



**PRIORY SCHOOL**  
EDGBASTON

# **CARE AND CONTROL POLICY (INCLUDING PHYSICAL RESTRAINT)**

## **(STATUTORY)**

<b>Trustee Committee:</b>	Risk and Compliance	
<b>Date Approved:</b>	November 2025	
<b>Next of Review:</b>	November 2027	
<b>Member of Staff Responsible:</b>	AF Alex Flood Assistant Headteacher	
<b>Trustee Overseer:</b>	SWR Shernice Watts Rai	
<b>Intended Audience:</b>	Options: Employees, Volunteers, Parents, Pupils, and Visitors	
<b>Relevance:</b>	Whole School	Yes
	Early Years	Yes
	Preparatory	Yes
	Seniors	Yes
<b>Access:</b>	Website	Yes
	Internal	No
	Restricted	No

## Our Mission Statement

Priory School is a thriving, co-educational independent school founded upon a rich Catholic heritage which welcomes those from all faiths and none.

In partnership with parents and guardians we provide a nurturing, family-based ethos, alongside high-standards of teaching and learning, enabling all pupils to achieve their potential.

We embrace diversity and interfaith understanding alongside awareness of environmental and global issues, in response to the needs of our time.

The Governors and staff at Priory School are committed to providing a fully accessible environment which values and includes all pupils, staff, parents and visitors, regardless of their education, physical, sensory, social, spiritual, emotional or cultural needs.

The Governors, staff, and pupils are committed to the safeguarding and welfare of pupils and staff.

To meet the needs of our school community, all our policies, including this policy, can be made available on different formats such as different font sizes or styles, colour, or alternate languages.

The Governing Council understands it has responsibility for ensuring the effective oversight of this policy and will assess, evaluate, and review as necessary.

## **1.Introduction**

The policy has been developed in response to The School and Inspections Act 2006 section 93 which reinforces previous guidance. Section 93 of the Education Inspections Act 2006 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.

- a. Committing any offence (or, for a pupil under the age of criminal responsibility, what would be an offence for an older pupil).
- b. Causing personal injury to, or damage to the property of, any person (including the pupil); or
- c. Prejudicing the maintenance of good order and discipline at the school or among any pupils receiving education at the school whether during a teaching session or otherwise.

The staff to which this power applies is defined in Section 95 of the act. They are:

- a. Any teacher who works at the school, and
- b. Any other person whom the Headteacher has authorised to have control or charge of pupils. This:
  - i) Includes support staff whose job normally includes supervising pupils such as teaching assistants and lunchtime supervisors.
  - ii) Can also include people to whom the Headteacher has given temporary authorisation to have control or charge of pupils such as paid members of staff whose job does not normally involve supervising pupils (for example catering staff or site services staff, parents accompanying pupils on school-organised visits).
  - iii) Does not include prefects.

The power may be used where the pupil (including a pupil from another school) is on school premises or elsewhere in the lawful control or charge of the staff member (for example on a school visit).

The policy should be read in conjunction with other school policies, in particular Prep Pastoral Care, Senior Pastoral Care, Safeguarding and Prep Behaviour and Senior Positive Behaviour.

## **2.Purpose of the Policy**

Good personal and professional relationships between staff and pupils are vital to ensure good order in our school. It is recognised that the majority of pupils in our school/provision respond positively to the discipline and control practised by staff. This ensures the well-being and safety of all pupils and staff in school/provision. It is also acknowledged that in exceptional circumstances, staff may need to take action in situations where the use of reasonable force may be required. Priory School acknowledges that physical techniques are only part of a whole setting approach to behaviour management.

The types of force used could include:

- a. Passive physical contact resulting from standing between pupils or blocking a pupil's path:
- b. Active physical contact such as:
  - i) Leading a pupil by the hand or arm:
  - ii) Ushering a pupil away by placing a hand in the centre of the back;
  - iii) In more extreme circumstances, using appropriate restrictive holds, which may require specific expertise or training.

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Decisions on whether the precise circumstances of an incident justify the use of significant force must be reasonable. Typically, such decisions have to be made quickly, with little time for reflection. Nevertheless, staff need to make the clearest possible judgements about:

- c. The seriousness of the incident, assessed by the effect of the injury, damage or disorder which is likely to result if force is not used. The greater the potential for injury, damage or serious disorder, the more likely it is that using force may be justified.
- d. The chances of achieving the desired result by other means. The lower the probability of achieving the desired results by other means, the more likely it is that using force may be justified; and
- e. The relative risk associated with physical intervention compared with using other strategies. The smaller the risks associated with physical intervention compared with other strategies, the more likely it is that using force be justified.

