



## Physical Restraint and Reasonable Force Policy

**Policy Owner:** SHINE Academies CEO

**Policy Date:**

**Policy Review Date:**

*This policy has been agreed as being fully consulted on with the following trade unions ASCL, NAHT, NASUWT, Unison, NEU, GMB and UNITE and was implemented by SHINE Academies on the above date*

## CONTENTS

Section		Page Number
1	Policy Statement	4
2	Definitions	5
3	Introduction	5
4	Avoiding the use of force	6
5	The legal framework for situations on which staff may use physical intervention to control and restrain pupils	7
6	Dynamic Risk Assessment – Unplanned restrictive physical intervention	9
7	Risk Assessment and Planning for use of restrictive physical interventions, mechanical restraints and chemical restraints	10
8	Managing the use of force	11
9	Application of force	11
10	Seeking Assistance	12
11	Considering the individual involved	12
12	After the Event – post-incident support	13
13	Reporting and recording incidents	13
14	Power to search pupils without consent	14
15	Complaints and Whistleblowing	15
16	Training	15
17	Staff Counselling	15
18	Physical Contact with Pupils in Other Circumstances	16
19	Seclusion and Isolation	16
20	Removal	17

<b>21</b>	<b>Complaints when Force is used on a Pupil</b>	<b>17</b>
<b>22</b>	<b>Monitoring and Reviewing the Policy</b>	<b>17</b>

- 1.1 SHINE Academies understand that at some time throughout their education Pupils may demonstrate unacceptable behaviour, severe behaviour or behavioural management issues. The Pupils' behaviour may be a presenting feature of their identified need or difficulties.
- 1.2 Our approach to behaviour management is one of positive reinforcement and support, rather than confrontation. Pupils are helped to overcome behavioural difficulties, while the safety and wellbeing of them and other Pupils, Employees and visitors are protected.
- 1.3 The purpose of this policy is to detail the Trusts strategy in the use of reasonable force and physical intervention and sets out our procedures for recognising, dealing with, and preventing instances of severe risk. It works in conjunction with:
- [1996 Education Act amended through the inclusion of Section 550A on 1st September 1998](#)
  - [2022 Behaviour in schools: advice for headteachers and school staff](#)
  - [DfE: Use of Reasonable Force July 2013](#)
  - [DfE: Keeping Children Safe in Education September 2022](#)
  - [Positive Environments where Children Can Flourish – Ofsted, 2021](#)
  - [Guidance for Safer Working Practice for those Working with Children and Young People in Education Settings February 2022](#)
  - [Searching, screening and confiscation: advice for schools 2022 \(use from 1 September 2022\)](#)
  - [A Protocol for Local Children's Services Authorities On Restrictive Physical Interventions In Schools, Residential And Other Care Settings For Children And Young People - Association of Directors of Children's Services Health, Care and Additional Needs Policy Committee Task Group7](#)
  - [The Mental Capacity Act \(2005\)](#)
  - [Reducing the need for restraint and restrictive intervention -How to support children and young people with learning disabilities, autistic spectrum conditions and mental health difficulties who are at risk of restrictive intervention.](#)

## 2.0

## Definitions

- 2.1 For the purpose of this policy to be successfully met it is important to define key terms. The distinction for instance between restraint and intervention often causes confusion and from the outset physical intervention should be thought as the “umbrella” term under which physical restraint sits.
- 2.1.1 **Physical Intervention** is used to cover the use of direct or indirect force, through bodily, physical or mechanical means, to limit another person’s movement. Physical intervention is a term which covers the use of physical force but which also includes other actions, such as locking doors or standing, removing the power source on an electric wheelchair without consent or standing in the way of another person.
- 2.1.2 **Mechanical Restraint** is a “use of force” it involves use of a device to prevent, restrict or subdue movement of a person’s body with the aim of controlling their behaviour.
- 2.1.3 **Chemical Restraint** refers to the use of medication prescribed and administered by health professionals for the purpose of quickly controlling or subduing disturbed/aggressive behaviour.
- 2.1.4 **Physical Restraint** refers to the use of physical force by one, or more, person(s) to restrict the actions of another.
- 2.1.5 **Duty of Care** exists whenever professionals, paid carers and volunteers are given charge of any Pupil in a school and extended school environment such as educational visits and work experience.
- 2.1.6 **Necessary** in the case of application of force means “essential” or “needed to be done”.
- 2.1.7 **Reasonable** in the case of application of force means “as much as is appropriate” coupled with having “sound judgement”.
- 2.1.8 **Proportionate** in the case of application of force means “the correct amount or “degree” in relation to the unwanted behaviour

