

**THE MILL HILL SCHOOL FOUNDATION
WALKER HOUSE, MILLERS CLOSE, THE RIDGEWAY,
MILL HILL, LONDON NW7 1AQ**

**Mill Hill School
Belmont, Mill Hill Preparatory School
Grimsdell, Mill Hill Pre-Preparatory School**

Policy on the restraint of pupils

**Independent Co-educational Day School for Pupils aged 3 to 18
years and Boarding School for Pupils aged 13 to 18 years**

Effective November 2011

The Mill Hill School Foundation

Policy on the restraint of pupils

Statement

The Mill Hill School Foundation recognises that on some occasions it may be necessary, in the interests of all children and for the safety of all children, to physically restrain a child who is in danger of hurting themselves or others. The School has developed a policy on physical restraint which is in line with Government guidelines, including the Department for Education [the 'DfE'] advice on Screening, Searching and Confiscation 2011, the DfE advice on Behaviour and Discipline in Schools 2011 and the DfE advice on the Use of Reasonable Force 2011. Parents will be informed of any incident where it has been necessary to restrain their child.

1 Introduction

- 1.1. *S. 93 Education and 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:
 - committing any offence, or
 - causing personal injury to, or damage to the property of, any person (including the pupil himself/herself), or
 - prejudicing the maintenance of good order and discipline at the school or among any of its pupils, whether that behaviour occurs during a teaching session or otherwise.
- 1.2. This policy recognises that there is a need to be sensitive to cultural and religious expectations of parents, pupils and staff
- 1.3. This policy is made available to all parents in hard copy, upon request to the School Office. In addition, a copy of the policy may be inspected at any point in the School day in the School Office.
- 1.4 This Policy is to be read in conjunction with Foundation and School Policies, including the following:
 - Anti-Bullying Policy
 - Expectation and Standards Policy (Mill Hill School)
 - Behaviour Policy (Grimsdell and Belmont)
 - Health and Safety Policy

2 Aims

2.1 The aims of this policy are

2.1.1 To inform Governors, staff, and parents of pupils of the powers of staff in circumstances where a pupil may need to be restrained and to describe other circumstances in which physical contact with a pupil may be required.

2.1.2 To ensure that the School has regard to DfE non-statutory guidance "The Use of Force to Control or Restrain Pupils".

2.1.3 To comply with Standard 12 of the National Minimum Standards for Boarding Schools.

3 Physical contact

3.1 The Head may authorise members of staff (including persons whom the Head has temporarily put in charge of pupils such as unpaid volunteers or parents accompanying pupils on a school organised visit) to use such physical contact as may accord with good practice and be appropriate and proper for teaching and instruction and for providing comfort to a pupil in distress or to maintain safety and good order, or in connection with the Pupil's health and welfare. **Staff should not act in a way that could be expected to cause injury, for example:**

- holding a pupil around the neck, or by the collar, or in any other way that might restrict the pupil's ability to breathe or to speak;
- slapping, punching or kicking a pupil;
- twisting or forcing limbs against a joint;
- tripping up a pupil;
- holding or pulling a pupil by the hair or ear;
- holding a pupil face down on the ground.
- using items of clothing or belts to restrict movement

3.2 As a general principle, teachers should not make unnecessary physical contact with their pupils. However, there are occasions when physical contact is appropriate and/or necessary e.g. on those occasions in the course of teaching when, for example, a pupil is being shown how to use a piece of apparatus or equipment or while demonstrating a move or exercise during PE or IT. The administration of First Aid will inevitably involve physical contact and First Aiders should ensure that others are present in circumstances when physical contact could be misconstrued.

4 Power to restrain

4.1. The Head may authorise any member of the teaching staff and also other staff (including persons whom the Head has temporarily put in charge of pupils such as

unpaid volunteers or parents accompanying pupils on a school organised visit) who have control or charge of pupils to use reasonable force only in circumstances described in 1 above where it is necessary to restrain a pupil.

- 4.2. At Mill Hill School senior pupils given positions of responsibility (such as monitors, prefects and house prefects) will not be authorised by the Head to use reasonable force to restrain or control a pupil.
- 4.3 Staff should take all steps to avoid using restraint unless obliged to do so and the staff member should be able to demonstrate that those steps were taken. Examples where restraint of a pupil is permitted include:
 - Fighting
 - On the verge of committing deliberate damage or vandalism to property
 - Causing themselves or others to be at risk of injury by accident through rough play, or the misuse of dangerous materials or objects.
- 4.4 Physical restraint should always be the last resort. Staff should delay if at all possible. However, in some circumstances e.g. a child running out onto the road, it might be deemed negligent if staff do not intervene.
- 4.5 A Risk Assessment should be made every time. The action taken must always be for the good of the child to keep them safe. They should be assured that the restraint is not a punishment.
- 4.6 Wherever possible staff should seek the assistance of another member of staff, as a witness to proceedings
- 4.7 Other children should never be used in the process of restraint.
- 4.8 Restraint may involve blocking the path of pupils, positioning oneself between pupils, touching, holding, pushing, pulling or leading a pupil by the arm or shepherding a pupil away by placing a hand in the centre of the back
- 4.9 Staff should always avoid touching or holding a pupil in a way that might be considered indecent. Staff should ensure, where possible, that the pupil maintains his/her dignity.
- 4.10 The Head must always be informed immediately. The circumstances must be recorded as soon as possible, including the pupil's behaviour and level of risk presented at the time of the incident, stating the time, duration, the degree of force and hold used, injuries, the effect on the pupil or member of staff, the pupil's age, witnesses and further actions or events. The incident should be followed up with time for the adult and child to talk about the situation; this should take place in the presence of a senior manager. In addition there should be follow up and support for pupils who witnessed the incident. The Parents of the pupil should be informed by an appropriate senior member of staff.

5 Review of pupil restraint procedures

- 5.1 When the situation has been resolved, the Head will review the reasons for the event happening and make any necessary amendments to School procedures.
 - 5.2 A written record of any use of restraint on a pupil, the action taken and the reason given for the restraint, will be held centrally by the Designated Person at the School who is responsible for matters relating to child protection and welfare. These records will be reviewed annually by the Head and members of the SMT
- 6 Complaint by a pupil (or his/her parent) about use of force on him/her
- 6.1 A complaint by a pupil about the use of force used on him/her will be speedily and appropriately investigated.
 - 6.2 The onus is on the complainant to prove that his/her allegations are true and not for the member of staff to show that he/she acted reasonably. Where an allegation of use of excessive force is used against a member of staff by a pupil the School will refer to the DfE guidance titled ‘Dealing with Allegations of Abuse against teachers and Other Staff’ and the Foundation Policy on the handling of concerns and complaints received from parents and Pupils aged over 16 years as appropriate.
 - 6.3 The Head will consider carefully whether the circumstances of the incident warrant the suspension of a member of staff. The Foundation recognises that in such circumstances the suspension of a member of staff will not be automatic in accordance with the DfE guidance titled ‘Dealing with Allegations of Abuse against teachers and Other Staff’.

By resolution of the Pastoral Committee of the Court of Governors

Signed Date

Chairman of the Pastoral Committee of the Court of Governors