Examples of situations that particularly call for judgments of this kind include:

- a. A pupil attacks a member of staff, or another pupil
- b. Pupils are fighting, causing risk of injury to themselves or others;
- c. A pupil is committing, or on the verge of committing, deliberate damage to property;
- d. A pupil is causing, or at risk of causing, injury or damage by accident, by rough play, or by misuse of dangerous materials or objects;
- e. A pupil absconds from a class or tried to leave the school other than at the authorised time. Refusal of a pupil to remain in a particular place is not enough on its own to justify use of force. It would be justifiable where allowing a pupil to leave would:
  - i) Entail serious risks to the pupil's safety (taking into account age and understanding), to the safety of other pupils or staff, or of damage to property; or
  - ii) Lead to behaviour that prejudices good order and discipline, such as disrupting other classes;
- f. A pupil persistently refuses to follow an instruction to leave a classroom.
- g. A pupil is behaving in a way that seriously disrupts a lesson; or
- h. A pupil is behaving in a way that seriously disrupts a school or sporting event.

In these examples use of force would be reasonable (and therefore lawful) if it was clear that the behaviour was sufficiently dangerous or disruptive to warrant physical intervention of the degree applied and could not realistically be dealt with by other means.

Wherever possible, these judgements should take account of the characteristics of the pupil, including his or her age, understanding and any SEND or disability that he or she may have. This would include the outcomes of any risk assessment and, as appropriate, any specific strategies and techniques set out in the pupil's IEP.

Where there is a high and immediate risk of death or serious injury, any member of staff would be justified in taking any necessary action (consistent with the principle of seeking to use the minimum force required to achieve the desired result). Such situations could include preventing a pupil running off the pavement onto a busy road or preventing a pupil from hitting someone with a dangerous object such as a glass bottle or hammer.

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Staff should make every effort to avoid acting in a way that might reasonably be expected to cause injury. However, in the most extreme circumstances it may not always be possible to avoid injuring a pupil.

Staff should always avoid touching or restraining a pupil in a way that could be interpreted as sexually inappropriate conduct.

### 3. Staff Training

Every effort will be made to ensure that all staff in this school:

- (i) Clearly understand this policy and their responsibilities in the context of their duty of care in taking appropriate measures where reasonable force is necessary and
- (ii) Are provided with appropriate training to deal with these difficult situations.

### Strategies for Dealing with Challenging Behaviour

As endorsed in the school's Behaviour Policies, staff utilise consistent positive strategies to encourage acceptable behaviour and good order.

Every effort will be made to resolve conflicts positively and without harm to pupils or staff, property, buildings or the environment. Where unacceptable behaviour threatens good order and discipline and provokes intervention, some or all of the following approaches should be taken according to the circumstances of the incident and in association with the Education and Inspections Act 2006 Section 93:

- Verbal acknowledgement of unacceptable behaviour with request for the pupil to refrain; (this includes negotiation, care and concern).
- Further verbal reprimand stating:
  - that this is the second request for compliance;
  - an explanation of why observed behaviour is unacceptable;
  - an explanation of what will happen if the unacceptable behaviour continues.
- Warning of intention to intervene physically and that this will cease when the pupil complies, if possible, summon assistance from the appropriate Assistant or Deputy Head.
- Physical intervention. Reasonable force being used to prevent a child harming him or herself, others or property.

### 4. Recording

Where physical control or restraint has been used a record of the incident will be kept by the Deputy Headteacher. This record should be made in the school's Serious Incident Book, statutory for all pupils' provision. This is a hard-backed book, with numbered pages, retained in the school office in a locked cabinet.

Appropriate documentation will be completed as soon as possible after the incident, (within 24 hours) normally prior to staff going off duty and be signed by all staff involved and the Headteacher.

After the review of the incident, a copy of the details will be placed on the pupil's file.

A Health and Safety Accident/Incident Form will be completed in situations where injury has occurred to either members of staff or pupils.

### ***5. Monitoring Incidents***

Whenever a member of staff has occasion to use reasonable force, this will always be recorded and documented following agreed procedures. Monitoring of incidents will help to ensure that staff are following the correct procedures and will alert the Headteacher to the needs of any pupil(s) whose behaviour may require the use of reasonable force.

Monitoring of incidents will take place on a regular basis and the results used to inform planning to meet individual pupil and school needs.

### ***6. Action after an Incident***

The Headteacher will ensure that each incident is reviewed and investigated further as required. If further action is required in relation to a member of staff or a pupil, this will be pursued through the appropriate procedure:

### ***7. Review of Behaviour Programme***

- Child Protection Procedure (this may involve investigations by Police and/or Social Services)
- Staff or Pupil Disciplinary Procedure
- School Behaviour Policies
- Exclusions Procedure in the case of violence or assault against a member of staff
- The member of staff will be kept informed of any action taken.
- In the case of any action concerning a member of staff, he/she will be advised to seek advice from his/her professional association/union.

### ***8. Complaints***

The availability of a clear policy about reasonable force and early involvement of parents should reduce the likelihood of complaints but may not eliminate them.

