



BERLESDUNA
ACADEMY TRUST

**REASONABLE
FORCE
POLICY**

2017

Reasonable Force Policy

At our schools we strive to create environments in which both children and adults feel happy, safe, secure and valued. We aim to ensure a whole school approach to behaviour known and understood by all staff, children, parents and outside agencies. The use of force upon any pupil by a member of staff is a serious matter, and should only be considered as a last resort. However, the law is clear and the Local Governing Body and Trust has a responsibility to all concerned, to support any member of staff who as a last resort uses reasonable force in accordance with the law, and with this policy.

Our schools recognise that challenging behaviour is often the result of a breakdown in communication. The ethos of the schools reflects our desire to communicate effectively with pupils, staff and parents to prevent such breakdown.

Pupils will receive quality care which recognises and caters for their individual needs as far as is appropriate. School rules will work to keep all adults and children safe and provide firm boundaries and limits as well as setting out the sanctions that follow breaking them. Parents will be kept informed about breaches of rules as per the behaviour policy and always when restraint has been necessary.

AIMS OF THE POLICY

The aims of this Reasonable Force Policy are to:

- Provide clarification on the use of reasonable force in school;
- To enable staff to feel more informed and confident about the use of reasonable force when they believe it to be necessary;
- To make clear the responsibilities of Head teachers, senior staff and governing bodies in respect of this power.

KEY POINTS

- To protect every person in the school community from harm.
- To protect all pupils against any form of physical intervention which is unnecessary, inappropriate, excessive or harmful.
- To provide adequate information and training for staff so that they are clear as to what constitutes appropriate behaviour and to deal effectively with violent or potentially violent situations.
- Staff at our schools recognise that the use of reasonable force is only one of the strategies available to secure pupil safety / well-being and also to maintain good order and discipline.

Our policy on restraint should be read in conjunction with our Behaviour, Exclusion and Safeguarding policies.

WHAT THE LAW SAYS

Section 93 of the 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 a criminal offence;
- Causing personal injury to themselves or another;
- Causing damage to property belonging to them or another, including the school;
- Any behaviour prejudicing the maintenance of good order and discipline in the school.

WHO MAY USE FORCE?

The staff to which this lawful power is granted are defined in the Act. Through this policy, the head teacher expressly gives authority to:

All staff who have control or charge of pupils (including teaching staff, teaching assistants, special needs assistants, midday assistants and supply staff) who work at the School.

WHAT IS REASONABLE 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.

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. 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.

SCHOOLS CAN USE REASONABLE FORCE

- In situations where a pupil (including one from another school) is on school premises or elsewhere in the lawful control or charge of a staff member – for example on a school visit;
- To remove disruptive children from the classroom where they have refused to follow an instruction to do so;
- To 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;
- To prevent a pupil from attacking a member of staff or another pupil, or to stop a fight in the playground;

- And to restrain a pupil at risk of harming themselves through physical outbursts.

Deciding whether to use force

As a general rule staff should only use force when:

- The potential consequences of not intervening are sufficiently serious to justify it;
- The chance of achieving the desired outcome by other nonphysical means are low;
- And the risk associated with not using force outweighs the risk of using it;
- Staff do not require parental consent to apply reasonable force on a pupil.

Using Force

Before using force, staff should - where practicable - tell the pupil to stop misbehaving. Care should be taken to avoid giving the impression that the member of staff is angry or frustrated, or are acting to punish the child. It should be made clear with calm language that as soon as the need for force ceases, it will stop.

Appropriate use of force will range from physical passive presence in between pupils, to blocking a pupil's path, ushering them by placing a hand in the centre of the back, leading them by the hand or arm, to in more extreme circumstances using appropriate restraining holds. Particular attention will be given to individuals' needs which arise from statements of SEN or disability.

Whilst it is highly desirable that staff should avoid acting in any way which might reasonably be expected to cause an injury, in truly exceptional circumstances it is recognised that it may not always be possible to avoid. Any such injury caused will be properly investigated by the school and will require justification.

When physical restraint becomes necessary:

DO

- Identify hazards and people likely to come into contact with them.
- Tell the pupil what you are doing and why.
- Prompt positive responses.
- Control the environment, issue clear guidance, provide training and change working practices to reduce exposure.
- Use the minimum force necessary.
- Involve another member of staff if possible.
- Tell the pupil what s/he must do for you to remove the restraint (this may need frequent repetition).
- Use simple and clear language.
- Hold limbs above a major joint if possible e.g. above the elbow.
- Use holds learned in Team Teach training.
- Relax your restraint in response to the pupil's compliance.

DON'T

- Act in temper (involve another staff member if you fear loss of control).
- Involve yourself in a prolonged verbal exchange with the pupil.

- Attempt to reason with the pupil.
- Involve other pupils in the restraint.
- Touch or hold the pupil in sexual areas.
- Twist or force limbs back against a joint.
- Bend fingers or pull hair.
- Hold the pupil in a way which will restrict blood flow or breathing e.g. around the neck.
- Slap, punch, kick or trip up the pupil.

