



## **Use of Reasonable Force Policy**

At Templenewsam Halton Primary School



### **Purpose**

This policy document has been designed to be used in accordance with the “Behaviour at School” policy to provide guidance and support for parents and staff where the use of reasonable force has been deemed necessary.

### **Policy Statement**

At Templenewsam Halton Primary School we strive to create an environment 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 Governing Board 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.

### **Policy Aims**

This policy has 6 clearly defined aims to support both parents and carers and staff in school:

- 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.
- This policy is drawn from advice contained in the document ‘Use of Reasonable Force – Advice for head teachers, staff and governing bodies’ issued 2013 (and updated 2015) by the Department for Education (DFE).
- This policy further draws advice contained in the document ‘Behaviour and discipline in schools – Advice for head teachers and school staff issued 2016 by the DFE.
- Provide guidance on how and when to use reasonable force to prevent pupils risking hurting themselves or others; from damaging property or from causing disorder.

### **Definitions**

Reasonable force covers a broad range of actions from guiding a pupil to safety by the arm to more extreme circumstances such as restraint to prevent violence or injury. Reasonable means using no more force than is needed.

Control refers to passive physical contact such as blocking a pupil’s path; or active physical contact such as leading a child by the arm out of a classroom.

Restraint means to hold back physically or to bring a pupil under control.

## **What the law says**

Section 93 of the Education and Inspections Act 2011 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 can use reasonable force?**

The staff to which this lawful power is granted are defined in the 2006 Education Act. Through this policy, the head teacher expressly gives authority to all staff who have control or charge of pupils (including teaching staff, learning assistants, special needs assistants, midday assistants and supply staff) who work at Templenewsam Halton Primary School and have received the appropriate training.

## **When can reasonable force be used?**

Reasonable force can be used to prevent pupils from hurting themselves or others, from damaging property or from causing disorder. The decision to physically intervene is down to the professional judgement of the staff member concerned and should depend on individual circumstances.

Examples of where reasonable force may be needed are to:

- remove disruptive children from the classroom where they have refused to follow an instruction to do so.
- 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.
- prevent a pupil from attacking a member of staff or another pupil, or to stop a fight in the playground.
- restrain a pupil at risk of harming themselves through physical outbursts. Force cannot be used as a punishment – this would be considered unlawful.

## **Using reasonable force**

Before using force, staff should - where practicable, should use de-escalation techniques with the pupil.

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 control techniques and 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.

The school acknowledges its legal duty to make reasonable adjustments for disabled children and children with special educational needs (SEN).

Where children refuse to follow instructions to leave the classroom, the use of reasonable force may be needed to take a child to a place of safety, such as the safe space room.

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.

### **De-escalation techniques**

Except in cases where there is immediate danger, we would normally try resolving a situation through de escalation. This could include the CALM technique;

*C – Communication – Positive stance, manner, posture, gestures, and facial expression. Use the child's name and emphasise you are here to help and will listen.*

*A – Awareness and Assessment – Read the child's behaviour record, seek to understand what might happen and why. Does the child have a positive handling plan.*

*L – Listening and Learning – Give time and space to give the child a way out.*

*M - Making Safe – Make the immediate environment safe, perform a check of objects and try to do a visual risk assessment of potential dangers of the surroundings you are in.*

Staff may also try other de-escalation techniques such as:

1. Calmly re-stating the rules and expectations.
2. Removing other pupils from the incident who may be at risk through being an
3. Encouraging the child to withdraw to a safer and calmer
4. Calling another adult for support or to take

### **Training for staff**

Physical intervention is an available option but is only to be used when other means of dealing with a situation have failed. All staff have a duty of care to intervene physically if required to keep children safe. A number of staff have Team Teach certificated training which is refreshed every two years to ensure they are up to date on the law and different restraint techniques. All staff have a duty of care to intervene. Only team teach restraints may be used and for the least amount of time possible.

### **Use of a calming space**

Based on information provided in the 'Behaviour and discipline guidance 2016' (paragraphs 42 and 43) from the DFE), the school has adopted a policy of allowing disruptive pupils to be placed in an area away from other pupils in a calming space for a limited period of time. The process for

removing a child from class and supervising their stay in the calming space is explained in the child's individual provision map, individual behaviour plan and IPRA.

### **Recording incidents**

Templenewsam Halton Primary School will keep a record of each significant incident of the use of reasonable force to control and restrain using a red, bounded book which is kept in the Headteacher's office. The log book number will be recorded onto a child's CPOMs. The record in the red, bounded book, will record staff present, incidents leading to the use of reasonable force, length of time of the restraint and how the child was reintegrated into class. Whether or not an incident is significant will be a matter for the school to decide on a case-by-case basis.

Decisions will include the following considerations:

- The pupil's behaviour and the level of risk presented at the time
- The degree of force used and whether it was proportionate in relation to the behaviour, together with the effect on the pupil or member of staff
- The effect on the pupil or member of staff
- The child's age.

The purpose of recording is to ensure that policy guidelines are followed, to inform parents/carers, to inform future planning as part of school improvement processes, to prevent misunderstanding or misinterpretation of the incident and to provide a record for any future enquiry. Parents / carers will be informed of the incident by letter (See Appendix 3) and also, face to face or by telephone.

The calming space or SEN room will be reported on a separate form and parent/carers informed. All staff need to follow the Physical Intervention Flowchart procedures to check they have followed the policy correctly (See Appendix 2).

### **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.

### **Supervision**

After physical intervention has been carried out it is acknowledged that this can also affect staff and can be traumatic for them to deal with individually. Supervision is carried out regularly with individual staff to ensure their mental health and well being is being supported. All supervision meetings will be recorded using the Restrictive Intervention Debrief (See Appendix 1).

