

Quwwat ul Islam Girls' School



Physical Restraint Policy

Quwwat-ul-Islam Girls' School Policy on Physical Contact and Restraint

Legislation

Section 550A of the Education Act 1996 clarifies the powers of teachers, and other staff who have lawful control or charge of students, to use reasonable force to prevent students causing personal injury or damage to property; committing a crime or causing serious disruption (Para. 9).

Section 550A does not in any way authorise the use of corporal punishment with students in schools. The law forbids a teacher to use any degree of physical contact which is deliberately intended to punish a student or which is primarily intended to cause pain, injury or humiliation. That ban applies in all circumstances and has done so since 1987 (Para. 2).

Statement of Intent

Quwwat-ul-Islam Girls' School recognises that the welfare of the child is paramount and that each one has the right to be protected from harm. It seeks to protect all students from any form of physical intervention which is unnecessary, inappropriate, excessive or unlawful.

However, it is also recognised that on occasions and as a last resort, situations may arise where, in order to ensure the welfare and protection of children or other adults, staff may need to use physical restraint.

What is Reasonable Force?

Since there is no legal definition of 'reasonable force' (Para.16), the expectation is that the force used in restraining a student/young person should be both appropriate to the circumstances and reasonable in degree.

Circular 10/98 (Para.17) details the two relevant considerations as:

'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 student from committing a trivial misdemeanour, or in a situation that clearly could be resolved without force;'

and

'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.'

Physical Contact

Physical contact may be misconstrued by a pupil, parent or observer. Touching pupils, including well intentioned gestures such as putting a hand on a shoulder, can, if repeated regularly, lead to serious questions being raised. As a general principle staff must not make gratuitous physical contact with their pupils. It is particularly unwise to attribute touching to their teaching style or as a way of relating to pupils. Teachers and other staff do have however have the right to use reasonable physical force to restrain pupils in certain circumstances.

Any form of physical punishment of pupils is unlawful as is any form of physical response to misbehaviour unless it is by way of restraint. It is particularly important that staff understand this both to protect their own position and the overall reputation of the school.

Where Physical Contact may be Acceptable

There may be occasions where a distressed pupil needs comfort and reassurance which may include physical comforting such as a caring parent would give. Staff should use their discretion in such cases to ensure that what is normal and natural does not become unnecessary and unjustified contact, particularly with the same pupil over a period of time. Where a member of staff has particular concern about the need to provide this type of care and reassurance they should seek the advice of the Head teacher.

Some staff are likely to come into physical contact with pupils from time to time in the course of their duties. Staff should be aware of the limits within which such contact should properly take place and of the possibility of such contact being misinterpreted.

There may be occasions where it is necessary for staff to restrain a pupil physically to prevent them from inflicting injury to others, self-injury, damaging property, or causing disruption. In such cases only the minimum force necessary may be used and any action taken must be to restrain the pupil.

The Management Team will:

- 1) Investigate incidents and evaluate them, disseminating any conclusions reached;
- 2) Liaise with parent/carer;
- 3) Initiate appropriate follow-up.

Alternative Strategies

- Try to deal with the situation through other behaviour management strategies (except in emergencies);
- Consider whether the pupil will place themselves at risk of injury by intervening, for example when dealing with older, larger pupils. Where they judge this to be the case teachers should remove other pupils who might be at risk and summon assistance from colleagues, or where necessary the police;
- Tell the child to stop and warn the child of the consequences of their behaviour;
- If at all possible summon additional staff support and tell the child this has been done. This has the dual purpose of reducing the risk to the member of staff and providing a witness should the situation develop;
- Until assistance arrives continue to attempt to defuse the situation orally.