Policy B2 – Physical Contact Policy

1. Aims

1.1 The aims of this policy are:
- To provide a disciplined and caring environment in all of the academies in the University of Brighton Academies Trust
- To provide guidance to all staff on permissible physical contact with pupils/students and to advise on conduct.

2. General principle

2.1 It is not illegal to touch a pupil. There are occasions when physical contact, other than reasonable force, with a pupil is proper and necessary.

2.2 However, staff are strongly advised to avoid physical contact with pupils/students in order to restrain unless absolutely necessary. Only staff authorised by the Principal should attempt to physically restrain a pupil/student, unless the situation is judged to be dangerous, in which case all staff have a duty of care. The standard of care of a teacher is that of a reasonably prudent parent in the context of the school.

2.3 Force must never be used as a punishment – this is always unlawful.

3. Framework

- It is essential that the physical management of pupils/students:
  - should be avoided wherever possible;
  - should be seen as a rare occurrence and as a last resort;
  - should seek to ensure the safety of other children and staff
  - must be used in ways that maintain the safety and dignity of all concerned
  - is recorded according to statutory guidance
- Corporal punishment is absolutely prohibited.
- Academy staff have a duty to safeguard and promote the welfare of pupils/students.
- Discipline should be addressed by positive attention to whole-school behaviour management rather than focussing on punishment.
- Physical intervention is permissible only to prevent a pupil/student from harming himself/herself or others or to prevent serious disruption that is prejudicial to the learning of others.
- The 'legal' rule is that any person touching another without consent is potentially committing an unlawful act.

4. Physical Contact

4.1 Staff may make contact with pupils/students to reassure, to maintain health and hygiene and to instruct and guide.

4.2 Reassurance: Touching can be seen as positive reinforcement of relationships and comfort in times of stress, although this is generally with younger students or students who are

developmentally delayed. Staff should remember that some pupils/students may have been victim of sexual or physical abuse and may misinterpret physical contact.

4.3 *Health and hygiene:* Except in emergencies, designated members of staff, using the minimum contact necessary, should administer first aid. Pupils/students who have personal and/or medical care needs may require intimate physical contact, as may pupils/students who require manual handling (Refer to Policy B8 – First Aid and Medical Policy and Policy B18 – Supporting Students/Pupils with Medical Conditions Policy)**.** Staff undertaking such duties should be trained appropriately. Care should be taken to ensure that there is no harm and no loss of dignity.

4.4 *Direction/instruction:* Physical prompting to help a pupil/student to perform a task should be supportive. Such contact may be especially necessary in some areas of the curriculum, e.g. PE/Technology/musical instruction etc, or for pupils/students who may be physically disabled or visually impaired. Wherever possible, staff should not work alone or out of earshot.

5. Physical Intervention

5.1 In potentially violent incidents, staff should always attempt to avoid physical contact. There is a range of strategies, which can be employed to defuse such situations, including:
- standing near and reassuring the pupil/student
- redirection of the pupil's/student's attention - moving groups, changing activities, etc
- using humour
- keeping calm and speaking quietly
- offering choices, allowing time for the situation to de-escalate
- keeping a non-threatening body stance - keeping a distance
- being confident and assertive
- avoiding ultimatums
- talking to student individually
- being objective
- being prepared to hand the situation over to another adult
- Reminders about consequences
- Success reminders

6 Holding/obstructing

6.1 For most pupils/students, holding a pupil/student or obstructing an area to restrict movement is not appropriate, except when:
- a pupil/student is injuring himself/herself, or others
- a pupil/student is in potential danger of injuring himself/herself
- a pupil/student is seriously damaging property
- a pupil/student is in potential danger of seriously damaging property
- it is felt that absconding would place the pupil/student or others at great risk (i.e. for a pupil/student with autism, who may be unable to make a reasoned judgement about his/her safety)
- it is necessary to stop disruptive behaviour that is prejudicial to a safe and secure learning environment

7. Positive intervention

7.1 Physical intervention involves the positive application of reasonable force with the intention of preventing a pupil/student from harming herself/himself or others, or from causing

serious damage to property or from causing serious disruption to learning. **It should only be used when other de-escalation strategies have failed.** It may include:

- physically removing a pupil/student from a situation where there is risk of a violent incident
- holding a pupil/student to restrict movement
- detaining a pupil/student in a confined area in order to prevent individuals or property being damaged. (NB. It is illegal to place a pupil/student in a locked room).

7.2   Examples of such incidents are:

- a pupil/student attacks a member of staff or another pupil/student
- a pupil/student is in the act of or on the verge of committing, deliberate damage to property
- a pupil/student is running in a corridor or stairway in a manner which is likely to cause injury to himself or others
- a pupil/student is behaving in a way that is seriously disrupting a lesson and persistently refuses to follow an instruction from senior members of staff to leave the room.

7.3   'Reasonable force' depends on the circumstances of the individual event. It should be proportionate to the consequences it is intended to prevent. The degree of force used should be the minimum needed to achieve the desired result.

7.4   There are some techniques of intervention that have been identified by a panel of experts[1] as presenting an unacceptable risk when used on children and young people and therefore should not be used. The techniques in question are:

- the 'seated double embrace' which involves two members of staff forcing a person into a sitting position and leaning them forward, while a third monitors breathing;
- the 'double basket-hold' which involves holding a person's arms across their chest; and
- the 'nose distraction technique' which involves a sharp upward jab under the nose.

