



BURLINGTON
HOUSE SCHOOL

Physical Contact and Restraint Policy

Responsible person(s): Rik Finch (Deputy Head - Sixth Form), Stuart Bridge (Pastoral Lead - Senior School), Colwin Bristol (Deputy Head - Prep School)

Review Cycle: Annual

Last review date: September 2024

New review date: September 2025

In all Burlington House School policies, the words “Burlington House School” refer to Burlington House Prep, Burlington House Senior and Burlington House Sixth Form.

Burlington House School is owned and operated by **Cavendish Education**.

General Introduction:

This policy is one of a series of school policies that, taken together, are designed to form a comprehensive statement of the school’s aspiration to provide an outstanding education for each of its students and of the mechanisms and procedures in place to achieve this. Accordingly, this policy should be read alongside these policies. In particular, it should be read in conjunction with the policies covering equality and diversity, Health and Safety, safeguarding and child protection.

All of these policies have been written, not simply to meet statutory and other requirements, but to enable and evidence the work that the whole school is undertaking to ensure the implementation of its core values: that **all children can achieve**.

While this current policy document may be referred to elsewhere in Burlington House School documentation, including particulars of employment, it is non-contractual.

In the school’s policies, unless the specific context requires otherwise, the word “parent” is used in terms of Section 576 of the Education Act 1996, which states that a ‘parent’, in relation to a child or young person, includes any person who is not a biological parent but who has parental responsibility, or who has care of the child. Department for Education guidance Understanding and dealing with issues relating to parental responsibility updated August 2023 considers a ‘parent’ to include:

- all biological parents, whether they are married or not
- any person who, although not a biological parent, has parental responsibility for a child or young person - this could be an adoptive parent, a step-parent, guardian or other relative
- any person who, although not a biological parent and does not have parental responsibility, has care of a child or young person

A person typically has care of a child or young person if they are the person with whom the child lives, either full or part-time and who looks after the child, irrespective of what their biological or legal relationship is with the child.

The school employs the services of the following consulting companies to ensure regulatory compliance and the implementation of best practice:

- Peninsula BrightHR
- Peninsula BusinessSafe (Health and Safety)
- Atlantic Data (DBS)

- Educare (online CPD)
- SchoolPro (data protection)
- Marsh Commercial (insurance)

Where this policy refers to 'employees', the term refers to any individual that is classified as an employee or a worker, working with and on behalf of the school (including volunteers and contractors).

Burlington House School is committed to safeguarding and promoting the welfare of children and young people and expects all staff, volunteers, pupils and visitors to share this commitment.

All outcomes generated by this document must take account of and seek to contribute to safeguarding and promoting the welfare of children and young people at Burlington House School.

The policy documents of Burlington House School are revised and published periodically in good faith. They are inevitably subject to revision. On occasions a significant revision, although promulgated in school separately, may have to take effect between the re-publication of a set of policy documents. Care should therefore be taken to ensure, by consultation with the Senior Leadership Team, that the details of any policy document are still effectively current at a particular moment.

Policy Statement

Burlington House School has a disciplinary approach based on positive reinforcement of acceptable behaviour. We are committed to ensuring pupils are safe, happy and learning in a calm and positive environment. We are committed to promoting positive behaviour and also ensuring that pupils are clear about the rules they are expected to follow.

There are times when a member of staff might be required to physically intervene with a pupil in the best interest of their welfare or the welfare of other pupils. The Department for Education states that "all school staff have the power to use reasonable force to prevent pupils committing an offence, injuring themselves or others, or damaging property, and to maintain good order and discipline in the classroom." Reasonable force will only be used rarely and would never be used punitively, but in the best interest of pupils should the situation require it.

There are two kinds of physical intervention that might be used:

- Positive contact
- Use of reasonable force to control or restrain

This policy explains when and how each of these might be used by Burlington House staff. It has been written within the guidelines established by the Department for Education in the document, 'Use of Reasonable Force: Advice for Headteachers, Staff and Governing Bodies'. This states that 'All school staff have a legal power to use reasonable force' under the Education Act, 2011. Senior Leaders and other named staff may be trained in the use of physical force and restraint, and all authorised staff should be clear about the criteria for when physical force and restraint should be used and the procedures for recording such incidents. All school staff are familiar with the school's policy and have a clear understanding about when physical restraint is appropriate and how it should be done. Parents should also be made aware of this policy.

Positive Contact

We believe that to deny pupils all physical contact with adults is to deny a basic human need and an expression of care and concern for all pupils. However physical contact must be appropriate for the age, understanding and gender of the child and must never threaten or be sexually inappropriate. Staff must be sensitive to:

- cultural backgrounds
- the need to maintain pupils' personal space
- an awareness of pupils who have been sexually abused and will either seek physical contact or positively avoid it
- pupils' special educational needs profiles and/or learning differences

Physical contact may be appropriate when:

- a pupil needs to receive comfort or reassurance
- a pupil needs encouragement to attempt a new challenge
- there is a need to take urgent action to avoid an incident or injury
- demonstrating a PE technique or one involving a musical instrument
- providing first aid treatment

Staff should take care when offering physical comfort to pupils and also be mindful of pupils who may be approaching puberty because physical contact can be misconstrued and this can cause distress to all concerned. Staff should take reasonable measures when they are left alone supervising/talking with/teaching small groups or individual pupils (such as leaving the door open).