## 3.0

## Introduction

- 3.1 This policy represents SHINE Academies position regarding the use of force to control or restrain all or any pupils and also identifies the school’s response in situations where employees have used force. It is the employers’ responsibility to ensure this live policy is accessible to all employees and will be incorporated in a new employees induction programme. It is the employees responsibility to ensure they have read and understood the current policy.
- 3.2 This policy is written to acknowledge that as a Trust we may have pupils that pose challenging behaviours at times or more frequently. Therefore, we are committed to
- SHINE Physical Restraint and Reasonable Force Policy

continual employee development and work towards addressing these unwanted behaviours on a frequent basis, and whilst considered always as a last resort the use of physical intervention is utilised where circumstances dictate them to be necessary.

- 3.3 This policy is written with the understanding that employees have always been able to use reasonable force when they defend themselves against an attack or when intervening in any emergency. DfE; Use of Reasonable Force (July 2013), attempts to clarify when an employee may use force in order to restrain or control pupils.
- 3.4 The Trust accepts that in certain situations physical intervention or physical restraint may be necessary. At a local level, all schools within the Trust should have clear pastoral care policies. These policies should emphasise the use of positive reinforcement of good behaviour and include a section on the use of physical intervention and a programme of regular and routine training, including induction and refresher updates.
- 3.5 SHINE Academies recognises that there are occasions when appropriate physical contact may be necessary, such as demonstrating a new skill or consoling an upset Pupil. Section 5 of this policy outlines Situations in which Employees may use Physical Intervention to Control Restrain Pupils And. Section 18 of this policy outlines Physical Contact with Pupils in Other Circumstances.
- 3.6 It is a requirement that schools within the Trust publish information on their policy for the use of restraint as part of information that they give to parents.
- 3.7 There is a requirement that this policy is reviewed on an annual basis or when deemed necessary.

#### **4.0 Avoiding the Use of Force**

- 4.1 Physical intervention should never be used as a substitute for good behavioural management in accordance with the school's Behaviour Policy. All teachers need to develop strategies and techniques for dealing with difficult pupils and situations which they should use to diffuse and calm a situation.
- 4.2 In non-urgent situations, staff should always try and deal with a situation through other strategies before using force. Their actions should be aimed at reducing the likelihood of situations arising where force might be needed.
- 4.3 As the key issue is establishing good order, any action which could exacerbate the situation needs to be avoided. The possible consequences of intervening physically, including the risk of increasing the disruption or actually provoking an attack, therefore this needs to be carefully evaluated.
- 4.4 Staff should always communicate with the pupil calmly, and in a non-threatening manner

- 4.5 Staff should never give the impression that they have lost their temper, or are acting out of anger and frustration, or to punish the pupil.

## **5.0 The Legal Framework for Situations in which Staff may use Physical Intervention to Control and Restrain Pupils**

- 5.1 In all circumstances involving the use of force it is only appropriate “for reasonable force” to be used. There exists no legal definition of “reasonable force”. However, all staff should be aware that force should only be used in specific circumstances and that the degree to which force is used will always depend on the following factors:

- The age of the pupils,
- The understanding of pupils,
- The health needs of the pupils,
- The sex of pupils, and
- That the degree of force used is proportionate to the circumstances of the incidents.

