

Plymstock School - Use of Reasonable Force Policy

Lead Officer: Mr A Yendell
Link Governor: Mr D Chapman
Updated: Autumn 2021
Date for Review: Autumn 2023

Linked Documentation

- DfE Use of reasonable in schools, July 2013
- DfE Searching, screening and confiscation, January 2018
- DfE Behaviour and discipline in schools, January 2016

1. Aims:

- 1.1** To safeguard the well-being of students and staff when an incident requires the use of reasonable force.
- 1.2** To ensure that staff use consistent and safe practices in the use of reasonable force.

2. Purpose

- 2.1** School staff have a power to use force and lawful use of the power will provide a defence to any related criminal prosecution or other legal action.
- 2.2** Suspension should not be an automatic response when a member of staff has been accused of using excessive force.
- 2.3** Senior school leaders should support their staff when they use this power.

3. Key terms

- 3.1** 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.
- 3.2** 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.
- 3.3** 'Reasonable in the circumstances' means using no more force than is needed.
- 3.4** 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.
- 3.5** 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.
- 3.6** 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.

4. Minimising the need to use force:

- 4.1** Plymstock School manages behaviour successfully in a number of ways in order to reduce the number of situations where teachers may need to use force for the safety of students. These include:
- 4.2** Creating a calm orderly environment in the classroom (and around the School).
- 4.3** Developing effective relationships between staff and students.
- 4.4** Helping staff to develop skills of positive behaviour management and managing conflict.
- 4.5** Ensuring a sufficient number of staff are on duty at break, lunch and other times of free movement.
- 4.6** Meeting the needs of students with SEN, including through appropriate training for staff.

5. Who may use reasonable force

- 5.1** All members of school staff have a legal power to use reasonable force
- 5.2** This power applies to any member of staff at the school. It can also apply to people whom the headteacher has temporarily put in charge of pupils such as unpaid volunteers or parents accompanying students on a school organised visit
- 5.3** The power may be used where the student (including a student from another school) is on the premises or elsewhere in the lawful control or charge of the staff member (for example on a School visit).

6. Deciding whether to use force

- 6.1** Reasonable force can be used to prevent pupils from hurting themselves or others, from damaging property, or from causing disorder. Staff are NOT expected to place themselves in danger.
- 6.2** In a school, force is used for two main purposes – to control pupils or to restrain them.
- 6.3** 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.
- 6.4** Reasonable force **MAY** be used when:
- 6.5** The potential consequences of not intervening are sufficiently serious to justify considering use of force;

- 6.6 The chances of achieving the desired result by other means are low;
- 6.7 The risk associated with not using force outweighs those of using force;
- 6.8 The degree of force must be in proportion to the circumstances of the incident and the seriousness of the behaviour or consequences it is intended to prevent.
- 6.9 Circumstances when staff **MAY** use reasonable force may include:
- 6.10 To prevent a student from committing a criminal offence;
- 6.11 To prevent a student from causing injury to his or herself or others;
- 6.12 To prevent or stop a student from causing serious damage to property;
- 6.13 To stop the student from engaging in any behaviour which is prejudicial to the maintenance of good order and discipline at the School or elsewhere when the students are in the care of the School;
- 6.14 To prevent a student leaving a classroom where allowing the student to leave would risk their safety or lead to behaviour which disrupts the behaviour of others;
- 6.15 To remove the student from a classroom where they have refused to follow an instruction to do so.
- 6.16 **Reasonable force may never be used as a punishment – this is unlawful.**

7. Power to search pupils using force

- 7.1 In addition to the general power to use reasonable force described above, headteachers and authorised staff can use such force as is reasonable given the circumstances to conduct a search for the following “prohibited items”
- knives and weapons
 - alcohol
 - illegal drugs
 - stolen items
 - tobacco and cigarette papers
 - fireworks • pornographic images
 - any article that has been or is likely to be used to commit an offence, cause personal injury or damage to property.

- 7.2 Force cannot be used to search for items banned under the school rules. A search should always take place with two members of staff present. One member of staff will be of the same gender.

