



Braeburn Primary and Nursery School

The Use of Restrictive Physical Intervention (RPI) with Pupils Policy

Document Status			
Date of Next Review	2019	Responsibility	
Success Criteria for review completion		Responsibility	<i>M Tilling (Chair)</i>
Date of Policy Creation	Adapted school written model	Responsibility	<i>Headteacher</i>
Date of Policy Adoption by Governing Body 12/6/2016		M TILLING Signed	
Method of Communication (e.g Website, Noticeboard, etc)			
Staff room folder - electronic			

REVIEW	
Spring	1
Summer	2
Autumn	3

Braeburn Primary and Nursery School
The Use of Restrictive Physical Intervention (RPI) with Pupils
School Policy
2016-17

Background:

All employees at Braeburn Primary and Nursery School acknowledge the significant importance of developing and maintaining positive relationships with everyone; pupils, families and each other and, strive to provide outstanding teaching and learning. This practice underpins the good social, emotional and positive mental health development of all pupils. This policy should therefore, be read in conjunction with policies on: Equalities; Teaching and learning; Special Educational Needs and Disabilities (SEND); Good Behaviour for Learning and Attendance.

Rationale:

Behaviour can almost always be managed using proactive and preventative approaches, restraint should only be necessary after all other strategies have been exhausted.

The vast majority of pupils at Braeburn Primary and Nursery School conduct themselves very well and make progress. 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 to care for, a pupil for his or her own safety and the safety of others.

Terminology

- Use of reasonable force(DfE, July 2013)
- 'Reasonable force' covers a broad range of actions... that involve a degree of physical contact with pupils;
- Force is usually used to control or restrain. This can range from guiding a pupil to safety by their arm through to ...restraint to prevent violence or injury.
- ...Physically hold to care for...
- Reasonable in the circumstances' means using no more force than is needed (DfE '13 pg4)

Key Principles:

- **To fulfil our duty of care to prevent harm.**
- **To promote the dignity and safety of pupils and staff.**
- **To create and maintain a safe and secure learning environment for all.**

We will never use restraint as a punishment, or to physically overpower a pupil who is not putting themselves or others of serious risk of harm.

Restraint/ holding to care for will only be used:

- In exceptional serious 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 required to resolve the situation;

- Where possible it will be previously and carefully planned using a North Yorkshire Risk Assessment.
- Where possible restraint will be limited to use by staff who have been trained via suitable accredited trainers who have a given level of experience. This will be updated every 2 years. (Our trainer in 2016 was Cristina Roberts an experienced and accredited LA Officer)
- The CPD Coordinator and Deputy Headteacher Susan Chapman holds a register of those members of staff who have undertaken up to date accredited training.
- We may 'physically hold to care for' a pupil, if that pupil is at risk of causing significant harm to himself /herself, or to other pupils /adults.
- Staff should always refer to the North Yorkshire Guidance and the DfE Guidance Use of Reasonable Force 2013 LA Guidance.
- There is no legal definition of when it is reasonable to restrain a pupil, this will always depend on the precise circumstances of individual cases.
- **To be lawful, the force used would need to be in proportion to the consequences it is intended to prevent.**
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Principles within current legislation

Principles within the Educations and Inspections Act (2006) and DfE July 2013 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 pupils under the age of criminal responsibility, of 10 years, what would be an offence for an older pupil);**
- **Causing personal injury to, or damage to the property of, any person(including the pupil himself);**
- **Prejudicing the maintenance of good order and discipline at the school... whether at a teaching session or otherwise.**
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SEN and Equalities Act 2010

- We must always take proper account of any particular Special Educational Need (SEN) and/or learning disability that a pupil may have;
- We have two key duties under the Equalities Act 2010:
 - 1) 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
 - 2) to take reasonable steps to avoid putting disabled pupils at a substantial disadvantage to pupils who are not disabled (reasonable adjustments duty).

This Policy acknowledges that each member of staff has a legal duty to make reasonable adjustments for disabled children and children with SEN (DfE 2013 Pg6)

Staff Powers

School staff have the power to use reasonable force and lawful use of this power will provide defence to any related criminal prosecution or other legal action.

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 Head teacher has specifically authorised.

The decision on whether or not to use reasonable force is down to the professional judgement of each member of staff member concerned and should depend on the individual circumstances. Specialist Staff and Senior Leaders will give support and advice as appropriate. 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 will be offered support from a specialist or senior leader to reflect on the circumstances and mediate a best way forward.

Working with Parents

School values the relationship it makes with every parent or carer of pupils and will work with and alongside parents in a solution focussed way to put in proactive measures to prevent the use of RPI.

School acknowledges that it is not required to obtain parental consent to use force on a pupil (DfE July 2013). It is good practice however to consult with parents as much as possible and plan, write and share risk assessments with parents and in some cases the pupil.

Following a serious incident parents are contacted as soon as possible or within the 24 hours following the use of restraint on a pupil or, if the pupil has spent any exceptional amount of time away from their main learning environment.

Recording, Reporting of and Monitoring of incidents

All incidents involving the use of body strength and /or linked to a pupil's Risk assessment and Plan will be recorded factually in the school's Serious Incident record book located in the Head Teachers office.

The Head Teacher, SENCo or Specialist Teachers will recommend who needs an individual Risk Assessment which will be linked to this policy and RPI Guidance (NYCC and DfE)

Every incident will be reported to parents as soon as reasonably possible, but always within 24 hours.

A Senior Teacher usually the Head Teacher, Deputy Head Teachers or, Assistant Head Teacher will review each reported incident. All incidents are monitored regularly (monthly) by Sarah Walton assistant Head Teacher and shared with the Head Teacher, John Palmer.

Incidents are reported electronically to the Local Authority.

The school's Governing body in accordance with Section 175 of the Education Act (2002) are required to make arrangements so that their functions are carried out with a view to safeguarding and promoting the welfare of pupils.(DfE 2013)

Responding to complaints:

In the event of a complaint being received in relation to the use of force by staff, the matter will be dealt with in accordance with agreed procedures for handling allegations against members of staff.

References

North Yorkshire LA Guidance on the Use of RPI (September 2015)
DfE Guidance Use of Reasonable Force (2013).

This policy is reviewed by the Governing Body each year.
This policy is publicised by the Head Teacher to all staff, parents and pupils at least once a year.

This policy was approved by Governors at the Resources Committee

Signed.....

Name: Mike Tilling (Chair of Governors)

Date.....

Review Date.....Summer Term 2017.....