



# PHYSICAL INTERVENTION POLICIES AND PROCEDURES

UPDATED SEPT 2024

## POLICY

The Ark is committed to developing an ethos where the use of physical restraint will not be necessary. It is the policy of The Ark to promote a safe and productive workplace and educational environment for its employees and learners, and to ensure that every learner is free from the unreasonable use of physical restraint.

Emergency circumstances may occur which support the need for physical restraint after other less intrusive alternatives such as physical intervention have failed or been deemed inappropriate. In order that staff may act appropriately in difficult circumstances, the policy seeks to clarify where reasonable force might be used as a last resort and provide guidance to ensure staff are clear about their role in order that both their own rights and those of the learners are protected.

This policy should be read in conjunction with current The Ark policies on Behaviour Support, Equal Opportunities, Health and Safety and Safeguarding.

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## DEFINITIONS

“Physical intervention” shall mean the touching or holding of a learner without the use of force for the purpose of directing the learner.

“Physical restraint” is the application of force with the intention of controlling the learner’s behaviour in order to protect him/her from harming him/herself or others or seriously damaging property. Physical restraint occurs whenever a member(s) of staff intentionally, using force, physically restricts a learner’s movement against his/her will.

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## LEGISLATION

Section 550A of the Education Act 1996 provides the legislative framework for the use of force to control, or restrain learners. Additional guidance is provided (DfEE Circular 10/98) to assist staff.

Staff authorised by a nominated member of senior management may use such force as is reasonable to prevent a learner from:

- Committing a criminal offence

- Injuring themselves or others
- Damaging property
- Causing disruption

Failure to take action in circumstances that merit it, can be as serious as over-reacting. It may not be a safer option for staff to do nothing when to take action could restore safety.

## APPROPRIATENESS OF PHYSICAL INTERVENTION/RESTRAINT

There is no definition of 'reasonable force'. It is not possible to set out comprehensively when it is reasonable to use force, or the degree of force that may reasonably be used. It will always depend on the circumstances of the case, e.g.:

- physical intervention may be considered appropriate to prevent harm occurring some time in the predictable future (e.g. the use of mobile phones as a means of intimidation).
- physical restraint may be considered more appropriate for the removal of a weapon/dangerous object.

In considering the appropriateness of physical intervention/restraint the following should be taken into consideration:

- the learner's age
- gender
- maturity
- culture
- religion
- disability
- comprehension
- physical environment and proximity of other people
- significance for the child of physical contact – taking into account the child's previous experiences and acceptance of touch

## PHYSICAL INTERVENTION

Staff should always take pre-emptive steps to avoid the need for physical intervention (e.g. through dialogue and diversion).

Physical intervention by staff, may take the following form:

- physically interposing between learners
- blocking a learner's path
- leading by the arm
- shepherding a learner away by placing a hand in the centre of the back
- pushing
- pulling

All of these actions do not carry the force of physical restraint. As far as possible these actions should only take place in public where the learner and staff have an established relationship.

## USE OF PHYSICAL RESTRAINT

Physical restraint should only be used as a last resort when all other strategies have failed and the learner's behaviour poses a threat of imminent, serious physical harm to himself or herself or others. It should be a **last resort** after all agreed avenues to defuse and de-escalate the situation have been pursued and the staff involved feel that immediate action is required. Whenever possible the administration of physical restraint shall be witnessed by at least one adult not participating in the physical restraint. Only the minimum amount of force necessary shall be used to protect the learner or others from physical injury. Physical restraint will only normally involve containment of a situation prior to the arrival of the police.

## RECORDING AND MONITORING

In the event of physical intervention or restraint having been used, the following procedures are to be followed:

- The circumstances and justification for using physical intervention or restraint must be recorded immediately.
- Afterwards the learner should be counselled on why it was necessary to take action. He / she should also be given the opportunity to discuss incidents, either individually or as a group and encouraged to write down their views following an incident.
- Within 12 hours parents/carers will be informed when physical intervention or restraint has been used and will be given the opportunity to discuss the matter with a nominated senior member of staff.
- Within 24 hours a nominated senior member of staff teacher should discuss the incident with the member of staff involved.
- Within 24 hours relevant agencies will be informed if necessary (e.g. Child Protection Team).
- Within 48 hours a full report should be prepared and submitted to the Head of Program.
- Incidents to be monitored by the Head of Program to ensure compliance with policy and identify any patterns which require intervention – either amongst specific staff or learners or practice in general.
- Where required, further advice support/training to be provided to the staff member concerned.
- Staff meetings to provide a forum for discussion of the incident.

## TRAINING

All staff to be aware of Section 550A of the Education Act 1996.

Staff exercising intervention or restraint must be authorised by a nominated senior member of staff and have received appropriate training. New employees will receive initial training within the induction process. Further on-going training will take place on a regular basis.

Trained staff are those individuals who have received either basic training to engage in physical intervention or the more in-depth training to deal with more challenging circumstances requiring physical restraint.

However, these training requirements shall not prohibit any staff member from using reasonable force to protect learners, other persons or themselves from imminent, serious, physical harm.

All The Ark Smallholding staff have received and are fully trained in using the Team Teach approach. These rights are protected by law.

*“Team-Teach techniques seek to avoid injury to the service user, but it is possible that bruising or scratching may occur accidentally, and these are not to be seen necessarily as a failure of professional technique, but a regrettable and infrequent “side-effect” of ensuring that the service user remains safe”.*