The Use of Force to Control or Restrain Pupils

When should reasonable force or restraint be used? According to guidance, reasonable force and restraint may be used to prevent a pupil from doing, or continuing to do any of the following:

- committing a criminal offence
- injuring themselves or others
- causing serious damage to property including the pupil's own property
- engaging in behaviour prejudicial to good order at the school or among any of its pupils whether that behaviour occurs in a classroom during a teaching session or elsewhere

Staff have a right to defend themselves against physical attack and do everything possible to defuse the situation before such an attack occurs. In the event that it is necessary to defend themselves against physical attack, minimum force for maximum effect should be used.

Situations in which reasonable force might be appropriate are:

- when action is necessary in self-defence e.g. when the pupil attacks another pupil or adult
- where there is an immediate or imminent risk of injury to another child or an adult e.g. when pupils are fighting or there is rough play or misuse of dangerous materials or objects
- where there is immediate risk of significant damage to property – when a pupil is about to vandalise property
- where behaviour jeopardises good order and discipline e.g. where a pupil absconds from the classroom or school buildings. (Note – this only applies if the pupil could be at risk if not kept in the classroom or at school)

- a pupil persistently refuses to leave an area and this is likely to cause harm to their wellbeing, or their safety cannot be secured if they remain in that area (e.g. somewhere they cannot be supervised)
- behaviour which seriously disrupts a lesson

Physical intervention may need to be used when:

- there is clearly no alternative approach which would work in the circumstances i.e. there is an immediate urgency to resolve the situation
- defending or protecting

Physical force, intervention and restraint can take several forms. It might involve staff in:

- physically interposing between pupils
- blocking a pupil's path
- holding, pushing or pulling - but only in extreme circumstances to avoid danger
- 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 (and only with appropriate training)

Staff should not act in a way that might 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 ability to breathe
- slapping, punching or kicking
- twisting or forcing limbs against joint
- tripping up
- holding or pulling by the hair or ear
- holding a pupil face down on the ground

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 from running onto a busy road or to prevent a pupil from hitting someone or throwing something. Staff should always avoid touching or holding a pupil in a way that might be considered indecent. Staff must always consider whether a risk is urgent and whether there is any alternative to physical intervention. Staff should always try to deal with the situation using other strategies to calm a situation before using force. See advice in the school behaviour policy.

Procedure

1. Staff must use minimum force for maximum effect over the shortest time and use only the agreed restraint methods.
2. Pupil safety is paramount. Staff must be aware of signs of distress such as vomiting, changes in colour, breathlessness etc.
3. After an incident staff must complete the 'Report of Incident Involving Physical Restraint'. A copy must be passed to the Headteacher (or other member of the Senior Leadership Team with delegated responsibility).
4. Parents should be informed of the incident, the circumstances which led up to the incident and the outcome. Parents must also be informed of any future action the school intends to take.

5. Should there be a need to do so, reassurance and support will be provided to any pupils who witness an incident.
 6. The Senior Leadership Team and staff will evaluate any incident or physical restraint to inform future management of pupils in similar situations.
 7. Staff involved will be debriefed following an incident and kept informed of any future action which relates to it.
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Essential Points to Remember

Whenever possible, staff are advised to seek the support of another adult (ideally a member of the SLT) when they need to use reasonable force to resolve a situation they cannot deal with in any other way. The other adult will be a witness to the incident and will complete a witness report for the record. In some extreme cases staff are advised not to intervene in an incident, unless it is an emergency. Staff must judge whether it is safe to remove other pupils to a safe distance and seek help from other colleagues or the police. In such incidents, the member of staff should tell the pupil that he/she has sent for help and continue to try to diffuse the situation orally. If the situation is defused successfully the incident log must still be completed so that others may learn from the experience.

Complaints

In the event of complaints to the school or to the Local Authority in connection with the use of force by a member of staff, the Headteacher (or delegated member of the Senior Leadership Team) will seek the advice and support of relevant personnel on how to respond to the complaint.

Assessment of Risk

All staff in the school must be informed about pupils/families who are vulnerable or volatile. Such pupils/families should be clearly identified, a risk assessment based on knowledge and previous experience will be carried out and a plan of action for individuals will be written by the Principal or delegated member of staff.

Appendix:

**Report of Incident Involving Physical Restraint
(or reasonable force associated with serious incidents)**

Name of pupil needing restraint/reasonable force
Date and time of incident
Location of incident
Names of other any pupils directly involved
Names of witnesses
Full description of incident (how it began and progressed, steps taken to defuse/calm situation, degree of force used, how it was applied and for how long)
Specify reason force was necessary
Specify type of force used
Pupil response to force
Outcome/s of use of force
Details of any injuries
Details of any damage to property

Any other consequences

Details of follow up required

Any other notes

Signature of person administering force

Signature of person completing this form (if different)

Copies to Headteacher and Designated Safeguarding Lead