Any complaints about staff will be investigated through the School's Complaints Policy. If necessary, the complaint will be dealt with by the Staff Disciplinary Procedures and/or Safeguarding Procedures.

The school will make reference to any umbrella policy that may exist e.g. Behaviour Policy, Exclusion Policy, Health and Safety Policy, Safeguarding Policy

### ***9. EYFS***

The School will inform OFSTED and local Safeguarding agencies of any serious accident, illness or injury.

Corporal punishment will never be used or threatened.

Physical intervention may be used to avert immediate danger of personal injury. Any occasion on which physical intervention is used, must be recorded and parents informed on the same day or as soon as reasonably practicable.

Please refer to the EYFS Behaviour Policy in conjunction with this section.

### **10. Guidelines on Physical Restraint**

**Use of force to control or restrain pupils at Priory School is very rarely necessary. Pupils are well behaved and there is a good relationship between pupils and between pupils and staff.**

#### **Objective**

To enable all staff who have control or charge of pupils to use such force as is reasonable in all the circumstances to prevent a pupil from doing, or continuing to do, any of the following:

- Injuring themselves or others.
- Committing a serious breach of good order and school discipline whether that behaviour occurs in a classroom during a teaching session or elsewhere.
- Causing serious damage to property (including a pupil's own property).

The provision applies when on the school premises (including visiting pupils) and when on an authorised activity outside of the school. Pupils, including Prefects, do not have the right to use reasonable force for the purpose of controlling or restraining pupils.

#### **Deciding whether to use force**

The term 'reasonable force' covers the broad range of actions used by most teachers at some point in their career that involve a degree of physical contact with pupils. Force is usually used either to control or restrain. This can range from guiding a pupil to safety by the arm through to more extreme circumstances such as breaking up a fight or where a student needs to be restrained to prevent violence or injury. 'Reasonable in the circumstances' means using no more force than is needed.

As mentioned above, schools generally use force to control pupils and to restrain them. Control means either passive physical contact, such as standing between pupils or blocking a pupil's path, or active physical contact such as leading a pupil by the arm out of a classroom.

Restraint means to hold back physically or to bring a pupil under control. It is typically used in more extreme circumstances, for example when two pupils are fighting and refuse to separate without physical intervention. School staff should always try to avoid acting in a way that might cause injury, but in extreme cases it may not always be possible to avoid injuring the pupil.

All members of school staff have a legal power to use reasonable force. This power applies to any member of staff at the school. It can also apply to people whom the Headteacher has temporarily put in charge of pupils such as unpaid volunteers or parents accompanying students on a school organised visit.

#### **When can reasonable force be used?**

- Reasonable force can be used to prevent pupils from hurting themselves or others, from damaging property, or from causing disorder.
- In a school, force is used for two main purposes – to control pupils or to restrain them.
- The decision on whether or not to physically intervene is down to the professional judgement of the staff member concerned and should always depend on the individual circumstances.

The following list is not exhaustive but provides some examples of situations where reasonable force can and cannot be used.

Reasonable force can be used to:

- remove disruptive children from the classroom where they have refused to follow an instruction to do so.
- prevent a pupil behaving in a way that disrupts a school event or a school trip or visit.
- prevent a pupil leaving the classroom where allowing the pupil to leave would risk their safety or lead to behaviour that disrupts the behaviour of others.
- prevent a pupil from attacking a member of staff or another pupil, or to stop a fight in the playground.

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- restrain a pupil at risk of harming themselves through physical outbursts. It cannot be used as a punishment it is always unlawful to use force as a punishment.

Reasonable force can also be used to search pupils without consent for the following “prohibited items”:

- knives and weapons
- alcohol
- illegal drugs
- stolen items
- tobacco and cigarette papers
- fireworks
- pornographic images
- any article that has been or is likely to be used to commit an offence, cause personal injury or damage to property

Force cannot be used to search for items banned under the school rules.

### **Using force**

Where possible a verbal warning should be given. As far as possible force should not be used unless another responsible adult is present to support or help.

## ***11. Complaints***

Effective communication with parents whose child has been involved in a physical restraint incident, and close adherence to this policy should help to avoid complaints from parents. It may not necessarily prevent a complaint, however, and a dispute about the use of force by a member of staff may lead to an investigation, either internally or in more serious cases by the Police and Social Services Department under child protection procedures.

## ***12. Physical Contact with Pupils in Other Circumstances***

There are occasions when physical contact with a pupil may be proper or necessary. Some physical contact may be necessary to demonstrate exercises or techniques during PE lessons, sports coaching, Music or DT, or if a member of staff has to give first aid. Touching may also be appropriate where a pupil is in distress and needs comforting. Teachers will use their own professional judgement when they feel a pupil needs this kind of support. There may be some children for whom touching is particularly unwelcome.