



Physical Intervention and Search Policy

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1. Purpose of Policy

Bohunt Education Trust (the Trust) has introduced this Policy to provide the operational framework within which its ethos of Enjoy Respect Achieve is reflected in its implementation/work/processes for the use of physical intervention, and searches, and to ensure its legal duties and charitable purposes are met effectively.

Its purpose is to make clear the position of Bohunt Education Trust (BET) with regards to necessary physical interventions and to safeguard the well-being of students and staff when a situation or incident requires the use of physical intervention or search.

BET member schools recognise that the use of physical restraint and searches are a sensitive topic. This document is meant to provide direct guidance to teachers and to ensure that practice is always in the best interests of the students concerned.

2. Legislation and Guidance

This Policy complies with and discharges the Trust's legal duties with respect to:

- Section 93, Education and Inspections Act 2006
- Keeping Children Safe in Education 2023 (as updated annually)
- Education Act 1996 (Part X Chapter II)
- Education Act 2011 (Part 2)
- Health and Safety at Work Act 1974
- Schools (Specification and Disposal of Articles) Regulations 2012

This policy also complies with our funding agreement and articles of association.

It takes into account current non statutory guidance issued by the Department for Education including:

- Searching, Screening and Confiscation- Advice for Schools July 2022
- Use of Reasonable Force Advice for headteachers and governing bodies July 2013 and
- Behaviour in Schools Advice for Headteachers and governing bodies September 2022

3. Definitions

Handling – refers to any physical intervention applied by a member of staff where it is necessary to make physical contact with a student in order to manage their conduct or ensure their own or others safety. Handling strategies may be restrictive or nonrestrictive and include shepherding, guiding, supporting, blocking, confining, holding and, in the most extreme cases, restraining.

Use of Reasonable Force – is the application of appropriate and proportionate force required to achieve the required outcome from the handling strategy employed (see above) without further endangering the student, member of staff or others present at the time of physical intervention.

Restraint - is the positive application of force in order to actively prevent a child from causing significant injury* to him/herself or others or seriously damaging property.

***Significant Injury** would include: actual or grievous bodily harm, physical or sexual abuse, risking the lives of, or injury to, themselves or others by wilful or reckless behaviour, and self-poisoning.

It must be shown that on any occasion where physical restraint is used there were strong indicators that if immediate action had not been taken, significant injury would have followed.

4. Equalities Assessment Impact Statement

The Trust is committed to treating all people equally and with respect irrespective of their age, disability, gender reassignment, marriage or civil partnership, pregnancy or maternity, race, religion or belief, sex, or sexual orientation. We are committed to eliminating discrimination and recognise children's diverse circumstances. We ensure that all children have the same protection, regardless of any barriers they may face. We have reviewed the effect of this policy on those who may face additional or different barriers to securing its benefits than the population as a whole and have identified the following:

- Children who have special educational needs or disabilities or have multiple vulnerabilities
- Children who have a mental health need
- Children who have English as an additional language

We have additionally identified that there can, in any setting where intervention or searches are carried out, be a risk of unidentified and unknown unconscious bias. We have addressed this risk through the clear recording, tracking and monitoring of searches and physical intervention incidents related to those with protected characteristics and will continue to monitor such incidents compared to the number of incidents across the relevant School's population as a whole and the School's demographic profile.

5. Roles and Responsibilities

5.1 All Staff

Staff are responsible for understanding and following the procedures laid out in this policy and any guidance issued relating to it and where deemed necessary, undertaking appropriate training.

In Boarding at Steyning Grammar School, staff are responsible for understanding and following any guidance issued under this policy with respect to searches of student's personal electronic devices.

5.2 Trust Board

The Board of Trustees is responsible for ensuring that the power to use reasonable force is included in the Trust's Behaviour Policy and for monitoring this policy and the Behaviour Policy's effectiveness and holding the CEO and Director of Education to account for its implementation. This should include the use of physical intervention in accordance with the physical intervention policy and how the behaviour policy can support minimising the need for physical intervention.

