



Restrictive Physical Intervention Policy 2023-2024

Last reviewed: April 2023

Next review due: April 2024

Background:

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

Rationale:

The vast majority of pupils at Colburn Community Primary 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 resort, we may, on a very small number of occasions, need to physically hold (restrain) a pupil 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.

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

Principles:

We may restrain a pupil, if that pupil is at risk of causing significant harm to himself/herself, or to other pupils/adults. Staff should also refer to LA Guidance, June 2009, pg. 4 para. 2.

There is no legal definition of when it is reasonable to restrain a pupil. That will always depend on the precise circumstances of the individual pupil. 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 pupil may experience. We have two key duties under the Disability Discrimination Act (DDA) 1995:

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

- i) in exceptional circumstances where any other course of action would be deemed likely to fail;
- ii) as a last resort, where all other courses of action have failed
- iii) 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:

- a] any teacher who works at our school, and
- b] any other person whom the headteacher 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.

At the conclusion of any incident, the pupil 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 CPOMS which should be monitored regularly (half termly) by the headteacher, and reported on to the governing body.

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.