ABBEY COLLEGE IN MALVERN
abbeycollege.co.uk

Physical Intervention (Restraint) Policy

Related Documents Include:
• Student Handbook • Behaviour Management Policy • Exclusions Policy • Staff Induction Policy
Legal Status:
• Section 550A of the Education Act (1996) (Repealed April 2007). • The Education Act 2006 • DCSF Every Child Matters 2007
Monitoring and Review
• This policy will be subject to continuous monitoring, refinement and audit by the Principal or Welfare Manager. • The Principal or Welfare Manager will undertake a formal annual review of this policy for the purpose of monitoring and of the efficiency with which the related duties have been discharged, by no later than one year from the date shown below, or earlier if significant changes to the systems and arrangements take place, or if legislation, regulatory requirements or best practice guidelines so require.
• The next official date for review is **November 2027.**

Introduction

Section 550A of the Education Act (1996) came into force in September 1998. This section allows teachers and other members of staff to use such force as is reasonable in all circumstances to prevent a student from doing, or continuing to do, any of the following:

- Committing a criminal offence (including behaving in a way that would be an offence if the child were not under the age of criminal responsibility).
- Injuring themselves or others.
- Causing damage to property (including the child's own property).
- Engaging in any behaviour prejudicial to maintaining good order and discipline at the school or among any of its students, whether that behaviour occurs in the classroom during a lesson or elsewhere.

The Children Act (1989) with its guiding principle of the "welfare" of the child being paramount, supports the taking of: "any necessary action to prevent injury or serious damage to property" The Education Act 2006 (Part 7, Chapter 1, Section 94), together with the national guidance (DCSF Every Child Matters 2007), clarified the position about the use of physical force by teachers and other members of staff to control or restrain students. The Act has placed greater emphasis on the roles and responsibilities of schools for the promotion of good behaviour and discipline. This includes a section on the power of members of staff to restrain students. The Act defines the staff to which this power applies as any teacher who works in the school and any other person the Principal has authorised to have control or charge of students.

Abbey College in Malvern Ltd (Number 08661073)
Registered in England and Wales. Registered office: 253 Wells Road, Malvern, Worcestershire, WR14 4JF
Member of ENGLISH UK, Accredited by the British Council for the teaching of English in the UK, DfES Reg. No. 8856026

The power may be used where students (including a student from another school) is on the premises of Abbey College or elsewhere in the lawful control or charge of the staff member (e.g. on a school visit).

Duty of Care

- Staff are obliged to maintain good order and discipline among students and to safeguard their health and safety, both when they are authorised to be in the school premises and when they are engaged in authorised school activities.
- Teachers must not do anything, or fail to do something, that they could reasonably foresee will cause loss or injury to a student. The standard of care required of a teacher is that of a reasonable prudent parent ('in loco parentis') judged not in the context of his/her home but in that of the school.
- All staff must seek to protect a student from harm to the same extent as would a natural loving parent. Furthermore, the duty of care is owed to the individual student and therefore there is a duty upon the member of staff to take some account of the susceptibilities of individual students.
- All staff (teaching, boarding and support staff) are involved in the care and well-being of all students. It is expected that all staff will assume a duty of care.

Reasonable Force

In dealing with challenging behaviour, staff are expected to draw upon a wide variety of strategies to de-escalate an incident without recourse to physical intervention. If more decisive action is required, then only "reasonable" force may be used to control or restrain a student. However, positive handling is an action of last resort and is not a substitute for behaviour management strategies.

What constitutes "reasonable" must always be a matter of personal judgement and risk assessment. There is no legal definition of when it is reasonable to use force. To be judged lawful, the force would need to be in proportion to the consequences it is intended to prevent. The degree of force used should be the minimum needed to achieve the desired result. Use of force could not be justified to prevent trivial misbehaviour. However, deciding whether misbehaviour is trivial also depends on circumstances. In all cases of physical contact with students, it might ultimately be for the courts to decide whether a member of staff acted ‘reasonably’ and the consequences of an error of judgement could be serious. No two situations are ever similar in all respects, still less the children in our care. However, the following guidelines may prove helpful.

- Where force is applied it should be done in a manner that attempts to reduce, rather than provoke, a further aggressive reaction.
- The number of staff involved should be the minimum necessary to restrain the student, while minimising injury to all parties.
- The more serious the danger, the greater the degree of force which may be used to avoid danger.
- The force used must be the minimum necessary to deal with the harm that needs to be prevented; i.e. it must be reasonable in the circumstances.