5.3 CEO & Heads of Schools

The CEO & Head of Schools are responsible for ensuring that staff are aware of the physical intervention and search policy and receive appropriate training to enable them to carry out their responsibilities in accordance with the policy, considering the needs of the pupils when doing so.

Heads of Schools and other senior leaders should support staff when they use this power.

5.4 Local Governing Bodies

Each Local Governing Body receives termly reports from the Head of School on behaviour incidents, this should include incidents of where physical intervention has been required, for monitoring.

6. Use of reasonable force

6.1 Who can use reasonable force?

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 BET school's Head of School has temporarily put in charge of students such as unpaid volunteers or parents accompanying students on a school organised visit.

6.2. When can reasonable force be used?

Reasonable force can be used to prevent students from hurting themselves or others, from damaging property, or from causing disorder. In a school, force is used for two main purposes – to control students 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.

6.3. What does not constitute physical intervention?

Physical intervention does not include the use of gentle physical prompting or guidance where the student is happy to comply and the aim is to assist him or her to participate appropriately in activities.

There are other situations where physical contact may be necessary eg; demonstrating exercises in PE lessons; administering first aid; or offering comfort to a distressed student. This does not constitute restraint but staff should be conscious of student perceptions and recognise that for some students touching may be unwelcome and misinterpreted despite good intentions.

6.4. Power of members of staff to use force

The provisions of the Education Act 2006 are repeated here to enable easy reference to the power to use force:

“A person to whom this section applies may use such force as is reasonable in the circumstances for the purpose of preventing a student from doing (or continuing to do) any of the following, namely:

- committing any offence,
- causing personal injury to, or damage to the property of, any person (including the student himself), or
- prejudicing the maintenance of good order and discipline at the school or among any students receiving education at the school, whether during a teaching session or otherwise.

This section applies to a person who is, in relation to a student, a member of the staff of any school at which education is provided for the student.

The power conferred by section 1 above may be exercised only where:

- the member of the staff and the student are on the premises of the school in question, or
- they are elsewhere and the member of the staff has lawful control or charge of the student concerned.

The power of members of staff to use force does not authorise anything to be done in relation to a student which constitutes the giving of corporal punishment within the meaning of section 548 of Education Act 1996 (ie

The powers conferred in section 6.4 are in addition to any powers exercisable apart from this section and are not to be construed as restricting what may lawfully be done apart from this section.

In this section, “offence” includes anything that would be an offence but for the operation of any presumption that a person under a particular age is incapable of committing an offence.”

6.5. Minimising the need to use force

BET recognises the importance of minimising the need to use any physical force with students. To this end each member school works proactively to create an environment that reduces the likelihood of such circumstances by:-

- creating a calm environment that minimises the risk of incidents that might require using force arising
- using Social and Emotional Aspects of Learning approaches to how to manage conflict and strong feelings
- de-escalating incidents if they do arise
- only using force when the risks involved in doing so are outweighed by the risks involved in not using force.
- risk assessments and positive handling plans for individual students

7. Implementation of Physical Intervention

7.1 Authorisation to use physical intervention

All members of staff working with students at the school are authorised to handle, use reasonable force or restrain students if/when such physical intervention is necessary.

No member of staff is required to employ any physical intervention strategy if they are not comfortable or confident to do so effectively.

No member of staff should intervene physically if they have reason to believe that to do so would worsen the situation/incident that is taking place.

In all circumstances where physical intervention is or may become required members of staff should ensure that adult assistance is requested before intervention, although it is understood that circumstances may lead to the need for intervention prior to the assistance arriving.

Staff considering handling, use of reasonable force or restraint must provide opportunity for the student to alter their behaviour/actions before employing a physical intervention strategy and should continue to make instructions to the student and details of their intended interventions clear.

The method of physical intervention employed must use the minimum reasonable force for the minimum length of time (additional guidance regarding what intervention is and is not appropriate is given in Appendix A).

