



*The Federation of  
Sutterton Fourfields and Swineshead St Mary's  
Church of England Primary Schools*



*Physical Contact with Pupils Policy*

**Policy to be read in conjunction with Child Protection Policy and  
Behaviour and Discipline Policy**

It is the aim of staff to avoid physical contact with children if at all possible to avoid any misunderstanding between pupils and members of staff. This may not always be possible and this policy states the degrees and situations where contact could be made. The school brochure informs parents that physical restraint or comfort may be necessary if the child is unwell or unhappy. This statement will not change as it reflects staff acting sensitively and professionally towards the children in their care.

All Teachers, Teaching Assistants and Mid-Day Supervisory Assistants within the Federation are authorised to restrain pupils if the need arises following the code of conduct detailed below. The Headteacher is allowed to authorise any other person to have similar powers if desired. A log of authorised persons must be kept by the Headteacher. Any member of staff having to use reasonable force to restrain a pupil must inform the Headteacher and maintain a record of the event in the class diary. Should the needs of an individual child in the school make physical intervention likely training will be provided for the staff most likely to be immediately affected.

Section 550A of the Education Act 1996 allowed authorised personnel to use such force as is reasonable to prevent a child from doing or continuing to do any of the following:

- committing a criminal offence eg, attacking another pupil or member of staff
- injuring themselves or other eg fighting, misuse of equipment
- causing damage to property eg vandalism
- Behaving in a way not maintaining the good order and discipline of the school eg poor classroom behaviour

Staff can use reasonable force to:

- remove a pupil who is persistently refuses to obey an instruction
- remove a pupil who is behaving in a way that is seriously disruptive to a lesson

There is no legal definition of reasonable force and staff must ensure at all times that the degree of force matches the situation they find themselves in. The use of force can be regarded as reasonable only if the circumstances of the particular incident warrant it. Any force used should always be the minimum need to achieve the desired result.

Physical contact may be misconstrued by a pupil, parent or observer. Touching pupils, including well intentioned gestures such as putting a hand on a shoulder, can, if repeated regularly, lead to serious questions being raised. As a general principle staff must not make gratuitous physical contact with their pupils. It is particularly unwise to attribute touching to their teaching style or as a way of relating to pupils. Teachers and other staff do however have the right to use reasonable physical force to restrain pupils in certain circumstances.

Any form of physical punishment is unlawful as in any form of physical response to misbehaviour unless it is by way of restraint. It is particularly important that staff understand this both to protect their own position and the overall reputation of the school.

### **Where physical contact may be acceptable**

There may be occasions where a distressed pupil needs comfort and reassurance which may include physical comforting such as a caring parent would give. Staff should use their discretion in such cases to ensure that what is normal and natural does not become unnecessary and unjustified contact, particularly with the same pupil over a period of time. Where a staff member has particular concern about the need to provide this type of care and reassurance they should seek the advice of the Headteacher.

Some staff are likely to come into physical contact with their pupils from time to time in the course of their duties. Staff should be aware of the limits within which such contact should properly take place and of the possibility of such contact being misinterpreted

There may be occasions where it is necessary for staff to restrain a pupil physically to prevent them from inflicting injury to others, self injury, damaging property or causing disruption. In such cases only the minimum force necessary may be used and any action taken must be to restrain the pupil. Where an employee has taken action to physically restrain a pupil they should make a written report of the incident.

Physical Intervention can take several forms. It might involve staff:

- Physically interposing between pupils
- Blocking a pupils path
- Holding, pushing, pulling
- Leading a pupil by the arm or hand or shepherding a pupil by placing a hand in the centre of the back.

Staff must not act in a manner that could cause injury to the pupil eg:

- holding a pupil round the neck
- slapping, punching, kicking, tripping
- twisting or forcing of limbs
- holding or pulling of hair or extremities

Staff should always avoid touching or holding a pupil in a way that might be considered indecent. Staff should always try to use other strategies and techniques to defuse situations before applying reasonable force to resolve and incident.

It is vital that a written record of any incident is made by the staff concerned at the earliest possible opportunity. It may help prevent any misunderstanding or misinterpretation of the incident and will be helpful should there be a complaint. The dated written record of the intervention must be completed and passed to the Senior management on the same day as the incident and, where appropriate, the parents informed of the action taken.

A written record should include the following

- the name of the pupil
- the time and place of the action
- the names of pupils or staff who were involved or who witnessed the action
- the reasons why intervention was deemed necessary
- what intervention was applied
- how the situation was resolved
- the impact of the action on the rest of the school community

Physical contact with pupils could be seen as essential or as a natural act in some circumstances. In all cases staff must be familiar with the above policy and have read a copy of the DfEE circular 10-98

Special needs children who come to school with problems of behaviour will be entered on the school register and the Special Needs Co-ordinator will advise all staff who may come into contact with the pupil. If a report form is completed by a member of staff as well as returning it to the Head a copy must go in the child's special needs record.

**Adopted:**

Feb 08

**Date for Review:** Spring 2011