- 5.1 In summary, force may be used where:

- The use of force is reasonable in the circumstances,
- The degree of force is reasonable; that is, the force is proportionate.
- There is a certain type of incident as defined below (although the list is not exhaustive):
  - remove disruptive children from the classroom where they have refused to follow an instruction to do so
  - prevent a pupil behaving in a way that disrupts a school event or a school trip or visit
  - prevent a pupil leaving the classroom where allowing the pupil to leave would risk their safety or lead to behaviour that disrupts the behaviour of others
  - prevent a pupil from attacking a member of staff or another pupil, or to stop a fight in the playground
  - restrain a pupil at risk of harming themselves through physical outbursts.

- 5.3 In the following situations (but not limited to) it may be appropriate for a member of staff to use reasonable force to prevent, or when,

- A pupil attacks a member of staff, visitor or another pupil (self-defence),
- A pupil’s dignity is compromised (e.g., public nudity)
- A pupil has soiled clothing and refusing to move
- A pupil attacks a fellow pupil / pupils are fighting,
- A pupil is engaged in or about to commit deliberate damage or vandalism to property,
- A pupil is causing disorder

- A pupil is causing or is at risk of causing injury or damage by accident, by rough play, or by misuse of dangerous materials or objects,
- A pupil behaving in a way that might cause an accident or injury to themselves or to others, e.g. running in a corridor or on a stairway – particularly likely to be the case in crowded areas with smaller children,
- A pupil absconds from a class or tries to leave the school at an unauthorised time,
- A pupil is behaving in a way that is seriously disrupting a lesson, school event or educational visit,
- A pupil is behaving in a way that is seriously compromising good order and discipline,
- A pupil persistently refuses to obey an instruction to leave the classroom,
- A pupil is causing emotional distress to others via verbal abuse and/or verbal bullying.
- A pupil is behaving in a way that is seriously disrupting the lesson, if they are kept there. Assistance should be sought in such circumstances.

5.4 In all situations staff should take a calm and measured approach. Initial intervention should always be without force. Any physical intervention must follow other appropriate actions wherever possible.

5.5 There is no legal definition of when it is acceptable to use reasonable force. It will always depend on all the circumstances of the case.

5.6 The use of force can be regarded as reasonable only if the circumstances of the particular incident warrant it. If the particular circumstances do not warrant the use of physical force, any use of force will be unlawful. Where a situation can be resolved without force, force should not be used. The use of force must normally be a last resort. Though decisions will often need to be made quickly, a number of considerations should be borne in mind when deciding whether the use of force is reasonable in a particular situation.

- The greater the potential for harm (ie. injury, property damage or disruption) without physical intervention, the more likely that force is justified
- The less likely that the situation can be resolved by means other than the use of force, the more likely that force is justified.
- The riskier the resolution of the situation by means other than physical intervention, the more likely that force is justified.

5.7 It follows that physical force could not be justified to prevent a pupil from committing a trivial misdemeanour (since the potential for harm is low). Where the aim is to



maintain good order and discipline, and there is no direct risk to people or property, force will be necessary only very rarely.

- 5.8 However, it also follows from the above that, where there is an immediate risk of serious injury – for example a pupil is out of control and about to run onto a busy road, hit someone, or throw a heavy object in a crowded classroom – trying first to resolve the situation by non-physical intervention would clearly be inappropriate. In urgent situations, force may need to be used immediately.
- 5.9 In the most extreme circumstances, there may be no choice but to risk some injury to a pupil in order to avoid a greater harm.

In practice this means:

- The Force used is Proportionate
- This is closely related to the considerations relating to whether the use of force is reasonable. If a member of staff decides that force is necessary, he or she must then ensure that, in all the circumstances of the case, the degree of force used is also reasonable.
- 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 be the minimum needed to achieve the desired result.
- The member of staff must bear in mind the purpose of the force and what it is trying to prevent and use no more force than is necessary to ensure that result.

