Sketty Primary School

Use of Restrictive Physical Interventions for the Management of Challenging Behaviour

September 2025

Article 6: Every child has the right to be alive. Governments must make sure that children survive and develop in the best possible way.

Erthygl 6: Mae gan bob plentyn hawl i fyw. Dylai llywodraethau ofalu fod plant yn goroesi ac yn datblygu'n iach.

Use of Restrictive Physical Interventions for the Management of Challenging Behaviour

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1.**Introduction**

- This document is intended to give advice to all staff working within the education service and addresses the need to protect both children and staff in their daily contact with each other. It should be read in conjunction with

- Welsh Office Circular 37/98 (The Use of Reasonable Force to Control and Restrain Pupils).

- The WAG Guidance Note, Framework for Restrictive Physical Intervention Policy and Practice March 2005.

- Code of Conduct for Employees whose work brings them into contact with Children and Young People.

- Evidence would suggest that avoiding physical interventions is the best practice.

- The authority recognises that there may be situations in which the behaviour of particular children necessitates some degree of physical intervention on the part of staff who care for and educate them. This document seeks to clarify the processes which should be followed by schools and other establishments in promoting good practice in the use of restrictive physical intervention.

- The authority recognises that as soon as a member of staff physically intervenes with a pupil, a number of possible consequences may follow. These will include a formal investigation if a complaint is made about an incident which gives rise to the use of physical intervention.

- Whilst some establishments will need to have much more detailed procedures and guidelines than others, because of the particular needs of the children whom they educate, the principles set out below apply to all.

- It is recommended that Governing Bodies adopt this policy for use within their schools.

2. Principles

It is recognised that there will be situations where preventative strategies have failed and where adults may need to intervene physically when the child places themselves and others at the risk of serious harm.

However, in these situations the following principles apply:

i) Welfare

- The welfare and best interests of children and staff should always be the paramount considerations when physical interventions are used. Staff have a responsibility to consider their own health and safety in such circumstances.

- The Authority actively discourages the use of physical intervention with pupils and recognises the spirit of the United Nations Convention of the Rights of the Child, and in particular Article 19 which requires that all appropriate measures be taken to protect the child from all forms of physical violence.

- It is unlawful for a teacher to use any degree of physical contact which is deliberately intended to punish a pupil or which is primarily intended to cause pain or injury or humiliation. That ban is absolute.

ii) Duty of Care

- The Authority accepts that a professional must exercise a duty of care towards a child or young person when physical interventions are used.

- Any use of physical force should be at the lowest possible level. In taking the decision to use physical force, staff should, as in other circumstances, exercise their best judgement, taking account of guidance provided by the Local Authority.

iii) Early Intervention

- All staff should be made aware of and should seek to use strategies which will avert the need to use physical interventions.

- The LEA's view is that any use of physical intervention to control or restrain pupils should be seen as a last resort when all other preventative strategies have been exhausted.

- The use of restrictive physical intervention, where possible, should take place following an individual assessment and planning process recorded as a Reactive Plan (Appendix 1).

iv) Transparency

- Children and parents/carers should have information regarding the possible use of restrictive physical intervention.

- Governing Bodies should ensure that schools have procedures and planned interventions based on a clearly defined policy.

v) Accountability

- Children and parents/carers should be informed about the complaints system and support made available from an advocate. This includes Looked After Children.

- All staff should be aware that in the event of a complaint about a physical intervention, the Authority will always undertake a formal investigation.

- Staff who comply with these guidelines in circumstances which require the use of reasonable force will have the support of the Authority.

3. Legal Framework

- Teachers and other staff working in educational establishments have a “duty of care”. In other words, they should take reasonable care to avoid acts or omissions which are likely to cause harm to another person. Judgements about what is or is not a “reasonable” course of action may be made with reference to the following:

- the conduct of other practitioners with similar skills and responsibilities;

- an appropriate body of expert opinion;

- what is reasonable in the circumstances;

- the foreseeable risk associated with a course of action (Dimond, 1995).

