



Mildenhall College
A C A D E M Y

RESTRAINT AND USE OF FORCE POLICY

Adoption Date: July 2016

Last Reviewed: 12/07/2017

Next Review: 12/07/2020

This policy is reviewed every three years. It can be reviewed sooner if amendments to legislation or educational practice necessitate a change.

Links to other policies:

- **Rewards and Sanctions Policy**
- **Anti Bullying Policy**
- **Drugs Policy**
- **Safeguarding Policy**

MILDENHALL COLLEGE ACADEMY

RESTRAINT AND USE OF FORCE POLICY

INTRODUCTION

Any form of physical punishment of students is unlawful as is any form of physical response to misbehaviour unless it is by way of restraint. Teachers and other staff may use reasonable physical force to restrain students in certain circumstances. It is particularly important that staff understand this both to protect themselves, students and the overall reputation of the academy.

At Mildenhall College Academy staff will only use force to restrain a student as a last resort when steps to resolve the situation by other means have failed and circumstances are such that force is deemed necessary to reduce to a minimum harm to persons and/or property.

When can force be used to restrain students?

The academy accepts that on occasions restraint of a student may be necessary but must only be used a last resort and involve the use of minimum reasonable force necessary to restrain the student. The Education and Inspections Act 2006 enables academy staff to use "such force as is reasonable in the circumstances to prevent a student from doing or continuing to do" any of the following:

- committing any offence (or, for a student under the age of criminal responsibility, what would be an offence for an older student)
- causing personal injury to any person (including the student themselves)
- causing damage to the property of any person (including the student themselves)
- Prejudicing the maintenance of good order and discipline at the academy, and among any students receiving education at the academy, whether during a teaching session or otherwise.

The act also defines to whom the power applies as follows:

- Any teacher who works at the academy
- Any other person whom the Principal has authorised to have control or charge of students. Specific mention is made of support staff, teaching assistants, learning support assistants, learning mentors and lunchtime supervisors.
- Certain members of academy staff, can search a student suspected of being in possession of a banned item or substance, with or without their consent.

Minimising the need to use force

To minimise the need to use force to restrain students' staff at Mildenhall College Academy make every effort to reduce the need to restrain students. This is achieved by:

- Creating a calm and supportive climate within the Academy that minimises the risk and threat of violence of any kind.
- Developing effective relationships between students and staff that are central to good order
- Using the Academy behaviour management systems and applying these consistently.
- Effectively managing individual incidents that arise. In such cases staff are encouraged to:
 1. Communicate calmly with the student
 2. Use non-threatening verbal and body language
 3. Ensure the student can see a way out of a situation
- Encouraging the student to leave the room to calm down before managing their return or arranging for the student go to another quiet room away from bystanders or other students so that a staff member can listen to concerns and/or involve another member of staff.
- Having knowledge of the student and recognising challenging behaviours which are often foreseeable.
- Wherever practicable warn a student that force may have to be used before using it.

Deciding if use of force would be appropriate

Decisions on whether the precise circumstances of an incident justify the use of force to restrain a student may have to be made quickly. Nevertheless, staff need to make the clearest possible judgments about:

- The seriousness of the incident, assessed by the effect of the injury, damage or disorder which is likely to result if force is not used
- The chances of achieving the desired result by other means.
- The risks associated with physical intervention compared to using other strategies.

Wherever possible these judgments should take account of the particular characteristics of the student including his or her age, understanding and any SEN or disability that he or she may have.

Risk Assessments

The Academy Leadership team will monitor and assess the frequency and severity of incidents involving the use of force that occur in the academy. These assessments will be used to inform decisions about staff training (appendix 2).

Where a student's challenging behaviour can be predictable under certain conditions an individual risk assessment will be completed and made available to all staff who are likely to come into regular contact with the student. It will include:

- Details of the challenging behaviour and any likely triggers.
- Alternative strategies which could be used to avoid such triggers.
- Advice for managing the student and the situation should their behaviour become unavoidably challenging.