Alternative strategies to prevent and de-escalate behaviours that precipitate the use of physical intervention.

There are some situations in which the need for physical restraint is immediate and where there are no equally effective alternatives e.g. if a pupil is about to run across a road. In many circumstances there are alternatives e.g. use of assertiveness skills such as:

- the 'broken record' in which an instruction is repeated until the pupil complies.
- use of a distracter, such as a loud whistle, to interrupt the behaviour (such as a fight), long enough for other methods of verbal control to be effective.
- withdrawal of attention (audience) e.g. if an action such as damage to property is threatened.
- other techniques designed to defuse the situation, such as the avoidance of confrontation, or use of humour (in these cases the incident can be dealt with later when emotions are no longer running high).
- The employment of other sanctions consistent with the school's behaviour policy.
- Use of space e.g. changes to the environment, moving around.
- Use non confrontational stance and posture including facial expressions and intonation.
- Give simple positive messages reinforcing any positive behaviour.

Actions after an incident

Physical restraint often occurs in response to highly charged emotional situations and there is a clear need for debriefing after the incident, both for the staff involved and the pupil. **A member of the leadership team should be informed of any incident as soon as possible** and will take responsibility for making arrangements for debriefing once the situation has stabilised. An appropriate member of the teaching staff should always be involved in debriefing the pupil involved and any victims of the incident should be offered support, and their parents informed.

If the behaviour is part of an on-going pattern it may be necessary to address the situation through the development of an Individual Behaviour Support & Intervention (Positive Handling Plans) plans, which may include an anger management programme, or other strategies agreed by the SENCO.

It is also helpful to consider the circumstances precipitating the incident to explore ways in which future incidents can be avoided.

All incidents should be recorded immediately on the Pupil Restraint Report Form (see Appendix 1) held by the Headteacher. All sections of this report should be completed so that in the event of any future complaint a full record is available. A member of the leadership team will contact

parents as soon as possible after an accident, normally on the same day, to inform them of the actions that were taken and why, and to provide them with an opportunity to discuss it. Incidents will be reported to the CEO.

Other physical contact with pupils

It is not illegal to touch a pupil. There are occasions when physical contact, other than reasonable force, with a pupil is proper and necessary.

Examples of where touching a pupil might be proper or necessary:

- Holding the hand of the child at the front/back of the line when going to assembly or when walking together around the school;
- When comforting a distressed pupil;
- When a pupil is being congratulated or praised;
- To demonstrate how to use a musical instrument;
- To demonstrate exercises or techniques during PE lessons or sports coaching;
- To give first aid.

Risk Assessments

If we become aware that a pupil is likely to behave in a disruptive way that may require the use of reasonable force, we will plan how to respond if the situation arises in an Individual Behaviour Support & Intervention (Positive Handling Plans) plan.

Such planning will address:

- Management of the pupil (e.g. reactive strategies to de-escalate a conflict, holds to be used if necessary).
- Involvement of parents to ensure that they are clear about the specific action the school might need to take and contribute from their experience.
- Briefing of staff to ensure they know exactly what action they should be taking (this may identify a need for training or guidance).
- Identification of additional support that can be summoned if appropriate.

Staff training

Physical restraint is an available option, only to be used when other means of dealing with the situation have failed. There may be particular needs for staff that work closely with students with additional needs or disability; however, training will be offered to all staff. Staff are made aware of this policy and have training on child protection and other training that will ensure they are aware of their duties and the law.

Complaints and allegations

A clear reasonable force policy, adhered to by all staff and shared with parents, should help to avoid complaints from parents. It is unlikely to prevent all complaints, however, and a dispute about the use of force by a member of staff might lead to an investigation, either under

disciplinary procedures or by the Police and social services department under child protection procedures.

Guidance

This policy is drawn from advice contained in:

- 'Use of Reasonable Force – Advice for head teachers, staff and governing bodies' issued 2013 by the Department for Education (DFE);
- DFE Keeping Children Safe in Education April 2014;
- Guidance on the Use of Restrictive Physical Interventions for Staff Working with Children and Adults who Display Extreme Behaviour in Association with Learning Disability and/or Autistic Spectrum Disorders Dfe 2002;
- Circular Number 10/98 – Guidance on the use of force.

Appendix One – Record of Reasonable Force

Name of the pupil(s) involved:	
Date and time of incident:	Location of incident:
Member(s) of staff involved:	
Adult witnesses to restraint:	
Pupil witnesses to restraint:	
The reason that force was necessary (e.g. to prevent injury to the pupil, another pupil or member of staff):	
How the incident began and progressed, including details of the pupil's behaviour, what was said by each of the parties, the steps taken to defuse or calm the situation, the degree of force used, how that was applied, and for how long:	
The pupil's response, and the outcome of the incident:	
Details of any injury suffered by the pupil, another pupil, or a member of staff and of any damage to property:	
Date/time that parent/carer informed of incident and by whom:	
Outline of parent / carer response:	
Report compiled by: Name and role	Signed Date
Report countersigned by: Name and role	Signed Date
Brief description of any subsequent inquiry/complaint or action:	