

## Teenage Kicks Physical Intervention Policy



**Date of this review: August 2023**

**Date of next review: August 2024**

**Head of centre signature: Colin Phillips**

## 1. Purpose

The purpose of this policy is to make clear the position of the provision with regards to necessary physical interventions and to safeguard the well-being of students and staff when a situation or incident requires the use of physical intervention. It is the objective of Teenage Kicks is to maintain consistent and safe practices in the use of handling, reasonable force & restraint.

## 2. Physical Intervention and the Law

The law allows all adults who are authorised by the Head of Provision to be responsible for students to use such force as is reasonable to prevent a student:

- a) Committing a criminal offence (or for younger children that which would be an offence)
- b) Causing personal injury, injury to others or damage to property
- c) Engaging in any behaviour prejudicial to maintaining good order and discipline Staff should not hesitate to act in these situations provided they follow this policy and the attached guidance; however, they should always satisfy themselves that the action they take would be considered justifiable by a wider audience of their professional colleagues.

## 3. Definition of Terms:

**Handling** – refers to any physical intervention applied by a member of staff where it necessary to make physical contact with a student in order to manage their conduct or ensure their own or others safety. Handling strategies may be restrictive or non-restrictive and include shepherding, guiding, supporting, blocking, confining, holding and, in the most extreme cases, restraining.

**Use of Reasonable Force** – is the application of appropriate and proportionate force required to achieve the required outcome from the handling strategy employed (see above) without further endangering the student, member of staff or others present at the time of physical intervention.

**Restraint** - is the positive application of force in order to actively prevent a child from causing significant injury\* to him/herself or others or seriously damaging property. \*Significant Injury would include: actual or grievous bodily harm, physical or sexual abuse, risking the lives of, or injury to, themselves or others by wilful or reckless behaviour, and self-poisoning.

It must be shown that on any occasion where physical restraint is used there were strong indicators that if immediate action had not been taken, significant injury would have followed.

## 4. Implementation of Physical Intervention:

All members of staff working with students at the school are authorised to handle, use reasonable force or restrain students if/when such physical intervention is necessary.

No member of staff is required to employ any physical intervention strategy if they are not comfortable or confident to do so effectively.

No member of staff should intervene physically if they have reason to believe that to do so would worsen the situation/incident that is taking place.

In all circumstances where physical intervention is or may become required, members of staff should ensure that adult assistance is requested before intervention, although it is understood that circumstances may lead to the need for intervention prior to the assistance arriving.

Staff considering handling, use of reasonable force or restraint must provide opportunity for the student to alter their behaviour/actions before employing a physical intervention strategy and should continue to make instructions to the student and details of their intended interventions clear. The method of physical intervention employed must use the minimum reasonable force for the minimum length of time (additional guidance regarding what intervention is and is not appropriate is given in Appendix A).

## **5. Recording Physical Intervention**

All incidents where staff feel that they have used force to modify behaviour or conduct should be recorded. It is not necessary to record every incident of contact with a child, but where a member of staff perceives that contact has been received at all negatively, they are advised to record the circumstances.

Intervention Recording Forms are available in the staff room and should be submitted to the designated officer (DO). The Head of Provision will be informed of the intervention that has taken place.

It is the responsibility of the intervening member of staff to complete the record form on the day that the intervention took place.

The circumstances and nature of the physical intervention will be held on the record of the student involved.

The DO will inform any necessary agencies/authorities (eg. IRT) of the physical intervention in accordance with DFE and LA guidance. The Head of Provision will ensure that parents/carers are appropriately informed.

For the safeguarding of both staff and student, any subsequent investigation of the situation/incident should be undertaken by a member of staff other than the one applying the physical intervention.

A record of the intervention will be kept on the student's CPOMS.

## Appendix A:

### Guidance for Staff re: Handling, Use of Reasonable Force & Restraint

#### 1. Purpose of this document

- To provide for the safety and security of pupils in need of physical intervention.
- To clarify for staff the steps they are allowed to take if a situation requiring physical intervention arises
- To enable staff to distinguish between what intervention is and is not acceptable.
- To ensure that staff have read the documentation from DfE and Essex County Council.
- To help ensure that any physical intervention is minimal, infrequent, recorded and that relevant authorities and parents are appropriately informed.

#### 1. The decision to employ a Physical Intervention Strategy

You should be aware that all staff who have responsibility for a student or group of students are authorised to employ physical intervention strategies in the event they are necessary and that the law allows you to intervene in this manner.

You should however be aware that you have a choice whether or not to intervene physically in any given situation and that you should not do so if you are uncomfortable with the situation or not confident to deal with it effectively.

You should be aware that in the event that you employ a physical intervention strategy, the parents of the child will be informed of your actions, the record of the intervention will be kept on the student's file and where necessary relevant authorities (e.g. IRT) will be notified of the incident for your own future protection.

#### 2. In what way can you Physically Intervene?

Any application of physical intervention must only use the **minimum force** for the **minimum amount of time**.