Using force

At Mildenhall College Academy, wherever practicable, before using force staff should:

- Tell the student to stop misbehaving
- Communicate in a calm and measured manner throughout the incident.
- Not act out of anger and frustration or to punish the student.
- Make it clear that physical contact or restraint will stop as soon as it ceases to be necessary.
- Avoid using force wherever possible. Where it is deemed necessary, two trained members of staff will work with the student. Where possible it is seen as best practice for a third member of staff to observe offering feedback both during and after the event to all involved.

Acceptable types of force used could include:

- Passive physical contact resulting from standing between students or blocking a student's path
- Active physical contact such as:
 - (i) leading a student by the hand or arm
 - (ii) ushering a student away by placing a hand in the center of the back
 - (iii) In extreme circumstances, using restrictive holds which may require specific expertise or training. Staff are advised not to use these unless the restrained person is in danger of seriously harming themselves or others by their actions.

In any situation the member of staff should make every effort to avoid acting in a way that might cause injury to the student or themselves or in such a way that could be interpreted as sexually inappropriate.

Recording and reporting incidents

At Mildenhall College Academy all incidents involving the use of force to restrain a student are recorded in writing as soon as possible after and on the same day as the incident takes place (appendix 1).

The purpose of recording is to ensure that an accurate written record of the incident is available to inform parents and other agencies as deemed necessary and to prevent misunderstanding or misinterpretation of the incident and to provide a record for any future enquiry.

The report should be given to the Principal in the first instance. Parents will always be informed, wherever possible by telephone as soon as possible after the incident before confirming the details in writing. It is not necessary for parents to be given a copy of the report.

Parents will be contacted on the same day to be informed of the incident. They will be told:

- When and where the incident took place.
- Which members of staff were directly involved (anonymised where necessary).
- Why they decided that force had to be used.
- What force was used.
- Whether there were any injuries and what follow-up action (support and/or disciplinary) was taken in relation to their child.

All injuries should be recorded in accordance with the academy procedures. The academy should take action to report relevant injuries to staff or students according to RIDDOR guidelines.

Post-Incident Support

Immediate action will be taken to provide first aid for any injuries and to access medical help for any injuries that go beyond first aid for both students and staff should it be required. In addition both students and staff will be given emotional support and time to reflect before being required to record their actions in writing.

The initial communication to parents and subsequent letter informing them about the use of force will be used to engage them in discussing the incident and for setting out the actions and support which will follow. Such plans will include strategies to prevent and deal with any recurrence that could lead to the use of force.

The academy will also

- Where it is deemed necessary arrange for other external agencies to be informed and become involved. This might include amongst others local authority children's services, local safeguarding services, child and adult mental health services and youth offending team.
- Where a student is responsible, the student will be held to account so that he or she recognises and repairs the harm caused or which might have been caused.
- Help the student and staff develop strategies to avoid such crisis points in the future.
- Ensure that staff and students affected by an incident have the continuing support for as long as necessary in respect of:
 - (i) Physical consequences
 - (ii) Support to deal with any emotional stress or loss of confidence.
 - (iii) Opportunity to analyse, reflect and learn from the incident.

Staff training

Mildenhall College Academy has engaged the support of Safer Handling to provide training to all staff who come into regular contact with students

From time to time there may be the need for additional training for staff who work with students with SEN and/or disabilities. Where a need is identified appropriate training will be offered.

Dealing with complaints and allegations

At Mildenhall College Academy every effort will be made to involve those with parental responsibility from the outset where restraint has been used. However, it is understood that parents and students may make a complaint following the incident. In such cases the complaint will be required in writing and addressed to the Principal.

Complaints will be dealt with by the Principal or other person delegated by the Principal following the academy's complaints procedure set out in the academy's leaflet and website.

If following investigation and response by the Principal the parents are not satisfied the matter will be referred to a panel of the academy governors.

Should the complaint involve a specific allegation of abuse against a member of staff the academy will follow the academy's procedures for safeguarding children and will report the matter to the MASH/LADO at Suffolk County Council.

Physical contact with students in other circumstances

As a general rule staff must not make physical contact with their students. There are occasions when physical contact with a student may be proper or necessary. Some physical contact may be necessary to demonstrate exercises or techniques during PE lessons, sports coaching, DT or if a member of staff has to give first aid. Touching may also be appropriate where a student is being congratulated or praised or where the student is in distress and needs comforting.