7.5   The following technique has also been agreed to be unacceptable:

- Holding a pupil in a prone or supine position

8   Assessing the risk

8.1   In instances where physical intervention may be necessary, the member of staff should consider the following factors:

- the age, gender and strength of the pupil/student
- the strength of the restrainer
- the proximity of another adult
- the capacity of the restrainer to remain calm
- the potential hazard of clothing, jewellery etc
- the safety of the area
- the presence of weapons, etc
- knowledge of the pupil/student.

8.2   When a crisis occurs that may require physical intervention, those who intervene should ask themselves three questions:

- Is the intervention the least restrictive action that may resolve the situation?
- Is it for the least amount of time possible?
- Is it reasonable or proportionate to the pupil's actions?

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[1] Physical Control in Care Medical Panel - 2008

8.3   Except in extreme circumstances only authorised members of staff should attempt to physically restrain a pupil/student. Members of staff should only be authorised to use physical restraint if they have received appropriate training from a British Institute of Learning Disabilities (BILD) or Institute of Conflict Management (ICM) accredited training provider, such as TeamTeach or MAPA (Management of Actual or Potential Aggression). This method uses a hierarchy of positive handling strategies including: holding, escorting and restraining techniques and separating fights. Training should be refreshed regularly

9.   Procedure and recording

9.1   If there is no alternative to physical intervention:

DO NOT	**DO**
Hit under any circumstances	Try to reduce anger
Deliberately cause pain	Avoid causing fear
Exert pressure on joints	Use minimum force necessary
Restrict breathing	Be aware of potential danger
Touch 'sensitive' areas	Get help as soon as possible
Use your full weight	
Ask another pupil/student to assist	
Move a student whilst under restraint	

9.2   In some cases it may be inappropriate to attempt to intervene i.e. there is no help available, the pupil/student may be physically large, the staff member may believe s/he is at risk. In such instances, assistance may be sought or the police may be called.

9.3   All situations involving physical restraint must be recorded as soon as possible after the event, using an appropriate form. This will either be the *Diary of Significant Event* form attached as **Annex 1**, or an academy specific version which has been approved by the Principal and Local Board of that academy, about which the Trust has been notified. If an incident occurs the Principal or in his/her absence, a senior member of staff, must be informed immediately and the parents contacted. The Principal or a senior member of staff should agree outcomes with the restrainer, pupil/student and parents.

9.4   In the event of a complaint being made, the Principal will follow the usual procedures laid out in the Trust's Complaints policy.

10.   Policy status and review

Written by:	
Owner:	Director of Policy and Governance
Status:	V2 = Approved
	V2 = Approved
Approval date:	V1 = HAT: AC 25/11/15
	V1 = UoBAT: BoD 10/12/15
	V2 = RC 9/11/16 (HAT) and RC 14/11/16 (UoBAT)
	V2a = Merger editorial changes 1 September 2017
	V2b = editorial change to training provider
Review Date:	By 2021/22 or as required

Annex 1

Diary of significant Event

1. Details

Student's name:		Tutor Group:	
Location of incident:		Date of incident:	
Start time of incident:		Finish time of incident:	
Report compiled by:		Position:	
Name(s) of staff involved:			

2. Reason for intervention *(tick appropriate boxes):*

Immediate danger of personal injury to student / staff / others ☐

Absconding ☐

Disruption to other students ☐

To avoid damage to property ☐

Verbal abuse to student / staff / others ☐

3. Description of the events leading up to the incident / behaviour:

_____

_____

_____

4. De-escalation techniques used

Verbal support / advice	☐	Step Away	☐
Reassurance	☐	Non-threatening body language	☐
Calm talking	☐	Time out offered	☐
Humour	☐	Time out directed	☐
Distraction	☐	Time out negotiated	☐
Options offered	☐	Other (specify) _____	☐

5.   Why was it necessary to hold the student? (Describe the behaviour). If not held, describe the behaviour causing concern:

_____

_____

_____

6a. (secondary academies) Nature and duration of positive handling strategies used

Standing		Wrap	
Sitting		Two person escort	
Kneeling		Single person escort	

Total duration of physical
intervention (approx.)

6b. (primary academies) Nature and duration of positive handling strategies used

Level 1 – standing, sitting or directed movement

Level 2 – standing, sitting or directed movement

Level 3 – standing, sitting or directed movement

7.   Description of positive handling used (staff involved and how held)

_____

_____

_____

8.   Outcome of the positive handling

_____

_____

_____

9.   Reaction of student

_____

_____

_____

10. **Details of any injuries (to student or others), including any medical treatment required**

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11. **Significant damage to property?** Yes ☐ No ☐

If yes, specify _____

12. **Action taken or sanctions imposed**

Discussion and reflection   student   Yes ☐ No ☐

          Staff   Yes ☐ No ☐

Referred to police   Yes ☐ No ☐

Referred to BTA   Yes ☐ No ☐

Details _____

13. **Notification procedures**

Parent / carer ☐   Keyworker ☐

Social Services ☐   Other ☐

Signature: _____ Date _____