary to use physical restraint. He should be allowed to put his side of the situation forward. The school's Senior Leadership team in conjunction with Heads of House may consider putting a Pastoral Support Plan in place for the student if deemed appropriate.

**APPENDIX 1**

*To be given to DSL or Headmaster once completed, once considered report will be stored in files of students involved.*

**PHYSICAL RESTRAINT/INTERVENTION REPORT**

Name of Member of staff: ..... Date of Incident: .....

Name of boy involved: ..... Form: .....

..... Form: .....

Name(s) of witness(es): ..... Form: .....

..... Form: .....

Reason for use of physical restraint/intervention:

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Detail of incident (include description of events, boy's behaviour, what was said, steps taken to defuse situation, degree of force used, how and for how long force was applied, boy's response, outcome of incident.)

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Details of any injury or damage to property:

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Signature: .....

Date: .....