At Mildenhall College Academy staff are advised to keep physical contact with students to a minimum. It is not acceptable for a member of staff to attribute touching to their teaching style or as a way of relating to students. It should be borne in mind that physical contact, especially if used regularly could be misconstrued and lead to allegations of abuse.

APPENDIX 1 – Record of Incident Form Name Form

Mildenhall College Academy					
Details of student or students on whom force was used by a member of staff					
Name					
Tutor Group					
Date, time and location of incident					
Names of staff involved (directly or as witnesses)					
Details of other students involved (directly or as witnesses), including whether any of the students involved were vulnerable for SEN, disability, medical or social reasons.	<ul style="list-style-type: none"> • • • • • • 				
Description of incident by the staff involved, including any attempts to deescalate and warnings given that force might be used.					
Reason for using force and description of force used					
Any injury suffered by staff or students and any first aid and/or medical attention Required.					
Reasons for making a record of the incident.					
Follow up, including post-incident support and any disciplinary action against students.					
Any information about the incident shared with staff not involved in it and external agencies					
When and how those with parental responsibility were informed about the incident and any views they have expressed.					
Has any complaint been lodged (details should not be recorded here)?	YES NO (Please circle)				
Report compiled by: Name and role	<table border="1"> <tr> <td></td> <td>Signed</td> </tr> <tr> <td></td> <td>Date</td> </tr> </table>		Signed		Date
	Signed				
	Date				
Report countersigned by: Name and role	<table border="1"> <tr> <td></td> <td>Signed</td> </tr> <tr> <td></td> <td>Date</td> </tr> </table>		Signed		Date
	Signed				
	Date				

Student Inclusion - Risk Assessment

Pupil Name: _____

Date of Birth: _____

EHCP: SEN Support: Current/Last School _____

Completed by _____

Date _____

Please note: if you answer yes to any of the questions numbered 1 - 37 on this form you will need to provide dates and details of incidents on page 4 of this assessment. Use further sheets if necessary.

	Incident History – Specific events and frequency	YES - In the last 12 months		Yes (more than 12 months ago)	No
		Once	More than once		
1	Has the student been known to assault another pupil (eg bite, kick, pull hair, etc)?				
2	Has the student been known to assault an adult (eg bite, kick, pull hair, etc)?				
3	Has there been any concern about this pupil regarding e-safety issues?				
4	Did any assault(s) lead to actual bodily harm?				
5	Did the assault(s) use weapons / objects?				
6	Did the assault(s) lead to medical treatment?				
7	Has the student been known to threaten another pupil?				
8	Has the student been known to threaten an adult?				
9	Did any student have time off school as a result of the assault(s)?				
10	Did any member of staff have time off as a result of the assault(s)				
11	Was any assault reported using the county council's Incident Report Form ?				
12	Has the student been known to use offensive language (swearing, racist / sexist abuse of other members of the school community?)				
13	Has the student committed any criminal offence? (which would be criminal if committed by an adult)				
14	Has there been any police, Youth Offending Service, Drug Action Team involvement ?				
15	Has the student been known to do him/herself physical harm?				

16	Has CAMHS been involved ?				
17	Has there been evidence of inappropriate sexualised behaviour?				
	Incident History continued.....	YES – In last 12 months		YES (more than 12 months ago)	NO
		Once	More than Once		
18	Has the student been known to use non-prescription, illegal drugs ?				
19	Has the student been known to cause significant damage to property?				
20	Has the student been restrained (in accordance with the School's policy on physical restraint ?)				
21	Is there evidence that the student is unaware that his/her actions are wrong?	Yes/ No			
22	Is there evidence to suggest that unacceptable behaviour is likely to be repeated in the future?	Yes / No			
23	Have triggers for the student's inappropriate behaviour been identified?	Yes / No			
24	Is the student known to Social Care Services?	Yes / No			
25	Has the student made any allegations against any staff member?	Yes / No			
26	Is the student on the Child Protection Register?	Yes / No			
27	Is the student 'looked after'?	Yes / No			
28	Is the student the subject of a Statement/EHCP	Yes / No			
29	Does any educational psychologist, medical or other report indicate a risk of violent behaviour?	Yes / No			
30	Has the parent / guardian made any allegations against any staff member?	Yes / No			
31	Is anyone living/staying in the home environment known to pose a potential risk to others?	Yes/ No			