Abbey College in Malvern Ltd (Number 08661073)
Registered in England and Wales. Registered office: 253 Wells Road, Malvern, Worcestershire, WR14 4JF
Member of ENGLISH UK, Accredited by the British Council for the teaching of English in the UK, DfES Reg. No. 8856026

- Violence must always be dealt with promptly and positively. No blame should be attached to a member of a staff who has acted in good faith and consistently with the training that he/she has received.

Circumstances Where it is ACCEPTABLE to Use Physical Restraint or Intervention

Members of staff may use physical intervention or restrain students in the following situations:

- Where such interventions might calm an excessive emotional, aggressive or violent outburst.
- To avert immediate danger of personal injury to the student.
- To avert immediate danger of injury to another student or member of staff.
- To avert immediate serious damage to property.
- To prevent or stop a criminal offence being committed.
- To prevent absconding, if it is felt the student will be at risk.
- To interrupt disruptive behaviour prejudicial to maintaining good order and a safe and secure environment

The Application of Force

Under normal circumstances and in accordance with circular 10/98, it is against the law for any member of staff to use any form of physical chastisement as an act of punishment. This would be considered as corporal punishment or 'the intentional use of force as a punishment'. Staff should not act in a way that might reasonably be expected to cause injury.

Therefore, the following are **NOT ACCEPTABLE:**

- Holding a student round the neck, or by the collar, or in any other way that might restrict the student's ability to breathe.
- Slapping, punching, kicking or tripping a student.
- Twisting or forcing limbs against a joint.
- Holding or pulling a student by the hair or ear.
- Sitting on the young person's front or back (or any other form of pin down).
- Causing actual injury to the young person.
- Lifting a young person off the floor in order to intimidate or relocate (other than for safety or medical reasons).
- Touching or holding a student in any way that might be considered indecent.

The following are **'PROHIBITED'** as forms of control:

- Corporal punishment. This may be defined as any act or threat of an act, such as hitting, kicking, slapping, punching, poking, prodding, biting, throwing an object, rough handling etc. which causes or threatens harm.
- Deprivation.
- Requiring the wearing of distinctive or inappropriate clothing.
- Intimate physical searches.

Abbey College in Malvern Ltd (Number 08661073)
Registered in England and Wales. Registered office: 253 Wells Road, Malvern, Worcestershire, WR14 4JF
Member of ENGLISH UK, Accredited by the British Council for the teaching of English in the UK, DfES Reg. No. 8856026

Staff need to adopt a calm and considered approach, but when circumstances justify, the following are **ACCEPTABLE:**

- Physically interposing between students.
- Blocking a student's path.
- Leading a student by the arm.
- Shepherding a student away by placing a hand in the centre of the student's back.
- In extreme circumstances, more restrictive physical interventions may be used.
- Physical contact with a young person designed to control the young person's movements, which pose a danger (e.g. holding by the arms against the side of the body). Standing by the side of the young person is likely to minimise the risk to adult and young person.
- The holding of the young person's arms or legs to prevent/restrict striking/kicking.
- The use of minimum amount of force necessary – without causing injury – to remove a weapon/dangerous object from a young person's grasp (if foreseeable, this requires specialist training).

In the items highlighted above, the person exercising the positive handing must have received appropriate approved training.

Positive Handling Procedures

As soon as a member of staff has decided to physically intervene in order to prevent injury occurring to any person or serious damage to property she or he should:

1. Give clear instruction warning the young person of the consequences of failure to comply. N.B. This warning must not compromise any threat of unlawful assault.
2. If possible, summon a second adult. The importance of the presence of a colleague is twofold:
    - Another member of staff may be able to reduce the risk of the member of staff or student suffering bodily harm – a solitary person is in a very exposed position (e.g. if a fight is in progress).
    - There is a witness if the student or their parents subsequently make allegations of assault.
3. Whilst intervening the member of staff must:
    - Employ the minimum of force necessary to restrain the student.
    - Employ minimum physical force for the minimum period needed to restrain the student.
    - Keep talking to the student, e.g. 'if you stop kicking I will release my hold'.
    - Avoid committing any acts of punitive violence.
    - Keep his or her temper under control.
    - Ensure that notes are taken as soon as possible after the incident.