## **6 Dynamic Risk Assessment – Unplanned Restrictive Physical Intervention**

- 6.1 Unplanned Restrictive Physical Intervention may become necessary when a child or young person behaves in an unexpected way. The child or young person may not have a behaviour plan and trained staff may not be on hand.
- 6.2 Unless the situation is urgent, staff should seek assistance from appropriately trained staff. Even if such assistance is not available the duty of care still remains and any response must be reasonable, proportionate and use the minimum force necessary to prevent injury and maintain safety, consistent with the circumstances and with any training the staff may have received.
- 6.3 Restrictive Physical Interventions should only be carried out by identified members of staff who have been appropriately trained (refer to section 9 Application of Force). However, it is recognised that in schools, members of staff have a statutory power to

use reasonable force by virtue of their job (section 93 of the Education and Inspections act 2006). Use of reasonable force advice for headteachers, staff and governing bodies DFE July 2013.

## **7 Risk Assessment and Planning for use of Restrictive Physical Interventions, mechanical restraints and chemical restraints**

- 7.1 As soon as a pupil is known to have a history of acts of violence and/or serious disrupting behaviour, the school will carry out a thorough risk assessment of the pupil's behavioural needs, including environmental, medical, curriculum, personal and personnel issues which might trigger episodes of challenging behaviour.
- 7.2 Where possible all agencies involved with the pupil and his or her parents/guardians should be involved in the assessment in the pupil's behaviour. Health professionals are required to be involved in the planning of mechanical or chemical restraint as both a proactive and reactive strategy to manage challenging behaviour.
- 7.3 In the event of disputes over, or concerns about, techniques and methods being considered, an interim school strategy should be agreed and advice and guidance be sourced from the Local Authority Designated Officer (LADO) and the Trust's HR Provider.
- 7.4 Mechanical Restraint is a 'use of force'. It involves use of a device to prevent, restrict, or subdue movement of a person's body with the aim of controlling their behaviour. Any such devices should only be put in place by people with relevant training, qualifications, skill and experience. Wherever mechanical restraint is used as a planned contingency, it should be identified within a support plan which aims to obviate the need for its continued use. An example of mechanical restraint are cushioned helmets or arm splints. These are typically prescribed by medical personnel/professionals to safeguard pupils from the consequences of behaviour that may cause harm to themselves.
- 7.5 Chemical restraint refers to the use of medication prescribed and administered by health professionals for the purpose of quickly controlling or subduing disturbed/aggressive behaviour. Inappropriate administration of substances for non-medical reasons, where it is not prescribed for the treatment of a formally identified physical or mental illness, will not be allowed. Prescribed medication should be used only for a child or young person who is both (a) highly aroused, agitated, overactive, aggressive, is making serious threats towards others or themselves, or is being destructive to their surroundings, and (b) when other therapeutic or restrictive interventions have failed to contain the behaviour. An antipsychotic, an antidepressant, or both should not be prescribed in response to behaviour that challenges without an appropriate clinical reason. Learners who have medication as a reactive strategy to manage challenging behaviour have a detailed PRN (Pro Re Nata) implementation plan within their behaviour support plans. This is agreed by medical professionals and parents. During incidents of challenging behaviour, the behaviour is closely monitored, and PRN medication is given as a last resort as per agreed

protocols.

## **8 Managing the use of Force**

- 8.1 The member of staff should consider carefully whether, when, and in what form, physical intervention should be used. Before intervening physically, a member of staff should, wherever practicable, tell the pupil who is challenging to stop, and what will happen if he or she does not. There should be a clear oral warning to the pupil that force may have to be used.
- 8.2 Once force is employed, the member of staff should continue attempting to communicate with the pupil throughout the incident and should make it clear that physical contact or restraint will stop as soon as it ceases to be necessary.