### **Complaints and allegations**

If a complaint is made against a member of staff about the use of force the school will follow the guidance set out in Section Eight of the *Use of Reasonable Force: Advice for head teachers, staff and governing bodies* DfE Ref: DFE-00341-2014

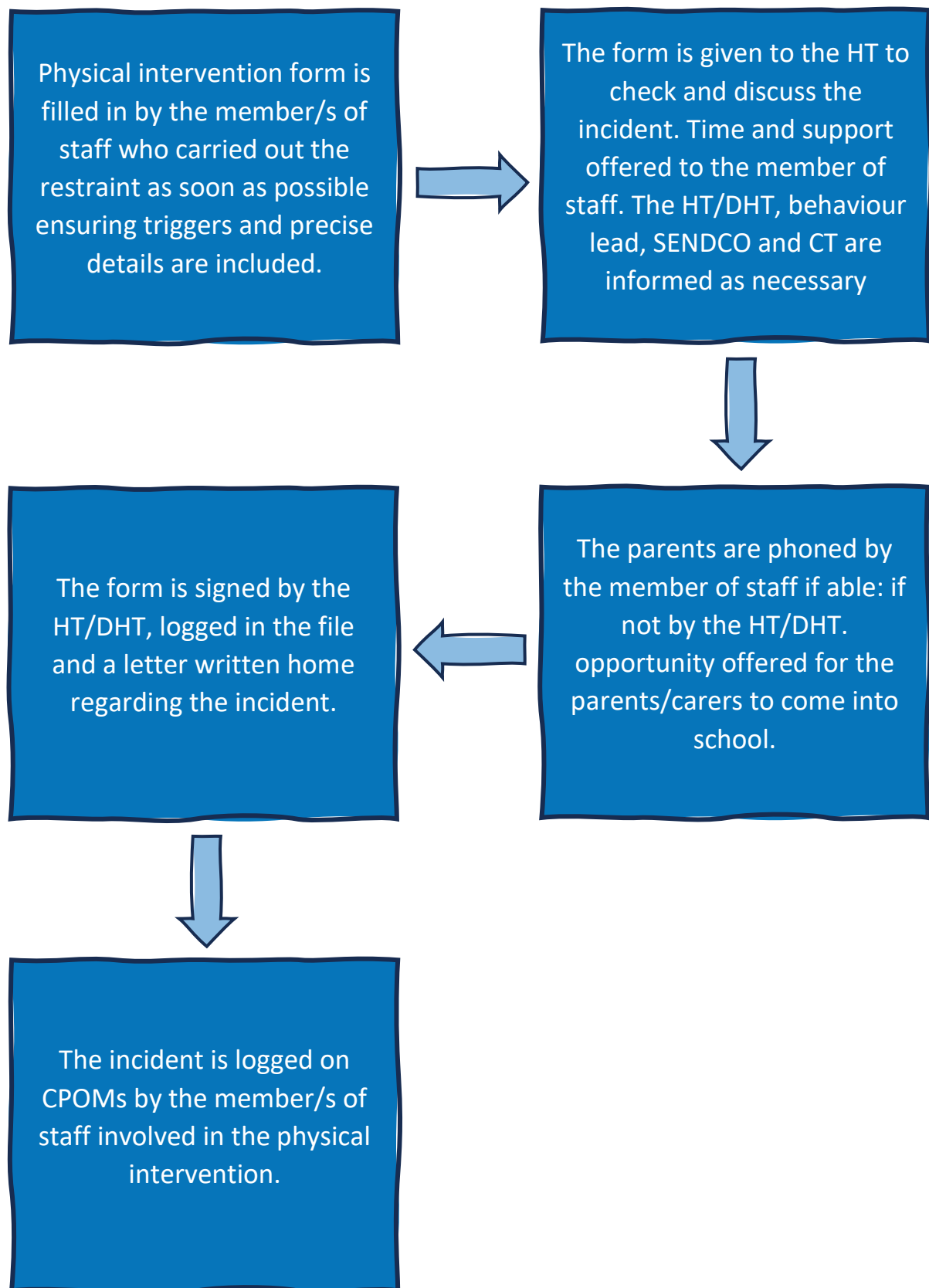
### **Review and Monitoring**

This policy will be reviewed annually to ensure its effectiveness and compliance with legal requirements. Any updates or changes will be communicated to parents, guardians, and staff.

## Appendix 1 – Restrictive Intervention Debrief

|                                 |                  |
|---------------------------------|------------------|
| Date of Incident:               | Date of Debrief: |
| Names of people at the debrief: |                  |
| Findings of the debrief:        |                  |
| Next steps/actions              |                  |
| Signed HT/DHT _____             |                  |
| Member(s) of staff _____        |                  |
| _____                           |                  |

## Appendix 2 – Physical Intervention Flowchart



## Appendix 3 – Parent Letter

<<DATE>>

Dear <<PARENT/CARER NAME>>,

Unfortunately, <<CHILD NAME>> had to be physically controlled today to prevent him/her from causing injury to himself/herself/others.

<<CHILD NAME>> was struggling to regulate their emotions following an incident today. Details of incident are as follows:

This was reason that the handling took place:

Our intervention procedures comply with the law (Education Act 1996 Section 550A). The incident has been logged and filed. It was checked that your child was not hurt, and your child was seen by a First Aider. This was distressing both for your child and the teacher involved. If we have not already done so, you will be contacted at home or by telephone as soon as possible.

Please contact me if you wish to discuss the incident further.

Yours sincerely,

Lisa Seton

Headteacher