



LIFE Wirral Sports School

PHYSICAL INTERVENTION POLICY – USE OF REASONABLE FORCE

This policy, which applies to the whole school, is publicly available on the school website and upon request a copy (which can be made available in large print or other accessible format if required) may be obtained from school.

Document Details

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Responsible Area	Proprietor and Senior leadership team

Amendments:

Date	Amendment

Availability: This policy applies to all activities undertaken by the school, inclusive of those outside of the normal school hours and away from the school site and is inclusive of all staff (teaching, support and agency staff), pupils on placement, contractors, the Chief Executive Officer, the Advisory Board and volunteers working in the school. All who work, volunteer or supply services to our school have an equal responsibility to understand and implement this policy being required to state that they have read, understood and will abide by this policy and its procedural documents and confirm this by signing the *Policies Register*.

Monitoring and review:

- This document will be subject to continuous monitoring, refinement and audit by the Headteacher.
- This policy was last reviewed agreed by the Advisory Board in September 2023 and will next be reviewed no later than September 2024 or earlier if significant changes to the systems and arrangements take place, or if legislation, regulatory requirements or best practice guidelines so require.

Signed:

Sarah Quilty
Headteacher

Alastair Saverimutto
Chief Executive Officer

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LIFE Wirral Sports School is committed to safeguarding and promoting the welfare of our pupils and expects all staff and volunteers to share this commitment. It is our aim that all pupils fulfil their potential.

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Introduction

LIFE Wirral Sports School’s policy is that physical intervention or restraint should only be used as a last resort in extreme circumstances and when all other methods have been deployed in order to reduce confrontational behaviour.

The reason for the use of restraint is to keep people safe:

- to prevent a pupil injuring themselves, other pupils or staff
- to prevent serious damage to property
- to prevent a pupil from running away where in doing so they are putting themselves at risk

This is in accordance with Section 550A of the 1996 Education Act.

Examples of ‘extreme circumstances’:

- a pupil attacks a member of staff or another pupil
- pupils are fighting
- a pupil is causing, or at risk of causing, injury or damage by accident, by rough play, or by misuse of dangerous materials, substances or objects
- a pupil is or appears to be under the influence of alcohol or illegal substances
- a pupil absconds from school (this will only apply if a pupil would be at serious risk if not kept in school)

Supporting Principles

- Members of staff should not attempt to restrain a pupil if they are likely to put themselves at risk
- Physical intervention should only be used if all other preventative measures (including sending for adult support) have been explored
- Physical intervention should never be punitive
- Physical intervention must be reasonable, proportionate and necessary. It should be the minimum required to prevent injury to another person or to prevent them from harming themselves
- The rights and dignity of pupils and members of staff must be recognised
- Any incident in which a pupil is physically restrained must be recorded by the headteacher.

Physical Restraint

Staff have a legal power to use ‘physical intervention’ to avert ‘an immediate danger of personal injury to, or an immediate danger to the property of, a person’ (including the pupil). The position is stated in DfE Guidance *Behaviour and Discipline in Schools*. Teachers in our school do not hit, push or slap pupils. Where physical intervention is used, the pupil’s parents are informed on the same day.

What is reasonable?

It would be considered reasonable to shepherd a young person away by placing a hand in the centre of the back, or by holding them so that they cannot proceed into further danger or conflict. There is no precise legal definition of “reasonable force” so it is not possible to state in fully comprehensive terms when it is appropriate to use physical force to restrain or control pupils, or the degree of force that may reasonably be used. It will always depend on the circumstances of each case. However, there are two relevant considerations to be borne in mind:

- 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; and whether it is reasonable to use force, and the degree of force that could reasonably be employed, might also depend on, amongst other things, the age, level of understanding of the pupil, and any physical disability they may have.

The decision on whether to physically intervene is down to the professional judgement of the staff member concerned.

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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 on to a busy road, or to prevent a pupil hitting someone, or throwing something.

Teachers must not put themselves at personal risk by intervening in an incident. The use of reasonable force is a power, not a duty, and therefore members of staff have discretion whether or not to use it. However, teachers and other school staff have a duty of care towards their pupils and it might be argued that failing to take action (including a failure to use reasonable force) may in some circumstances breach that duty. If a member of staff feels that they cannot use reasonable force in a particular circumstance then they should seek immediate support from another member of staff.

Staff Training

Training and guidance is given to all members of staff on the circumstances in which ‘physical intervention’ is allowable. The headteacher considers whether members of staff require any additional training to enable them to carry out their responsibilities and should consider the needs of the pupils when doing so. Several staff receive advanced annual positive handling training and are trained to use the following techniques: prompting, two-person escort, two-person holding, double wrist hold, cupped fist hold, straight arm immobilisation, kneeling and seated rest positions (see appendix below)

Complaints & Child Protection

If the physical intervention is of a nature that causes injury or distress to a pupil it may be considered under child protection or disciplinary procedures. The Head may decide that further investigation of the occurrence is required. Any parental or pupil complaint arising from such intervention would be investigated under the school’s normal complaints procedure. When a complaint is made the onus is on the person making the complaint to prove that his/her allegations are true. It is not for the member of staff to show that s/he has acted reasonably.

Where a member of staff has acted within the law, that is, they have used reasonable force in order to prevent injury, damage to property or disorder, this will provide a defence to any criminal prosecution or other civil or public law action. We will not automatically suspend a member of staff who has been accused of using excessive force. The school will carefully consider whether the circumstances of the case warrant a person being suspended until the allegation is resolved or whether alternative arrangements are more appropriate. If a decision is taken to suspend a teacher, we will ensure that the teacher has access to a named contact who can provide support. The headteacher will always consider whether a teacher has acted within the law when reaching a decision on whether or not to take disciplinary action against the teacher. It is important that the school provides appropriate pastoral care to any member of staff who is subject to a formal allegation following a use of force incident.

Corporal Punishment

Under section 131 of the School Standards and Framework 1998, corporal punishment is prohibited in all schools and is a criminal offence.

Other physical contact with pupils

Examples of where touching a pupil might be proper or necessary:

- standing between two students to block their path
- leading a child from a room using their hand/arm
- when comforting a distressed pupil
- when a pupil is being congratulated or praised
- to demonstrate how to use a musical instrument
- to demonstrate exercises or techniques during PE lessons or sports coaching
- to give first aid

Related Documents:

- Anti-bullying Policy and Procedures
- Safeguarding –Child Protection Policy and Procedures
- Behaviour Policy



Two-Person Holding



Double-Wrist Hold



Cupped-Fist Hold



From Rear



Straight-Arm Immobilisation



Physical Intervention Techniques

Prompting



Two-Person Escort



Kneeling Rest Positions



Seated Rest Positions



Dealing with kicking in a seated position



Disengaging from a seated position