7.2. Recording Physical Intervention

All incidents where staff feel that they have used force to modify behaviour or conduct should be recorded. It is not necessary to record every incident of contact with a child, but where a member of staff perceives that contact has been received at all negatively, they are advised to record the circumstances.

Intervention Recording Forms are available in each school location and should be submitted to the Designated Safeguarding Lead (DSL) within the BET member school for Safeguarding and then to the Head of School.

It is the responsibility of the intervening member of staff to complete the record form on the day that the intervention took place.

The circumstances and nature of the physical intervention will be held on the record of the student involved.

The BET member school will inform any necessary agencies/authorities of the physical intervention in accordance with DFE guidance. The School will ensure that parents/carers are appropriately informed.

For the safeguarding of both staff and student, any subsequent investigation of the situation/incident should be undertaken by a member of staff other than the one applying the physical intervention.

7.3 Searching Students

On occasions a member of staff may have reasonable grounds to suspect that a student is in possession of an item or items which contravene school regulations and could potentially cause harm to the student or others. Under these circumstances The Education Act 2011 extends the power of staff to search students or their belongings (including their locker/secure drawer or other storage (and in the case of SGS, any room or storage in the Boarding House) without their consent for any item prohibited in law or by School rules. Searches will be conducted by two members of staff, at least one of whom will be the same sex as the student.

BET schools do not endorse and will not undertake a physical search of any student's person. Where necessary a student will be asked to remove his/her coat and/or blazer, empty all pockets, open their bags and in some circumstances remove their shoes and socks or empty their bags. Possessions and items of apparel that have been removed may then be searched by the staff present. The staff present will keep notes and records of the date and time of the search; those present; the grounds for making the search, the items searched, and any items found as well as identify whether the student whose belongings were searched in this way is a looked after (including previously looked after) child/SEN/PP/protected characteristic or vulnerability

Lockers/secure drawers, belongings kept on site or other storage (and in the case of SGS, any room or storage in the Boarding House) can be searched in the absence of the student if authorised by the relevant Head of School in advance. Two members of staff will again conduct the search, one of whom will be the same sex as the student, and will retain written notes as with all searches. If undesirable items are discovered the school will use its power of confiscation to retain the offending item(s). Parents/carers, if not present, will be contacted to explain what has been found and any subsequent sanctions that have been applied. Where appropriate, parents/carers will be invited to retrieve the offending property and asked to ensure that they are not brought to school again. Parents/carers should always be notified if a student (or their locker or drawer or belongings] has been searched, (even where no discoveries have been made). Where possible this should happen on the same day as the search and no later than 24 hours after the search. Searches should be appropriately recorded on the appropriate school information system.

In the event that illegal items are discovered then the Police will be informed immediately.

In Boarding at Steyning Grammar School, staff may search student personal electronic devices in accordance with guidance issued by Steyning Grammar School from time to time. All such searches will be conducted, recorded and reported in accordance with such guidance. Parents will always be informed if such a search has taken place regardless of the outcome of such search.

7.4 Use of Metal Detectors or other screening techniques and equipment

BET does not endorse blanket 'screening' of students save in exceptional circumstances which require prior authorisation from the CEO who should discuss with the Head of School.

Schools can use a metal detector or other UK legally approved screening techniques and equipment to search individual students for prohibited/banned items where its use is expressly authorised by the Headteacher. When a handheld wand is to be used the same protocols / procedures outlined above with respect to searches and physical intervention must be applied (including notification to relevant third parties).

Where possible, the students themselves should complete the 'self-search' using the wand or screening equipment, under the direction of the member of staff leading the search. Staff should instruct the student in the use of the wand and monitor the thoroughness of the search.

The following additional measures must also be in place:

- Training for any staff undertaking metal-detector searches
- Risk and equalities-impact assessments

8. Training for staff

All staff receive training and development appropriate to their role as determined by the Head of School with respect to the implementation of this Policy.

9. Monitoring provisions

The Education Committee will review this policy at least every two years. Data relating to incidents and searches under this policy is reviewed termly at LGB and Education Committee.