## **9 Application of Force**

- 9.1 Physical intervention should only be used according to the above considerations. The intervention can take several forms. It might involve (not an exhaustive list):
- Physically interposing between pupils
  - Blocking a pupil's path
  - Holding
  - Guiding
  - Leading a pupil by the hand or arm
  - Using more restrictive holds – specific expertise and recognised accredited training with regular refreshers should be undertaken.
- 9.2 Staff should always avoid touching or holding a pupil in a way that might be considered sexually inappropriate.
- 9.3 Schools are strongly advised to provide high quality training opportunities in physical restraint for staff on a regular basis as this is in the interests of both staff and pupils.
- 9.4 A setting may have, in exceptional circumstances, learners that may require advanced physical intervention manoeuvres including ground holds and weapon's defence. In this case, it is required that the school has a team of qualified staff with accredited training and regular refreshers in advanced techniques.
- 9.5 It is important to recognise that staff are trained via an accredited framework, e.g Team Teach, to use techniques of controls, guides and restraints that avoid injury to the restrained party. However, it is possible that bruising or scratching may occur accidentally, and these are not to be seen necessarily as a failure of professional technique, but a regrettable and infrequent "side-effect" of ensuring that the restrainee remains safe" (George Matthews – Team Teach Founder).

## **10 Seeking Assistance**

- 10.1 In certain situations, a member of staff should not intervene in an incident without help. Schools must make staff aware of their protocols for summoning help. For example, when dealing with an older or physically large pupil, or more than one pupil, or if the member of staff believes they themselves may be at risk of injury if they intervene, the member of staff should – unless it is an emergency – avoid physical intervention without assistance.
- 10.2 In such circumstances the member of staff should remove other pupils who may be at risk and summon assistance from a colleague or colleagues. The member of staff should inform the offending pupil(s) that the school has sent for help.
- 10.3 Until assistance arrives the member of staff should continue to attempt to defuse the situation orally whilst keeping themselves safe and try to prevent the incident from escalating.
- 10.4 In the event that police involvement is deemed necessary it must be a member of the senior leadership team who takes such responsibility. Where illegal weapons may be an issue, police should always be called to support staff.

## **11 Considering the Individual Involved**

- 11.1 The “circumstances” to be considered in deciding whether the use of force is reasonable and what degree of force is reasonable will depend upon the individual pupil involved. Considerations will include the age, sex, level of understanding and character of the pupil.
- 11.2 It is also particularly important for staff to be mindful of the needs of pupils with Special Educational Needs and Disabilities (SEND), behavioural conditions, medical conditions, disabilities, and other vulnerabilities.
- 11.3 Risk assessments are essential for individuals who are likely to display violent or challenging behaviour and whose special needs are associated with:
- Being less responsive to verbal communication
  - Physical disability
  - Physical fragility caused by, for example, haemophilia, brittle bone syndrome or epilepsy
  - Dependence on equipment, such as wheelchairs, breathing tubes or feeding tubes. These should be carried out by the Safeguarding Officer or Special Needs teams and communicated to staff.
- 11.4 The nature of the individual(s) involved will also be highly relevant in the context of physical contact in other situations (see section “Physical Contact with Pupils in Other SHINE Physical Restraint and Reasonable Force Policy

Circumstances" below).

## **12 After the Event – Post incident support**

- 12.1 Incidents that require use of restrictive physical interventions can be upsetting to all concerned and may result in injuries to the child or staff. After incidents have subsided, it is important to ensure that staff, pupils and parents and carers are given emotional support and basic first aid treatment for any injuries. Restorative actions and Post Incident Listening may also need to take place to ensure the staff-pupil relationship is supported and strategies are developed to help avoid such incidents in the future.
- 12.2 A list of First Aiders is displayed in school. In the event of any other medical concerns, the school nurses should be contacted.
- 12.3 Immediate action should, of course, be taken to ensure that medical help is accessed for any injuries that require anything other than basic first aid. This should be done via the 'First Aid at Work' certificate holders or by ringing for an ambulance in an extreme situation.
- 12.4 The school should take action to report any injuries to staff or pupils in accordance with RIDDOR – this is done via the ACCIDENT /VIOLENT INCIDENT FORMS (IR1s).