Abbey College in Malvern Ltd (Number 08661073)
Registered in England and Wales. Registered office: 253 Wells Road, Malvern, Worcestershire, WR14 4JF
Member of ENGLISH UK, Accredited by the British Council for the teaching of English in the UK, DfES Reg. No. 8856026

Individual Behaviour Management Plans

A very small minority of students may exhibit extremes of behaviour that necessitate repeated handling. In such cases the Principal in conjunction with the Welfare Manager, should prepare an individual behaviour management plan. The plan must include appropriate de-escalation strategies as well as specific details of positive handling techniques that will be used when required (see attached). Members of the Boarding Team and teachers should be made aware of the plan.

Recording Incidents of Physical Handling/Restraint

All physical intervention that involves RESTRAINT must be documented on the proforma available from the policies file. Any members of staff involved in a restraint situation should record their involvement within 24 hours.

Record all incidents:

- Where the positive application of reasonable force, during any restraint, has effectively overpowered the student.
- Where a student is held assertively with a relatively high level of physical force and a low level of student co-operation.
- Where a student is escorted with a relatively high level of physical force and a low level of student co-operation.

If you are unsure, RECORD THE INCIDENT for your own legal protection.

The completed reports will be seen and initialled by the Welfare Manager, kept in his/her office and will be made available to the parents, inspectors and any other professionals with good cause.

After an Incident

Students who have been involved in incidents need to be given the opportunity to talk through the situation as soon as they are calm. This would usually involve the Welfare Manager, though if not available or appropriate, it would be with either the Principal or the DOS(EFL).

Staff also need the opportunity to talk through and discuss their part in the incident, as any physical intervention can be stressful.

The individual member of staff should be interviewed by the Welfare Manager following an incident to allow for a debrief. A risk assessment should be carried out with preventative measures identified to attempt to ensure no repetition of the behaviour that necessitated restraint.

Abbey College in Malvern Ltd (Number 08661073)
Registered in England and Wales. Registered office: 253 Wells Road, Malvern, Worcestershire, WR14 4JF
Member of ENGLISH UK, Accredited by the British Council for the teaching of English in the UK, DfES Reg. No. 8856026

ABBEY COLLEGE IN MALVERN
abbeycollege.co.uk

Physical Restraint Incident Form

Student's Name		**Date of Birth**	
House Name (if known)		**Class (if known)**	
Date of the incident		**Time of the incident**	
Location of the incident			
Staff involved	**1.** **2.**		
Witnesses to the incident	**1.** **2.**		

Reason for the intervention (please circle)	
A	To avert immediate danger of personal injury to the student.
B	To avert immediate danger of injury to another student or staff.
C	To avert immediate serious damage to property.
D	To prevent or stop a criminal offence being committed.
E	To prevent absconding.
F	To interrupt disruptive behaviour prejudicial to maintaining good order and a safe and secure learning environment
Other:	

Please indicate what techniques you used to defuse the situation			
Verbal advice & support		Time out	
Humour		Calm talking	
Step away		Options offered	
Reassurance		Negotiations	
Distraction		Non-threatening body language	
Other:			

Description of the incident, including details of any physical intervention

Produced by:	CS	Date:	16/08/2017	Checked by:	AG	Date:	17/11/2026	Approved by:	MN	Date:	17/11/2026

Follow Up and Outcome (following discussions and reflection)
Details of any Sanctions

Form completed by			
Staff Name:		**Date:**	
Handed to Welfare Manager			
Signature:		**Date:**	

Welfare Manager's Comments

Abbey College in Malvern Ltd (Number 08661073)
Registered in England and Wales. Registered office: 253 Wells Road, Malvern, Worcestershire, WR14 4JF
Member of ENGLISH UK, Accredited by the British Council for the teaching of English in the UK, DfES Reg. No. 8856026

ABBEY COLLEGE IN MALVERN
abbeycollege.co.uk

Physical Restraint Witness Statement

Student's Name		**Date of Birth**	
House Name (if known)		**Class (if known)**	
Date of the incident		**Time of the incident**	
Location of the incident			

Witness Statement

Produced by:	**CS**	**Date:**	**16/08/2017**	**Checked by:**	**AG**	**Date:**	**17/11/2026**	**Approved by:**	**MN**	**Date:**	**17/11/2026**

Name:		Signature:		Date:	
Handed to Welfare Manager		Signature:		Date:	
This must be completed and handed to the Welfare Manager within 24 hours of the incident taking place					

Abbey College in Malvern Ltd (Number 08661073)
Registered in England and Wales. Registered office: 253 Wells Road, Malvern, Worcestershire, WR14 4JF
Member of ENGLISH UK, Accredited by the British Council for the teaching of English in the UK, DfES Reg. No. 8856026