10. Links to other policies

- Behaviour Policy
- Child Protection and Safeguarding Policy
- SEND & Inclusion Policy
- Accessibility Plan
- Health and Safety Policy
- Equalities Objectives

Appendix I - Guidance for Staff re: Handling, Use of Reasonable Force & Restraint

1. Purpose of this guidance

- To provide for the safety and security of students in need of physical intervention
- To clarify for staff, the steps they are allowed to take if a situation requiring physical intervention arises
- To enable staff to distinguish between what intervention is and is not acceptable
- To help ensure that any physical intervention is minimal, infrequent, recorded and that relevant authorities and parents are appropriately informed

2. The decision to employ a Physical Intervention Strategy

You should be aware that all staff who have responsibility for a student or group of students are authorised to employ physical intervention strategies in the event they are necessary and that the law allows you to intervene in this manner.

You should however be aware that you have a choice whether or not to intervene physically in any given situation and that you should not do so if you are uncomfortable with the situation or not confident to deal with it effectively.

You should be aware that in the event that you employ a physical intervention strategy, the parents of the child will be informed of your actions, the record of the intervention will be kept on the student's file and where necessary relevant authorities will be notified of the incident for your own future protection.

3. In what way can you Physically Intervene?

Any application of physical intervention must only use the minimum force for the minimum time. There are a number of ways in which you can physically intervene and you must choose the strategy appropriate to the situation and presenting least risk to yourself, the student and other persons.

Appropriate actions include;

Shepherding or Guiding; using body positioning and positive gestures to move a student away from harm. This may include the placing of a hand on the back (between the shoulder blades) and using reasonable force to actively move them from one place to another.

Blocking or Interposing; placing yourself between the student and their objective (e.g exit, another student) thereby preventing the potential injury, damage or prejudice to good order.

Holding and Leading; gripping the student appropriately (e.g by the upper arm) to prevent them from injury, damage, etc. In cases of resistance from a student, it may be necessary to employ holding to effectively achieve shepherding and, hence you are actively leading them away.

Restraining; used only in the most extreme cases, restraint may be required to prevent significant injury (as described in the policy). BET does not endorse restraint by staff who have not received appropriate recognised training, as organised by the school. Effective, safe restraint also requires more than one trained adult (e.g. restraining one arm each). However, we recognise this may not

always be possible due to circumstances / presence of other staff and staff must use their best professional judgement, taking this policy and its underpinning principles into account. Extreme care must always be taken to restrain a student appropriately (see below re inappropriate actions).

4. In what ways must you NOT Physically Intervene?

The purpose of physical intervention is essentially to maintain good order and ensure the safety of all individuals, therefore it is never appropriate to employ a physical intervention strategy if you are not in control of your own emotions. Physical interventions must never be employed in anger or frustration. If you find yourself angry or frustrated by the situation at hand you must step back and allow someone else to manage the issue.

It is never appropriate to use physical intervention strategies as a punishment.

Just as there are a number of acceptable intervention strategies, there are also a number of actions it is completely inappropriate to take.

Inappropriate actions include;

Hitting or Striking; while it is entirely possible that in the course of an intervention (eg. breaking up a fight) you may be hit yourself, you must not strike a student.

Deliberately inflicting pain; it is not okay to twist limbs or put pressure on joints (eg. arm up a student's back), pull or hold hair, pinch or hold a student in a pain inducing way (eg. by the ear).

Making contact with sexually sensitive areas of the body; where at all possible contact should be restricted to arms, shoulders and the back as previously described.

Restricting breathing; by holding round the throat or for a prolonged period around the chest. It is also never appropriate to sit on/straddle a student or hold them face down to the floor.