## **13 Reporting and Recording Incidents**

- 13.1 It is important that there is a detailed, contemporaneous, written log made of any occasion (except minor or trivial incidents) where force is used. This is GDPR compliant. The log should be completed using CPOMS under the category of 'Positive Handling'.
- 13.2 Recording and reporting may also help prevent any misunderstanding or misrepresentation of the incident, and it will be helpful should there be a complaint.
- 13.3 Immediately following any such incident, the member of staff concerned should report to pastoral team to the designated leader or team for behaviour and log the incident on CPOMS as soon as possible afterwards. That report should include:
  - The name(s) of the member of staff (s) directly involved
  - The name of any other staff or pupils who witnessed the incident
  - The reason that force was necessary (e.g. to prevent injury to a pupil or member of staff)
  - How the incident began and progressed, including details of the pupil's behaviour, the steps taken to defuse or calm the situation (including warnings that force might be used), the type of force used, the degree of force used, and for how long

- The pupil's response and the outcome of the incident
- Details of any injuries suffered and any medical attention sought
- Details of any distress suffered by any party, and whether any post-incident support was provided
- Details of further disciplinary action against pupils involved
- Details of any damage to property
- When parents were informed, and what views they expressed (see below)
- Whether information about the incident has been shared with staff or external agencies (eg. the police)
- Adding any complaints that have been lodged

13.4 Incidents involving the use of force can cause the parents of the pupil involved great concern. It is the school's policy to inform parents of an incident involving their child, and give them the opportunity to discuss it. The Headteacher/Principal or a member of the senior leadership team will need to consider whether that should be done straight away or at the end of the school day and whether parents should be told orally or in writing. A record of the communication should be documented on Scholarpack or CPOMS.

## **14 Power to search pupils without consent**

14.1 In addition to the general power to use reasonable force described in this policy, Headteachers and authorised staff can use such force as is reasonable given the circumstances to conduct a search for the following "prohibited items" under Section 45 of the Violent Crime Reduction Act 2016.

- Knives and weapons
- Alcohol
- Illegal drugs
- Stolen items
- Tobacco and cigarette papers
- Fireworks
- Pornographic images
- Any article that has been or is likely to be used to commit an offence, cause personal injury or damage to property.

14.2 This search power may be exercised by the Headteacher/Principal and authorised staff where they have reasonable grounds for suspecting that a pupil has prohibited items. Where resistance is expected staff may judge it more appropriate to call the police.

- 14.3 Force cannot be used to search for items banned under the school rules. Searching Screening and Confiscation; Advice for Schools DFE Feb 2014, Updated July 2022.
- 14.4 SHINE Academies will keep a log of all searches that have been carried out across the Trust and will Monitor this log to ensure equal and fair treatment of all of its pupils.

## **15 Complaints and Whistleblowing**

- 15.1 Involving parents when an incident occurs with their child should help to avoid complaints. It may not prevent all complaints, however, and a dispute about the use of force by a member of staff could lead to an investigation, either under disciplinary procedures or by the Police and Social Services Department under Child Protection procedures.
- 15.2 The possibility that a complaint might result in a disciplinary hearing or criminal prosecution, or in a civil action brought by a pupil or parent, cannot be ruled out. In such circumstances, members of staff can expect appropriate support from the school's Governing Board/Trust and Senior Management but should contact their professional association.
- 15.3 In those circumstances it would be for the disciplinary panel or the court to decide whether the use and degree of force was reasonable in all the circumstances. The panel or court would have regard to the provisions of section 93 of the Education and Inspections Act 2006 (the 2006 Act), as detailed above. It would also be likely to take account of the school's Physical Restraint and Reasonable Force Policy, and whether the policy had been followed.

## **16 Training**

- 16.1 Staff need to be provided with accredited training in the most effective use of force and restraint techniques. Normally, only those techniques in which staff have been trained should be used.
- 16.2 Training will be supplemented by other ongoing training on behaviour management and related issues, for example, restorative practice, functional assessment of behaviour and communication strategies. Staff also need full training for recording and reporting of behaviours. All trained staff should have refresher training in line with accredited provider.

## **17 Staff Counselling**

- 17.1 All staff involved in incidents requiring physical intervention should be offered the opportunity for counselling, which can usually be provided by a senior member of staff; on rare occasions it may be appropriate for staff to request external support from a counsellor.