8. During an Incident

- 8.1 The minimum reasonable force should be used to calm down the situation, to restore safety and appropriate behaviour. The age, understanding and competence of the individual student will always be taken into account. Every effort will be made to secure the presence of other staff, and these staff may act as assistants and/or witnesses. *Only in an emergency should a member of staff intervene without help*; other students should never be involved in restrictive physical intervention.
- 8.2 The student should be approached calmly but firmly. Where possible, explain the consequences of refusing to stop the behaviour, **giving a warning at their level of understanding that force may have to be used** and continue to communicate with the student throughout the incident; it should be made clear that the restrictive

physical intervention will stop as soon as it is safe and ceases to be necessary. A calm and measured approach is needed and a teacher must never give the impression that he/she has lost his or her temper or is acting out of anger or frustration.

8.3 The method of restraint employed must use the **minimum force** for the **minimum time**. The following methods of restraint **must not** be used:

- The 'seated double embrace' which involves two members of staff forcing a person into a sitting position and leaning them forward while a third monitors breathing;
- The 'double basket-hold' which involves holding a person's arms across their chest;
- The 'nose distraction technique' which involves a sharp upwards jab underneath the nose.

9. Acceptable forms of intervention

9.1 There are occasions when staff will have cause to have physical contact with student for a variety of reasons, for example:

- To comfort the student in distress (so long as this is appropriate to their age);
- To give First Aid;
- To gently direct a student eg: holding a hand at the front or back of a line;
- For curricular reason (for example in PE, Music, Drama etc);
- In an emergency to avert danger to students or staff;
- In rare circumstances, when restrictive physical intervention is warranted.

9.2 In all situations where physical contact between staff and students takes place, staff must consider the following:

- The student's age and level of understanding;
- The student's individual characteristics and history;
- The location where the contact takes place (it should not take place in private without others present).

9.3 Reasonable force **CAN** take several forms. It might involve staff:

- Physically interposing between students;
- Blocking a student's path;
- Holding;
- Pushing;
- Pulling;
- Leading a student by the hand or arm;
- Shepherding a student away by placing a hand in the centre of the back, or (in extreme circumstances) using more restrictive holds.

9.4 Reasonable force **MUST NOT**:

- Involve deliberately hitting the student
- Involve deliberately inflicting pain on the student
- Restrict the student's breathing
- Involve deliberate contact with sexually sensitive areas.

9.5 During an incident the restrainer should:

- Offer verbal reassurance to the student
- Cause the minimum level of restriction of movement
- Reduce the danger of any accidental injury.

10. Post-Incident Support

10.1 Serious incidents that require the use of force can be upsetting to all concerned and may result in injuries to the student or a member of staff. Immediate action will be taken to provide first aid for any injuries and access to medical help for any injuries that go beyond first aid. It is also important to ensure that staff and students are given emotional support. Procedures are in place, through the pastoral system of the School, for supporting and debriefing staff and students after every serious incident of restrictive physical intervention.

10.2 In deciding what is a serious incident, teachers will use their professional judgement and consider:

10.3 The student's behaviour and level of risk presented at the time of the incident;

10.4 The degree of force used;

10.5 The effect on the student and member of staff and

10.6 The student's age.

11. Recording and Reporting Incidents

11.1 If a serious incident occurs which includes the use of 'reasonable force', the member of staff concerned should advise the Headteacher or a senior member of staff immediately following the incident and provide the completed incident record as soon as possible afterwards (**see Appendix 1**). All injuries will be recorded in accordance with the school procedures. Staff may wish to seek advice from their professional association. The school will review serious incidents in order to identify any learning points and inform future plans and policy reviews.

11.2 After a serious incident, parents/carers will always be informed unless doing so would in any way endanger the child. Parents/carers will be contacted as soon as possible. Parents/carers will also receive a copy of the school's policy on the use of restrictive physical interventions and information on post-incident support. The letter sent to parents/carers informing them about the use of the intervention may be used to engage them in discussing the incident and for setting out subsequent actions and support. It is recommended that parents/carers be involved in agreeing appropriate support arrangements. It may be desirable to agree on an individual behaviour plan. This would include strategies to prevent and deal with any recurrence of behaviour that could lead to the use of restrictive physical interventions.

