

**SOUTH GLOUCESTERSHIRE COUNCIL  
EDUCATION SERVICE**

**GUIDANCE FOR SCHOOLS  
ON  
PHYSICAL CONTACT BETWEEN STAFF AND PUPILS**

## **1 - PREAMBLE**

The following guidance has been produced in order to give schools advice and to provide a framework in which they can develop an individual school policy with regards to managing physical contact between staff & pupils.

## **2 - BACKGROUND**

**The Education Act 1997 (Section 4)** added a section, **Section 550A**, to the Education Act 1996. This section "allows teachers, and other persons who are authorised by the Head teacher to have control 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:

committing a criminal offence (including behaving in a way that would be an offence if the pupil were not under the age of criminal responsibility);

injuring themselves or others;

causing damage to property (including the pupil's own property)

engaging in any behaviour prejudicial to maintaining good order and discipline at the school or among its pupils, whether that behaviour occurs in a classroom during a teaching session or elsewhere.

**The DfEE Circular 10/95, "Protecting Children from Abuse: The Role of the Education Service"**, emphasises the responsibility of both LEA's and schools to:

"ensure professional behaviour applies to relationships between staff and pupils, that all staff are clear about what constitutes appropriate behaviour and professional boundaries, and that those boundaries are maintained with the sensitive support and supervision required."

The circular suggests that a Code of Conduct for staff will minimise the risk of allegations being made, accepting that physical contact between staff and pupils will inevitably occur other than in accordance with a child's Individual Education Plan or as a result of an emergency.

## **3 - AIMS**

The guidance is intended to enable schools to draw up a school-specific code of conduct for staff on physical contact with pupils which aims to:

- protect children from abuse
- protect staff from the risk of allegations being made.

Its general principles will apply to all schools and all staff within them. School-specific policies will however recognise the needs of different types of staff employed and will reflect the context of the school, in terms of physical layout, the nature of the pupils, and any particular activities which require specific advice to staff. For instance, a school for pupils with severe learning difficulties will need to consider advice both for teaching and care staff across a range of situations both on and off site.

This guidance does not cover potentially threatening situations as Guidelines for Prevention of Violence at Work, see page 2.880 of the Education H&S Manual, have already been issued.

#### 4 - SCHOOL SPECIFIC CODE OF CONDUCT

Each school's code of conduct will need to meet the individual requirements of the school, be approved by the Governing Body and brought to the attention of parents/guardians. The code of conduct will need to cover the following:

a clear statement to the effect that the physical integrity of the child must be respected at all times. Consideration must be given to what is in the child's best interests and what the average child of their age would recognise, themselves, as in their own interests.

In particular

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Any physical contact between staff and pupils should be to meet the needs of the pupil.

\*

At all times, in all situations, the minimum physical contact should be used.

\*

Permitted physical contact should not occur where a member of staff is alone with a child. When there are reasons for privacy, e.g. intimate care, this should be preplanned, unless circumstances are exceptional.

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There may be some physical contact which will be considered acceptable or inevitable, given the age and understanding of the child. (See appendix 1 for some examples.)

"particularly with younger pupils, touching them is inevitable and can give welcome reassurance to the child. However, teachers must bear in mind that even perfectly innocent actions can sometimes be misconstrued."

(DfEE Circular 10/95)

b) The code of conduct will need to provide guidance on what is considered inevitable and acceptable in the particular context of the school. A useful start point would be a staff discussion about what they would feel appropriate in the everyday interaction between themselves and pupils, and what a reasonable parent would consider acceptable. At all times however, this physical contact will be the minimum necessary.

In particular

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Physical contact which the school considers a reasonable parent would consider acceptable is to be identified.