## **18 Physical Contact with Pupils in Other Circumstances**

- 18.1 There are occasions other than those covered by section 93 or the 2006 Act when physical contact with a pupil may be proper or necessary. Some physical contact may be necessary to demonstrate exercises or techniques during PE lessons, sports coaching or Technology lessons, or if a member of staff has to administer first aid. Young children and children with special educational needs may need staff to provide physical prompts or help.
- 18.2 Touching may also be appropriate where a pupil, particularly a younger child, is in distress and needs comforting. Staff will use their own professional judgement when they feel a pupil needs this kind of support, but support but should bear in mind the terms of this policy.

Further examples of where touching a pupil might be necessary include:

- Holding the hand of the child when escorting around school or on school trips.
  - When comforting a distressed pupil.
  - When a pupil is being congratulated or praised.
  - To demonstrate how to use a musical instrument.
  - To give first aid.
  - As part of intimate care (see Intimate Care Policy for further guidance)
- 18.3 There may be some children for whom touching is particularly unwelcome. For example, some pupils may be particularly sensitive to physical contact because of their cultural background or because they have been abused. This will inform any behaviour management plan and risk assessment that is written. Every effort will be made to ensure that this is shared with staff on a need-to-know basis. Senior leaders will decide who needs to know based on individual circumstances.
- 18.4 Physical contact with pupils becomes increasingly open to question as pupils reach and go through adolescence, therefore staff should bear in mind that innocent and well-intentioned physical contact can sometimes be misconstrued.

## **19 Seclusion and Isolation**

- 19.1 Seclusion is the act of isolating an individual from ALL other people against their will in a room or enclosed area within the school grounds, that they cannot get out of. It is a deprivation of their liberty.
- 19.2 Seclusion may be resorted to in extreme cases, i.e., life threatening, as a one-off emergency procedure because of significant risk of harm. Seclusion cannot be used when the threat is only of a destructive nature that is, directed at objects (BILD). It cannot be a strategy regularly employed for behaviour management.



- 19.3 Seclusion should not be confused with the use of withdrawing a pupil where they will work away from other pupils but with a member of staff present to monitor at all times.

## **20 Removal**

- 20.1 Removal is where a pupil, for disciplinary reasons, is required to spend a limited time out of the classroom at the instruction of a member of staff. The use of removal should allow for continuation of the pupil's education in a supervised setting.
- 20.2 Schools can use reasonable force to remove disruptive children from the classroom where they have refused to follow an instruction to do so if all other behavioural strategies have been exhausted.

## **21.0 Complaints when Force is used on a Pupil**

- 21.1 All complaints about the use of force should be thoroughly, speedily, and appropriately investigated.
- 21.2 Where an employee has acted within the law – that is, they have used reasonable force in order to prevent injury, damage to property or disorder – this will provide a defence to any criminal prosecution or other civil or public law action.
- 21.3 Suspension must not be an automatic response when an employee has been accused of using excessive force. Schools should refer to the Trust's Managing Safeguarding Allegations Policy. This policy makes clear that a person must not be suspended automatically, or without careful thought.
- 21.4 Careful consideration should be given as to whether the circumstances of the case warrant an employee being suspended until the allegation is resolved or whether alternative arrangements are more appropriate.
- 21.5 If a decision is taken to suspend an employee the employee must be given access to a named contact who can provide support.
- 21.6 The Trust has a duty of care towards all employees and will provide appropriate pastoral care to any employee who is subject to a formal allegation following a use of force incident.

## **22.0 Monitoring and Reviewing the Policy**

- 22.1 This policy will be monitored to ensure the consistency of application and adherence to the equalities legislation, to ensure that the policy operates in accordance with the duty to promote equality, to eliminate discrimination and to protect employees and pupils with protected characteristics under the Equality Act 2010.

22.2 This policy will be monitored and reviewed by the relevant body in conjunction with recognised trade unions on an annual basis or when deemed necessary.