Additional Detail

32	Can the student be led or carried to safety away from others?	Yes / No
33	Does the student require medication during the school day?	Yes / No

Pupil Name _____ Page completed by: _____

Date _____

34	Does the student require intrusive medical treatment or personal care during the school day (eg toileting)?	Yes / No
35	Do health professionals take precautions when examining this student (e.g. protective clothing)?	Yes / No
36	Does the student present any known health risk?	Yes / No
37	Has the parent refused to sign any school indemnity form (for the administration of drugs by a qualified volunteer member of staff)?	Yes / No

Pupil Name _____ Page completed by: _____

Date _____

Further observations

	Stage 2 – options for improving the risk rating Potential resource requirements, support and arrangements	Yes	NO	Comment on: Usefulness of strategies already tried and whether it is felt any that have not been tried might be helpful
1	Additional specialist staffing: full-time attendance of a trained behaviour assistant/mentors/Learning Support Assistant/teacher			
2	Suitably trained staff to meet the student's medication or personal care needs (e.g. injections; prescription drugs)			
3	Training for all relevant staff on dealing with the forms of challenging behaviour identified by the risk assessment. ie. Schoolsafe, classroom management skills, or other approved training			
4	Specified maximum class size for the special behavioural needs in the group, and/or for particular subjects.			
5	Special supervision or peer mentoring during breaks, out of school activities, in practical subjects (e.g. Chemistry, Art, PE)			
6	Arrangements to assist with anger management, (counselling services, circle of friends, self-esteem projects)			
7	Specialist training for restraint, lifting, defusing techniques			
8	Additional teaching materials and resources			
9	Sufficient trained staff to assist with effective intervention			
10	Additional means of communication between colleagues to assist with incidents or crises			
11	Support from social services, mental health agencies and/or other relevant external organisations. Or multi-agency support where appropriate and desirable (such as outreach from PRUs)			
12	LA Behaviour Support Service			
13	Protective clothing			

Student Inclusion – Risk/Benefit Assessment

Current/Last School

Page completed by _____ **Review Date:** _____

Benefits	
State here the benefits – ie. how participants gain from participating in this activity. Examples are increased confidence, a sense of achievement, freedom, physical development, contact with nature etc. If possible, list how these are assessed or evidenced.	

Risk	Precautions	Responsibility
List here the significant risks These are the things that, as far as you could reasonably expect, are likely to <u>cause harm</u> . The more severe the harm that could be caused, the more care you need to take and the more sure you must be that your precautions will be effective.	<p>State here the precautions that reduce the risk to an acceptable level. Note any specific action required such as informing staff and participants, obtaining parental permission, being trained to a particular standard or using a particular piece of equipment.</p> <ol style="list-style-type: none"> 1. Include precautions already in place, and 2. Clearly differentiate those existing controls and those that need to be put in place before the work / activity takes place. <p>If the precautions are already listed in an existing * set of detailed procedures or guidance, just confirm that these will be followed and quote the title of the guidance referred to (be as precise as possible).</p>	<p>State who is responsible for checking that the precautions are in place.</p> <p>If different people are responsible for different tasks, make sure the record identifies each person clearly and that a procedure is in place for making sure tasks are completed.</p>
1		
2		

* This refers to guidance such as:

- department, team or locally agreed operational policies and procedures, provided these comply with the following definitive standards
- any detailed Suffolk County Council policy,
- the county council’s Unisafe/Schoolsafe personal safety system,
- the Outdoor Education Advisers Panel advice (<http://oeapng.info/>),
- any nationally recognised resource such as CLEAPSS or afPE (Safe Practice in Physical Education and Sport 2012) and other documents that are recognised by CYP as being benchmark guides. Refer to the A to Z on Suffolk Learning: <http://www.suffolklearning.co.uk/leadership-staff-development/health-safety> (from October 2015)