**PHYSICAL INTERVENTION AND CONTACT WITH PUPILS POLICY**

**Introduction**

Section 93 of the Education and Inspections Act 2006 and further guidance issued by the DfE in July 2013, *Use of reasonable force - Advice for headteachers, staff and governing bodies*, enables school staff to use such force as is reasonable in the circumstances to prevent a pupil from doing, or continuing to do, any of the following:

* committing any offence (or, for a pupil under the age of criminal responsibility, what would be an offence for an older pupil);
* causing personal injury to, or damage to the property of, any person(including himself); or
* prejudicing the maintenance of good order and discipline at the school or among any pupils receiving education at the school, whether during a teaching session or otherwise.

The statutory power conferred by Section 93 is in addition to the common law power of any citizen in an emergency to use reasonable force in self-defence, to prevent another person from being injured or committing a criminal offence.

**Definition of ‘reasonable force’**

There is no legal definition of when it is reasonable to use force and each case must be judged on its circumstances and those exercising the power to use force must also take proper account the diversity of experience, race, culture, disability, language, community, sex and gender.

The use of force can only be regarded as reasonable if the circumstances of the particular incident warrant it and the degree of force employed is proportionate to the level of challenging behaviour presented or the consequences it is intended to prevent.

It is essential that any discussion of physical intervention is set in the wider context of education and behaviour management: it should not be seen as an isolated technique.

The types of force which are deemed to be reasonable are:

* passive physical contact resulting from standing between two pupils or blocking a pupil’s path;
* active physical contact such as leading a pupil by the hand or arm;
* ushering a pupil away by placing a hand in the centre of his back; or,
* in more extreme circumstances, using appropriate restrictive holds.

**Training for staff**

The Boxing Academy staff will receive safer handling training on de-escalation techniques, conflict resolution and restrictive holds from Safer Handling instructors, whose tutors are accredited by the National Federation for Personal Safety Ltd. This approach emphasises de-escalation techniques and supports the management of many challenging situations and behaviours, using positive touch and safe handling.

Decisions on whether circumstances justify the use of reasonable force will depend on:

* the seriousness of the incident,
* the chances of achieving the desired result by other means,
* the relative risks associated with physical intervention compared to using other strategies.

Where possible a clear oral warning to the pupil that force may have to be used should be given. Examples of situations that particularly call for judgments of this kind are:

* a pupil attacking another pupil or member of staff;
* pupils fighting and hence causing risk of injury to themselves or others;
* a pupil committing, or on the verge of committing, deliberate damage to property;
* a pupil is causing, or at risk of causing, injury of damage by accident, rough play, or by the misuse of dangerous objects or materials;
* a pupil persistently refuses to follow an instruction to leave the classroom;
* a pupil is behaving in a way that seriously disrupts a lesson; or
* a pupil is behaving in a way that seriously disrupts a school sporting event or school visit.

The guidance also emphasises that:

*... it is always unlawful to use force as a punishment.*

**Expectations**

* The school will provide a safe, positive environment.
* Each pupil has an individual behaviour management profile, which all staff are familiar with.
* Pupils are encouraged to manage their own behaviour appropriately.
* Staff will work to maintain the safety of all the staff and pupils at all times.
* Physical intervention will only be used as a last resort.
* Parents/carers, pupils and staff will be familiarised with the situations where physical intervention might be necessary.
* All staff will be trained in the same method of restraint: Safer Handling (previously: *BTEC Level 2 in Care and Control of Vulnerable Children)*
* All incidents will be recorded on the appropriate form (Physical Intervention Form) with a copy of the report being kept in the pupil’s file. They will record, antecedents, behaviour, level of restraint, any injury and the follow-up review meeting.
* Pupils will be given the opportunity to reflect on the incident either immediately afterwards or the following day.
* Staff will be given the opportunity to discuss the incident and be debriefed and reflect on practices.
* Parents/carers will always be informed the same day about any physical intervention

**RECORDING AND REPORTING OF INCIDENTS**

1. All incidents of physical intervention will be recorded and are held centrally and signed by staff and management.
2. Staff should be clear about the expectations for informing management, parents and reporting and recording incidents
3. The Principal should regularly check the records to ensure that they comply with policy and procedures and to monitor trends and practices.
4. The Principal should regularly review practices and staff training needs.
5. All cases of physical intervention should be reported, recorded and evaluated.
6. All young people involved in a physical intervention should have access to a debrief session, (a discussion about strategies that the young person could use in the future) and a complaints procedure.
7. There will be a tracking log of physical interventions which will be reported to governors every term.

**OTHER PHYSICAL CONTACT WITH PUPILS**

*... it is not illegal to touch a pupil.*

The DfE says that it is not illegal to touch a pupil and that there are occasions when physical contact with a pupil is ‘proper and necessary’. Examples of where touching a pupil might be proper or necessary include:

* When comforting a distressed pupil.
* When congratulating or praising a pupil.
* When demonstrating how to use a musical instrument.
* When demonstrating exercises or techniques during PE lessons or sports coaching.
* When giving first aid.