

DISCIPLINE & RESTRAINT POLICY

Schools

Inspired Education Group UK

Introduction

In all its educational establishments, the Inspired Education Group aims to provide a supportive and controlled environment in which children and young people are encouraged to pursue high academic and personal goals as happy and secure individuals. The Group expects that all its staff will be alert to the needs of pupils and will put the interests of children and young people first at all times. However it is recognised that occasionally situations will arise where pupils place themselves or others in danger through deliberate or thoughtless behaviour, and where physical intervention may be necessary to control or restrain a pupil's behaviour.

This document sets out the policy to be followed in all Inspired Education Group establishments regarding the restraint of children and young people and the use of reasonable force by teachers and others authorised to be in charge of children and young people. All staff must be aware of its contents and have a clear understanding if they personally are authorised under the policy to exercise restraint in appropriate circumstances.

This policy must be read alongside government guidance:

<https://www.gov.uk/government/publications/use-of-reasonable-force-in-schools>

It will be reviewed annually in conjunction with the annual review of child protection policies, and its application in all schools will be regularly monitored.

Staff Responsibilities

This policy is to be followed closely in all regards. Any member of staff who acts outside its guidance may be subject to action under the Group's disciplinary policies on the ground of gross misconduct, which can lead to dismissal. Anyone dismissed in these circumstances is likely to be barred from working with children in any other establishment or setting.

Authorised Staff

Only staff who have been explicitly authorised by the Head/Principal are permitted to restrain pupils. All teachers are automatically authorised, but as a matter of good practice each teacher will be explicitly authorised. The Head has discretion to authorise other members of staff to exercise restraint when they have control or charge of pupils. Such staff members may be, for example, classroom or teaching assistants, playground supervisors, specialist support assistants, therapists or voluntary helpers. Authorisation may be on a permanent or long term basis because of the nature of the person's job, or short term for a specific event such as a school trip. A register of staff authorised under this policy will be maintained in each establishment.

Exercising Restraint

Teachers and other authorised staff may use such force as is reasonable in all the circumstances to prevent a pupil from doing, or continuing to do, any of the following:

- committing a criminal offence (including behaving in a way that would be an offence if the pupil were not under the age of criminal responsibility);
- injuring themselves or others;
- causing damage to property (including the pupil's own property);
- engaging in any behaviour prejudicial to maintaining good order and discipline at the school or among any of its pupils, whether that behaviour occurs in a classroom during a teaching session or elsewhere.

A child may be restrained in an appropriate manner by an authorised person when on the school premises, or when the authorised person has lawful control or charge of the pupil concerned elsewhere e.g. on a field trip or other authorised out of school activity.

Types of Incidents

There is a wide variety of situations in which reasonable force might be appropriate or necessary to control or restrain a pupil. They will fall into three broad categories:

- a) where action is necessary in self-defence or because there is an imminent risk of injury;
- b) where there is a developing risk of injury, or significant damage to property;
- c) where a pupil is behaving in a way that is compromising good order and discipline.

Examples of situations that fall within one of the first two categories are:

- a pupil attacks a member of staff, or another pupil;
- pupils are fighting;
- a pupil is engaged in, or is on the verge of committing, deliberate damage or vandalism to property;
- a pupil is causing, or at risk of causing, injury or damage by accident, by rough play, or by misuse of dangerous materials or objects;
- a pupil is running in a corridor or on a stairway in a way in which he or she might have or cause an accident likely to injure him or herself or others;
- a pupil absconds from a class or tries to leave school (N.B. this will only apply if a pupil could be at risk if not kept in the classroom or at school).

Examples of situations that fall into the third category are:

- a pupil persistently refuses to obey an order to leave a classroom;
- a pupil is behaving in a way that is seriously disrupting a lesson.

Reasonable 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. There are two relevant considerations:

- the use of force can be regarded as reasonable only if the circumstances of the particular incident warrant it. The use of any degree of force is unlawful if the particular circumstances do not warrant the use of physical force. Therefore physical force could not be justified to prevent a pupil from committing a trivial misdemeanour, or in a situation that clearly could be resolved without force.
- the degree of force employed must be in proportion to the circumstances of the incident and the seriousness of the behaviour or the consequences it is intended to prevent. Any force used should always be the minimum needed to achieve the desired result.

Practical considerations

Before intervening physically a teacher should, wherever practicable, tell the pupil who is misbehaving to stop, and what will happen if he or she does not. The teacher 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.

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 phone 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.

Whether it is reasonable to use force, and the degree of force that could reasonably be employed, might also depend on the age, understanding, and sex of the pupil.

Application of Force

Physical intervention can take several forms. It might involve staff:

- physically interposing between pupils;
- blocking a pupil's path;
- holding;
- pushing;
- pulling;
- leading a pupil by the hand or arm;
- shepherding a pupil away by placing a hand in the centre of the back; or,
- in extreme circumstances, using more restrictive holds.

In exceptional circumstances, where there is an immediate risk of injury, a member of staff may need to take any necessary action that is consistent with the concept of "reasonable force": for example to prevent a young pupil running off a pavement onto a busy road, or to prevent a pupil hitting someone, or throwing something.

In other circumstances staff should not act in a way that might reasonably be expected to cause injury, for example by:

- holding a pupil around the neck, or by the collar, or in any other way that might restrict the pupil's ability to breathe;
- slapping, punching or kicking a pupil;
- twisting or forcing limbs against a joint;
- tripping up a pupil;
- holding or pulling a pupil by the hair or ear;
- holding a pupil face down on the ground.

Staff should always avoid touching or holding a pupil in a way that might be considered indecent.

Where the risk is not so urgent the teacher should consider carefully whether, and if so when, physical intervention is right. Teachers should always try to deal with a situation through other strategies before using force. All teachers need developed strategies and techniques for dealing with difficult pupils and situations which they should use to defuse and calm a situation. In a non-urgent situation force should only be used when other methods have failed.

That consideration is particularly appropriate in situations where the aim is to maintain good order and discipline, and there is no direct risk to people or property. As the key issue is establishing good order, any action which could exacerbate the situation needs to be avoided.

The possible consequences of intervening physically, including the risk of increasing the disruption or actually provoking an attack, need to be carefully evaluated.

The age and level of understanding of the pupil are also very relevant in those circumstances. Staff are reminded that physical intervention to enforce compliance with staff instructions is likely to be increasingly inappropriate with older pupils. It should never be used as a substitute for good behavioural management.

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. Any incident of this kind should be recorded in the restraints incident record described above.

Corporal Punishment

Any form of physical restraint or physical contact which is intended as a punishment is expressly forbidden. This includes such obvious actions as slapping, punching or otherwise striking a child with the intention of causing pain or discomfort. It will also include less obvious forms of physical actions, such as gripping parts of a child's body or limbs tightly or twisting limbs etc. It can be a matter of degree between acceptable actions to restrain a child and the same physical actions becoming unacceptable and unreasonable force intended to inflict pain or discomfort as a sanction. Staff must ensure that, in the heat of the moment, they do not stray over that divide. Any act of corporal punishment by a member of staff will be considered gross misconduct.

Also unacceptable is any action by a member of staff which, although stopping short of physical contact, is intended to be intimidatory, or has that effect. Such actions would include throwing objects at children, using abusive or threatening language, making threatening gestures or adopting an aggressive manner towards a child.