



RESTRICTIVE PHYSICAL INTERVENTION POLICY

Background:

It is important to acknowledge the importance of good relationships and good teaching/learning, which underpin the good social/emotional development of all pupils. Therefore, this policy should be read in conjunction with our policies on: equalities, teaching and learning, special educational needs (SEN) and behaviour and attendance.

Rationale:

The vast majority of pupils at Upper Wharfedale School behave very well and make progress in whatever the setting. However, in order to fulfil our duty of care to all pupils, prevent harm and maintain a safe /secure learning environment, as a last students, we may, on a very small number of occasions, need to physically care for (restrain) a student for his /her own safety.

This policy covers those situations where incidents are foreseeable and school has planned interventions which are agreed and supported by parents /carers; and are monitored through care or individual pupil plans.

It does not cover emergency situations which cannot reasonably be planned for in advance.

Principles:

We may restrain a student, if that student is at risk of causing significant harm to himself /herself, or to other students /adults. Staff should also refer to LA Guidance, September 2015, pg. 4 para. 2. There is no legal definition of when it is reasonable to restrain a student; that will always depend on the precise circumstances of the individual student. However, to be lawful, the force used needs to be the minimum necessary and be in proportion to the consequences that it is intended to prevent.

We must always take account of any SEN and/or learning disability that a student may experience. We have two key duties under the Equality Act 2010:

- a) not to treat a disabled pupil less favourably, for a reason relating to his/her disability, than someone to whom that reason does not apply, without justification, and

- b) to take reasonable steps to avoid putting disabled pupils at a substantial disadvantage to pupils who are not disabled (reasonable adjustments duty).

We must never use restraint as a punishment, to physically overpower a student who is not putting themselves or others of serious risk of harm or as a threat to manage behaviour. It should only be used to prevent:

- i) a pupil from committing a criminal offence;
- ii) causing personal injury (including to the student themselves) to, or damage to property;
- iii.) prejudicing the maintenance of good order and discipline at the school.

Staff to which this power applies is defined in section 95 of the Education and Inspections Act 2006. They are:

- a] any teacher who works at our school, and
- b] any other person whom the head teacher has specifically authorised.

It is the responsibility of each member of staff to make an assessment of the particular circumstances. Staff will need to know the contents of this policy and decide whether they feel they are capable of managing the situation alone and if physical intervention is required.

Where it is possible, more than one member of staff should be involved and, ideally where a member of staff is physically managing a pupil of the opposite sex, a member of staff of the same sex as the student should be present from the earliest time possible.

At the conclusion of any incident, the student and member/s of staff involved should be offered support to reflect on the circumstances and mediate a best way forward.

All incidents of restraint must be recorded on the school's Management Information System, be reported to parents as soon as reasonably possible, but always within 24 hours and, and reported on to the governing body each term.

Responding to complaints:

The use of RPI can lead to allegations of inappropriate or excessive use. In the event of a complaint being received in relation to the use of force by staff, the matter should be dealt with in accordance with agreed procedures for handling allegations against members of staff.

Please refer to LA Guidance on the Use of RPI (September 2015, pg.21-23) for further guidance).