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Physical contact, beyond which a reasonable parent may consider acceptable, may be part of a planned programme for a child, e.g. intimate care. Where this is so, an Individual Educational Plan will reflect this. The Plan should seek to protect both staff and child and the following principles should be applied:

- the IEP will be drawn up in liaison with the SENCO and the parents/guardians
- where possible, the physical contact will be made in the presence of other staff
- the type/extent of physical contact required to meet the child's needs will be determined
- members of staff permitted to make physical contact will need to be named
- the use of physical contact is to be regularly reviewed

c) The code of conduct will also need to provide advice for handling an emergency situation where physical contact, beyond which a reasonable parent may consider usual, is necessary, but where no IEP is in place. An example would be the need for physical restraint to prevent one pupil injuring another. (See the paragraph, from Section 550A, contained in the Background section of this Guidance/)

In particular staff should:

- \* ensure that minimum physical contact is used to secure the safety of the child
- \* if possible, ensure that a second member of staff is present, or summoned
- \* ensure that the incident is reported immediately to a senior member of staff
- \* ensure that the incident is recorded in accordance with school policy
- \* ensure that parents are informed
- \*  
consider whether the situation may arise again and whether an IEP is therefore necessary
- \*  
in rare circumstances, an emergency situation may occur where a degree of preplanning is possible, for instance the breaking of disturbing news to a child. At the very least staff should be informed to contact senior management and an emergency plan set up.

## **5 - SUMMARY**

The council accepts that physical contact will occur between staff and pupils in schools and that this does have positive benefits. Such contact does however need to be within a structured framework. This guidance will enable such a framework to be established in each school.

## **APPENDIX 1**

The following definitions and examples of physical contact have been provided in support of the guidance. It is not however possible to be prescriptive as circumstances vary considerably. The examples given should provide some reassurance to staff on appropriate and acceptable physical contact.

### **1**

#### **Approval/Reassurance/Comfort Touching:**

To be used only with professionalism, in public, and with sensitivity to the child's wishes and its age, gender, understanding and developmental level.

*For a reception child it may be felt appropriate to put an arm around the child's shoulder whilst reading, this would not however be felt appropriate for a Junior aged Pupil.*

*For older children a pat on the shoulder may be felt appropriate having regards to the individual child and the particular circumstances.*

### **2**

#### **Holding/Leading:**

Again, to be used with professionalism following discussion on boundaries between holding/leading and physical intervention to obtain compliance.

*This may involve encouraging a pupil to move with a supportive arm around a shoulder*

*May also involve holding an infant aged child's hand and walking with them*

***NB The child should not be resistant to this approach. If they are see point 4***

### **3**

#### **Intimate Care:**

This should only occur where a child has a statement for Educational Needs and requires a level of intimate care specified in an IEP.

*This may involve a child with problems with bladder/bowel control requiring assistance from a*

GA to attend to their needs. (See information in guidance under part 4 b.)

## 4

### **Physical Intervention to Obtain Compliance:**

It should only be used via an IEP where the child's age, level of understanding and particular educational need permits its use. It is entirely inappropriate for most pupils in most situations.

*For children in reception/nursery classes it may be felt appropriate to pick a child up and move them*

*For older children you may persist with the holding leading techniques against some resistance. This will depend to an extent on the pupils educational needs, understanding and developmental level, and will normally be covered by an IEP for the child.*

## 5

### **Physical Restraint:**

To be used where the pupils' action is threatening to cause significant injury to themselves or others, or significant damage to property. The majority of allegations arise from this form of contact and the Code of Conduct must be followed vigorously.

*\* Where one pupil is attacking another or trying to damage property a restraining arm around the pupils arms/trunk is acceptable, never restrain a child with an arm around the neck/head.*

*\* Where two pupils are fighting a second person should always be summoned, where practical, to assist in separating them. You should however try blowing a whistle or using the voice to control the situation initially. Where this fails holding the pupils around the arms/trunk or getting between the combatants and pushing them apart is advised.*

**NB The above are general comments and not all staff will be physically able to separate pupils. It is as always a case of risk assessing the situation to decide whether you can deal with the situation or require assistance.**

*If a younger child is completely out of control, i.e. kicking, biting, punching anyone who comes into contact, you should try to restrain with an arm around the arms/trunk, whilst at the same time avoiding the head and feet. If the tantrum continues obtain assistance from senior management and remove the audience, i.e. clear the remainder of the class, if possible.*

**NB Any incidents involving physical restraint must be reported to management.**

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