- Whilst most professionals are familiar with the general principles which ensure that they conduct their affairs within the law, the interpretation of specific incidents requires expert advice from a solicitor or barrister, and ultimately whether an action is “reasonable” or not may only be established by testing it in Court

4.Implications of the Policy for the Use of Restrictive Physical Intervention

In light of the Duty of Care by a professional towards an individual when using restrictive physical intervention:

- A child or young person should be monitored and cared for throughout an incident.
- Autonomy commensurate with the child or young person's age and ability is returned to them as soon as it is safe to do so.

The Duty of Care extends beyond that of the professional to the child / young person to include staffs line management / employer who should:

- ensure clear policy and practice guidance is available;

- provide appropriate training and supervision for staff;

- ensure that any restrictive physical intervention policies and practice guidance safeguard against discrimination harassment and stereo-typing.

- Given the legal framework staff should follow the guidance provided.
- Staff who act in accordance with the guidelines can expect to have support of the Authority.

5. Guidance regarding the use of restrictive physical intervention

5.1 What is restrictive physical intervention?

Restrictive physical intervention is defined as:-

"direct physical contact between persons where reasonable force is positively applied against resistance, either to restrict movement or mobility or to disengage from harmful behaviour displayed by an individual." (Framework for Restrictive Intervention Policy and Practice, March 2005)

5.2 What is "reasonable force"?

- It is important to understand that there is no legal definition of "reasonable force".

- The use of force can be regarded as reasonable only if the circumstances of the particular incident warrants it. The use of any degree of force is unlawful if the particular circumstances do not warrant the use of physical force. For example, the use of physical force could not be justified to prevent a pupil from committing a trivial misdemeanour.

- 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 outcome.

- Whether it is reasonable to use force, and the degree of force that could reasonably be employed, may also depend on the age, understanding, physical maturity and gender of the pupils. Responding to particular situations can be very difficult. In doing so, the following will need to be considered:

-will the use of force exacerbate the situation and result in the increased risk of injury to the teacher, the pupil or other pupils?

- will it set a poor example for other children?

- will it stress and/or distress the pupil or other pupils?

and

- if the child has previously suffered physical abuse, will physical intervention in the classroom revive these memories?

5.3 When is it appropriate to intervene physically?

- The use of physical intervention should be viewed very much as the final option. It is very important to ensure that all possible preventative steps have been taken to ensure that physical intervention is unnecessary.

- The use of restrictive physical intervention may be permissible when children and young people present challenging behaviour that places themselves and others at risk of serious harm.

- Professional judgement is key to informing the decision whether behaviour is likely to result in serious harm to the child, young person or others.

In exercising professional judgement members of staff will draw on:

- relevant experience;
- accredited knowledge;
- professional guidance, practice and standards;
- legislation and research.

5.4 Should my establishment have a policy on the use of restrictive physical intervention?

- Yes, it is a legal requirement. The local Authority recommends the adoption of this policy by Governing Bodies.

5.5 What should a school policy contain?

- A definition of restrictive physical intervention.
- What might be considered to be reasonable force?
- An outline of the legal framework.
- Which staff are authorised to use restrictive physical intervention and how they will be trained.
- How the policy will be disseminated.
- How responses to potential incidents are planned for.
- The exercising of professional judgement.
- Guidance on the recording and reporting of incidents.
- How staff, pupils and their parents/carers will be debriefed after incidents.
- How debriefing informs responses to future incidents.
- What happens if a complaint is made following an incident?

• How the policy will be reviewed.

5.6 How can planning help to avoid potential incidents?

• Ensure that all staff and parents are aware of the school's policy.

• Undertake a programme of training to ensure the policy is understood and can be implemented. It is recommended that any training undertaken is approved by the local Authority.

• Ensure that preventative strategies are in place informed by comprehensive risk assessment (Appendix 2).

• Ensure that all staff know how they can summon additional appropriate support.