5. Guidance for managing your intervention

- Always give a student an opportunity to resolve the situation without use of physical intervention first.
- Always send for assistance from colleagues or another authorised adult; other students should never be involved in physical intervention. You may have to intervene before help arrives, but not managing this entirely on your own is safer for all concerned.
- Be aware of your emotions. Are you comfortable and confident to deal with this scenario without anger? If not – don't intervene.
- Continue to communicate with the student (and witnesses) throughout the incident even if the student doesn't respond. Be clear about what you are doing and inform the student that the intervention will cease when it is no longer necessary.
- Apply only appropriate strategies and the minimum required force to achieve the required outcome (prevention of injury/harm, student/staff safety, restoration of good order). Release the student once this has been achieved.
- Manage the situation calmly – even if the student responds negatively.
- Complete a 'Physical Intervention Record Form' as soon as possible after the event.

6. Minimising the need for Physical Intervention

In most circumstances Physical Intervention really should be a last resort or an emergency action. Therefore, all staff should:

- endeavour to create a calm environment which will minimise the risk of incidents where the use of physical intervention may be required;
- endeavour to teach students how to manage strong emotions and conflict through opportunities for SMSC and wider aspects of the school curriculum;
- quickly seek to de-escalate incidents if they do arise;
- only use reasonable force when the risks involved in doing so are outweighed by the risks involved in not using force;
- be aware of risk assessments and positive handling plans for specific individual students.

7. Complaints and Allegations

The possibility that a complaint may be lodged by a parent whose child has been physically restrained cannot be ruled out. This is less likely if the parents are party to the planning which has taken place and are informed about the necessary actions, in agreement and informed appropriately should an incident occur.

In circumstances where a complaint is lodged it would be for a staff disciplinary panel or the court to decide whether the use and degree of force was reasonable in all the circumstances. To meet such circumstances, it is important that the school has procedures for managing complaints. It is expected that the member of staff involved would make time available to meet with the student and his/her parents/carers to discuss the incident. Such meetings should also be attended by the Head or a senior member of staff. Assistance may also be sought from a professional body or member of a voluntary organisation to support students and parents/carers.

A list of authorised personnel is available from the school but will include all teachers and staff who are contracted by the school.

Appendix 2 - Physical Intervention Record Form (this can be electronic)

Name of Student

Year Group

Is this young person a looked after (including previously looked after) child/SEN/PP/protected characteristic or vulnerability? If Yes, please identify which

When did the incident occur?

Date	Day of week	Time	Where?
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Staff involved

Name	Role	Team Teach trained?	Involved: physically? (P) As observer? (O)	Staff signature

Please describe the incident and include:

1. What was happening before? 2. What do you think triggered this behaviour? 3. What de-escalating techniques were used prior to physical intervention? 4. Why was a PI deemed necessary? 5. Any other information relevant to include.

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Please give details below of hold, e.g. single elbow, double elbow, wrap, etc.

How long was the child/young person held?

If the child/young person was held on the ground: Did they go to ground independently?* ☐

Were they taken to ground by staff?* ☐

**tick as appropriate*

Good practice dictates that schools should review what happened and consider what lessons can be learned, which may have implications for the future management of the student. These need not be added to this form but should be incorporated in the individual plans for the child.

Has the child/young person been held before? Yes/No

A child/young person should have an individual plan clearly detailing reactive strategies and physical intervention approaches if they have been involved in physical interventions on more than one occasion.

Does the PSP/behaviour contract/EHCP need to be reviewed as a result of this incident?
Yes/No

Does the risk assessment need to be reviewed as a result of this incident? Yes/No

If yes, who will action and when? (less than four weeks)

Who was the incident reported to, and when?

Was there any medical intervention needed? Yes/No

Include names of any injured person and brief details of injuries

Please specify any related record forms

Accident Book ☐ Anti Bullying and Transphobic/Racist Incident Record Form ☐

Skin Map ☐ Violent Incident Record ☐

Complaints recorded ☐

Other (please specify)

Was the student debriefed? Yes/No

Were staff offered a debrief? Yes/No

Was it taken up? Yes/No

Parents/carers were informed

Date	Time	By whom?	By direct contact, telephone, letter?

Form completed by:	Name	Designation	Date and time