There are a number of ways in which you can physically intervene and you must choose the strategy appropriate to the situation and presenting least risk to yourself, the student and other persons.

#### Appropriate actions include;

**Shepherding or Guiding;** using body positioning and positive gestures to move a student away from harm. This may include the placing of a hand on the back (between the shoulder blades) and using reasonable force to actively move them from one place to another. **Blocking or Interposing;** placing yourself between the student and their objective (e.g. exit, another student) thereby preventing the potential injury damage or prejudice to good order. **Holding and Leading;** leading the student (with open hand e.g. by the upper arm) to prevent them from injury, damage, etc. In cases of resistance from a student, it may be necessary to employ holding to effectively achieve shepherding and, hence you are actively leading them away.

**Restraining;** used only in the most extreme cases, restraining may require a significant amount of force in order to prevent significant injury (as described in the policy). Essentially, restraining is a

more extreme version of holding, may require more than one adult and may last significantly longer than other strategies. However, the same care must be taken to restrain a student appropriately.

### 3. In what ways must you NOT Physically Intervene?

The purpose of physical intervention is essentially to maintain good order and ensure the safety of all individuals, therefore it is never appropriate to employ a physical intervention strategy if you are not in control of your own emotions. Physical interventions must never be employed in anger or frustration. If you find yourself angry or frustrated by the situation at hand you must step back and allow someone else to manage the issue.

It is never appropriate to use physical intervention strategies as a punishment. Just as there are a number of acceptable intervention strategies, there are also a number of actions it is completely inappropriate to take.

Inappropriate actions include;

- **Hitting or Striking;** while it is entirely possible that in the course of an intervention (eg. breaking up a fight) you may be hit yourself, you must not strike a student.
- **Deliberately inflicting pain;** it is not okay to twist limbs or put pressure on joints (eg. arm up a student's back), pull or hold hair, pinch or hold a student in a pain inducing way (eg. by the ear).
- **Making contact with sexually sensitive areas of the body;** where at all possible contact should be restricted to arms, shoulders and the back as previously described.
- **Restricting breathing;** by holding round the throat or for a prolonged period around the chest. It is also never appropriate to sit on/straddle a student or hold them face down to the floor.

### 5. Guidance for managing your intervention

a) Always give a student an opportunity to resolve the situation without use of physical intervention first.

b) Always send for assistance from colleagues or another authorised adult; other students should never be involved in physical intervention. You may have to intervene before help arrives, but not managing this entirely on your own is safer for all concerned.

c) Be aware of your emotions. Are you comfortable and confident to deal with this scenario without anger? If not – don't intervene.

d) Continue to communicate with the student (and witnesses) throughout the incident even if the student doesn't respond. Be clear about what you are doing and inform the student that the intervention will cease when it is no longer necessary.

e) Apply only appropriate strategies and the minimum required force to achieve the required outcome (prevention of injury/harm, student/staff safety, restoration of good order). Release the student once this has been achieved.

f) Manage the situation calmly – even if the student responds negatively.

g) Complete a 'Physical Intervention Record Form' as soon as possible after the event.

## **6. Minimising the need for Physical Intervention In most circumstances**

Physical Intervention really should be a last resort or an emergency action. Therefore, all staff should:

- endeavour to create a calm environment which will minimise the risk of incidents where the use of physical intervention may be required;
- endeavour to teach pupils how to manage strong emotions and conflict through opportunities for SMSC and wider aspects of the school curriculum;
- quickly seek to de-escalate incidents if they do arise;
- only use reasonable force when the risks involved in doing so are outweighed by the risks involved in not using force;
- be aware of risk assessments and positive handling plans for specific individual pupils.

A list of authorised personnel is available from the school but will include all teachers and staff who are contracted by the school.

All staff must read DfE Circular 10/98. (Section 550A of the Education Act 1996 the use of force to control or restrain pupils) and the guidance from Essex County Council. There will be a copy permanently kept in the staffroom.

## Appendix B

### Physical Intervention Recording Form

Staff Present	
Name of Child	
Holds used	
Is there a behaviour plan?	
Date:	
Time:	
Location:	
Duration:	
Description of situation leading to restraint:	
Description of restraining (including child's views):	
Outcome of restraint (including child's views):	
Signature of staff member:	
Signature of Head of Provision:	

## **Appendix C**

Key Legal References This Positive Handling guidance is written with reference to the following key legal concepts and documents:

- DfE Use of Reasonable Force Guidance;
- Offences Against the Persons Act 1861 (concepts of Assault and Assault and Battery);
- Common Law concepts of false imprisonment and common law defence;
- Duty of Care;
- DfE Circular 10/98;
- The Children Act 1989;
- DoH/DfES Joint Guidance on Physical Interventions 2002;
- The Education Act 1996;
- Education and Inspection Act 2006;
- Human Rights Act 1998;
- Disability Discrimination Act 1995;