12. Developing a Positive Handling Plan

12.1 If a student is identified, for whom it is felt that restrictive physical intervention is likely, then a Positive Handling Plan will be completed. This plan will help the student and staff to avoid difficult situations through understanding the factors that influence the behaviour and identifying the early warning signs that indicate foreseeable behaviours that may be developing. The plan will include:

- 12.2** Involving parents/carers and students to ensure they are clear about what specific action the School may take, when and why;
- 12.3** A risk assessment to ensure staff and others act reasonably and consider the risks;
- 12.4** A record to be kept in School of risk reduction options that have been examined and discounted, as well as those used;
- 12.5** Techniques for managing the student's behaviour ie. Strategies to de-escalate a conflict, and stating at which point a restrictive physical intervention may be used;
- 12.6** Identifying key staff who know exactly what is expected;
- 12.7** Ensuring a system to summon additional support;
- 12.8** Identifying training needs;
- 12.9** If it is known that any student has specific medical needs, medical advice may be sought as to the safest way to hold the student.

See Appendix 2 for a Positive Handling Plan Pro-forma

13. Complaints

- 13.1** It is intended that by adopting this policy and keeping parents/carers and governors informed we can avoid the need for complaints. All disputes which arise about the use of force by a member of staff will be dealt with according to Child Protection and Safeguarding policies. If necessary, see Complaints Policy.

14. Training

- 14.1** This policy will be explained to staff as part of their induction. The Headteacher will consider whether any members of staff need further training based on the needs of the students.
- 14.2** The following members of staff have completed the Positive Handling training, delivered by Intelligensa Ltd.

Mr A Yendell – February 2022
 Mr J Ellerton – February 2022
 Mr MA Taylor – February 2022
 Miss S Holton – February 2022
 Mrs S Smith – February 2022
 Miss B Evans – February 2022

15. Equal Opportunities

- 15.1** In making decisions about physical restraint all staff will take into account any special educational needs, disabilities, gender and cultural differences that may be relevant to the case.

16. Review of the Policy

- 16.1** This policy will be reviewed every two years or in light of any significant changes to legislation.

Policy History

Policy / Version Date	Summary of change	Contact	Implementation Date	Review Date
Autumn 2017	Policy review	Deputy Headteacher Pastoral	September 2019	Bi-annual Review
Autumn 2019	Policy review	Deputy Headteacher Pastoral	September 2021	Bi-annual Review

Appendix 1 Record of Use of Reasonable Force

Details of student/students on whom force was used by a member of staff (name, class)	
Date, time and location of incident	
Names of staff involved (directly or as witnesses)	
Details of other students involved (directly or as witnesses), including whether any of the students involved were vulnerable for SEN, disability, medical or social reasons.	
Description of incident by the staff involved, including any attempts to de-escalate and warnings given that force might be used.	
Reason for using force and description of force used.	
Any injury suffered by staff or students and any first aid and/or medical attention required.	
Follow up, including post-incident support and any disciplinary action against students.	
Any information about the incident shared with staff not involved in it and external agencies.	
When and how those with parental responsibility were informed about the incident and any views they have expressed. If parents/carers have not been informed a brief explanation of the reasons for this should be recorded here.	
Copy of policy sent to parents <input type="checkbox"/>	
Has any complaint been lodged (details should not be recorded here)?	
Report compiled by: Name and role: Signature: Date:	Report countersigned by: Name and role: Signature: Date:

Appendix 2: Positive Handling Plan

Name of Student: _____ Tutor Group: _____

Name of teacher: _____

Name of Parent/Carer: _____

Identification of Risk	
Describe the foreseeable risk (ie. What specific behaviours have occurred)	
Is the risk potential or actual? (ie. Has this happened before)	
List who is affected by the risk	
Assessment of Risk	
In which situations does the risk occur?	
How likely it is that the risk will arise? (ie. How often has it happened before)	
If the risk arises, who is likely to be injured or hurt?	
What kinds of injuries or harm are likely to occur?	
How serious are the adverse outcomes?	

Assessment completed by: _____

Signature: _____ Date: _____

Agreed Positive Handling Plan and School Risk Management Strategy		
<u>Focus of Measures</u>	<u>Measures to be employed</u>	<u>Level of risk</u>
Proactive interventions to prevent risks.		
Early interventions to manage risks.		
Reactive interventions to respond to adverse outcomes.		
Key staff		
Training Requirements		

Agreed by:

Date:

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(Parent/Carer)

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.....
(Student – if appropriate)

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Headteacher

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Deputy Safeguarding Lead

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