



Restrictive Physical Intervention Policy

Person Responsible:	Mrs H Mukherjee	Frequency of Review:	2 Year
Authorisation By:	Headteacher	Notice Date:	28/10/2023
Authorisation Date:	28/11/2023	Review Due By:	28/11/2025

1 Background

It is important to acknowledge the importance of good relationships and good teaching/learning, which underpin the good social/emotional development of all students. Therefore, this policy should be read in conjunction with our policies on Teaching and Learning, Special Educational Needs (SEND) and Positive Attitude to Learning (PA2L).

2 Rationale

The vast majority of students at Upper Wharfedale School behave very well and respond to our PA2L Policy. However, in order to fulfil our duty of care to all students, prevent harm and maintain a safe /secure learning environment, as a last resort, we may, on a very small number of occasions, need to physically hold (restrain) a student for his/her own safety or that of others.

This policy covers those situations where incidents are foreseeable and school has planned interventions which are agreed and supported by parents/carers.

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

3 Principles

We may restrain a student, if that student is at risk of causing significant harm to himself /herself, or to other students /adults.

The Education and Inspections Act 2006 enables school 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 (10 years), what would be an offence for an older student);
- Causing personal injury to any person (including the student themselves).

There is no legal definition of when it is reasonable to restrain a student. This 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 SEND and/or learning disability that a student may experience. We have two key duties under the Equalities Act 2010:

- Not to treat a disabled student less favourably, for a reason relating to his/her disability, than someone to whom that reason does not apply, without justification, and
- To take reasonable steps to avoid putting disabled students at a substantial disadvantage to students who are not disabled (reasonable adjustments duty).

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

- In exceptional circumstances where any other course of action would be deemed likely to fail;
- As a last resort, where all other courses of action have failed;

- With the minimum degree of intrusion.

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

- Any teacher who works at our school, and
- 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 student 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 CPOMS, to the LA via Synergy and must to parents as soon as reasonably possible, but always within 24 hours. Records are monitored regularly by the Headteacher and reported on to the governing body as appropriate.