• Ensure that all relevant information, including information about individual pupils or circumstances, is made available to staff.

• Ensure that all staff consider individual needs and circumstances in planning their interactions with pupils.

5.7 What about situations which arise off-site?

• Occasions during which pupil supervision by a member of staff occurs off-site are wide-ranging and varied. The same guidelines regarding the use of restrictive physical intervention will still apply, though.

5.8 How should incidents be recorded and who should be informed?

• Given that the circumstances are critical in determining what is a "reasonable" application of physical force, it is extremely important to record all aspects of an incident accurately and promptly. In all circumstances, therefore, the suggested Incident Form (see Appendix 3) should be completed.

• If restrictive physical intervention has been used, then the following actions should be taken:

- a verbal report should be made immediately to senior management within the school or establishment. In the case of a Headteacher, a

report should be made to the Manager of the Pupil and Governor Unit at County Hall;

- as soon as possible afterwards, the incident must be recorded in detail. This record should include such information as: antecedents to the incident, what actually happened, a description of the way in which restrictive physical intervention was used, witnesses, outcomes, who was informed and other actions taken. A suggested Record of Incident form is appended to this policy. This record should be handed to the Headteacher as soon as possible after the incident has occurred, and a copy forwarded to the Manager of the School and Governor Unit at County Hall in all cases.

- in cases where there has been violence towards staff, an HS3 (Violence to Staff – Verbal Abuse, Physical Injury) form should also be completed and forwarded to the nominated Health and Safety Officer for the Directorate. In these cases, a copy of the Record of Incident form should also be appended;

- the parents/carers of pupils involved should be informed on the same day, preferably in person but if this is not possible by telephone, or failing all else, by letter.

5.9 Is there anything to do after the incident is over?

• The Headteacher or senior member of staff on duty at the time should offer immediate support to those involved in the incident. The incident should then be recorded. Thereafter, supported “debriefing” should take place in all cases.

A full debriefing should be held with the pupil to include his/her perception of the circumstances leading up to the incident and the incident itself.

• Further support to pupils may include seeking help from other agencies, such as the Education Psychology Team, Social Services or the Child and Family Clinic, as appropriate.

• Senior staff who undertake debriefing and support should recognise the involvement in an incident involving restrictive physical interventions may prove very distressing for many staff and may have considerable consequences for their self-confidence and emotional well-being.

- In some circumstances it may be appropriate to offer further follow-up sessions to staff for planning and developmental work or to provide emotional or personal support.

- Any lessons emerging from debriefing should be incorporated into planning for dealing with possible future incidents.

- Further planning with pupils and their parents/carers may be necessary, particularly if the pupil has been out of school following an incident.

5.10 How do we enable children and young people to make their views known?

- Children and young people should be provided with clear information about how to make their views known, how to complain and how to access the services of an advocate

5.11 What should you do if there are complaints about an incident?

- Any complaint, whether verbal or written, which is received by the Head teacher or member of the Education Department staff about the use of any physical restraint or contact (however apparently slight) should be referred immediately to the Manager of the Pupil and Governor Unit (County Hall), before further action is taken.

- The Manager of the School and Governor Unit will consult with the Social Services Department.

As a result of this consultation, there will either be an investigation by the police and Social Services under the local Child Protection procedures or by the school or establishment under staff disciplinary procedures.

- For further guidance, see the Guideline on Practice and Procedure for Teachers/Head teachers/Non-teaching Staff facing an allegation of Physical/Sexual Abuse and the Authority's Staff Disciplinary Procedures.

- The Manager of the School and Governor Unit will provide advice on the procedures to be followed.

5.12 How do we monitor and evaluate the Implementation of this Policy?

- Collated information regarding incidents and complaints will be used to monitor and evaluate compliance.

Drafting and consultation process

This policy was drawn up, building on the previous policy for the use of Reasonable Force to control or restrain pupils. This document was finalised following presentation to Headteacher Consultative groups and the Behaviour Support Plan Implementation group.