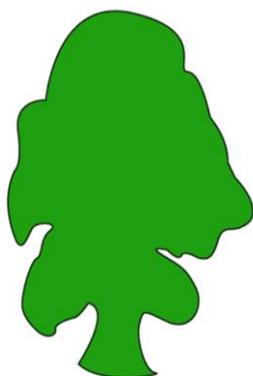


# The Use of Reasonable Force to Control or Restrain Pupils Policy

## FOR ELMHURST SCHOOL



Adopted:	October 2017
Next Review Date:	October 2020
Responsible Committee	Premises, Health & Safety Committee

Signed:	
Headteacher:	Mrs R. Lee
Chair of Governors:	Mr D. Gamble

## **Introduction**

This guidance is based on, and should be read in conjunction with, the recommendations in the 'Use of reasonable force in schools' (July 2013). This document gives the up to date legal context for any school policies on the use of force and restraint.

Section 93 of the Education and Inspections Act 2006 enables school staff to use reasonable force to prevent a pupil from:

- a) Committing a criminal offence (or for a pupil under the age of criminal responsibility, what would be an offence for an older pupil)
- b) Causing personal injury or damage to property
- c) Prejudicing the maintenance of good order and discipline at the school or among any pupils receiving education at the school, whether during a teaching session or otherwise.

## **1) Objectives and Principles:**

The Headteacher and Governors have a responsibility to maintain the safety of pupils and staff. There is a responsibility to prevent serious breaches of school discipline and to prevent serious damage to property. This policy should be communicated to all staff, pupils and parents.

As all members of school staff are authorised by law to use force the school does not have a no-contact policy. We are, however, committed to the principle that force and restraint should only be used in a reasonable way and when all other means of resolving issues are deemed to be inappropriate.

We recognise that force in schools is generally used for two different purposes:

a) To control: control can mean either passive physical contact (e.g. standing between pupils or blocking a pupil's path) or active physical contact (e.g. leading a pupil by the hand or arm, or ushering a pupil away by placing a hand in the centre of the back).

b) To Restrain: When members of staff use "restraint" they physically prevent a pupil from continuing what they were doing after they have been told to stop. The use of restraint techniques is usually used in more extreme circumstances, such as when two pupils are involved in a fight and physical intervention is needed to separate them.

## **2) Minimising the Use of Force:**

At Elmhurst School we aim to create a calm and orderly environment that minimises the risk of incidents arising that might require the use of force. This is done in a number of ways:

- Using resources to teach pupils how to manage conflicts and strong feelings.
- Ensuring staff are aware of de-escalation techniques to manage conflict if it does arise.
- Only using force when the risks involved in doing so are outweighed by the risks involved in not using force.
- Having up to date and regularly reviewed risk assessments and positive handling plans for individual pupils.

## **3) Staff Authorised to Use Force**

i. Permanent Authorisation:

Permanent authorisation is granted to all teachers and staff that have control or charge of pupils in line with the statutory power granted to them. Several members of staff are trained by TeamTeach in the physical management of children. Learning Support Assistants, teachers and members of the Senior Leadership team are amongst those trained. A list of these members of staff can be made available upon written request to the school office.

ii. Temporary Authorisation:

In some circumstances a) staff whose jobs do not normally involve supervising pupils and b) volunteers working with pupils will be authorised to be in control or charge of pupils, will have statutory power to use force. This might include:

- School trips
- Offsite learning activities
- After school activities

The names of these staff will be recorded in the risk assessment and plans for these activities and signed off by the Headteacher.

#### **4) Deciding Whether to Use Force:**

Staff should only use force when

- The potential consequences of not intervening are sufficiently serious to justify considering use of force.
- The chances of having the desired result by other means are low.
- The risks associated with not using force outweigh those of using force.

Some situations where reasonable force might be used are:

- To prevent a pupil from attacking a member of staff, or another pupil, or to stop a fight between two or more pupils.
- To prevent a pupil causing deliberate damage to property.
- To prevent a pupil causing injury or damage by accident, by rough play, or by the misuse of dangerous materials or object.
- To ensure that a pupil leaves a classroom where the pupil persistently refuses to follow an instruction to do so.
- To prevent a pupil behaving in a way that seriously disrupts a lesson.
- To prevent a pupil behaving in a way that seriously disrupts a school sporting event or school visits.

***It is unlawful to use force as a punishment and staff should not do this under any circumstances.***

#### **Risk assessments**

The leadership team will regularly assess the frequency and severity of incidents requiring use of force. Where it is known that force is more likely to be necessary to restrain a particular pupil (such as a pupil whose SEN and/or disability is associated with extreme behaviour) an individual risk assessment will be carried out.

An individual risk assessment will be carried out for all pupils whose SEN and/or disability are associated with:

- Communication impairments that make them less responsive to verbal communication
- Physical disabilities and/or sensory impairments
- Conditions that make them fragile, such as haemophilia, brittle bone syndrome or epilepsy
- Dependence on equipment such as wheelchairs, breathing or feeding tubes.

If a pupil is suspected of having a weapon or any other dangerous object and is likely to resist a search, staff should alert the office staff and call the police to deal with the situation.

#### **5) Using Force:**

Any staff using force or restrain to control a pupil should only use the minimum force necessary to achieve the desired result.

It is our policy that:

- In any situation a child is given an oral warning that force may have to be used if the situation or behaviour being dealt with persists. This should be done clearly and calmly in language the child can understand.
- Staff should, wherever possible, not use force unless or until another responsible adult is present to support, observe and call for assistance.
- Any force used should aim to bring about a swift conclusion to a situation but also ensure there is minimal risk of any injury to the child. Staff should be aware that any use of restraint does bring the risk of an injury to the child.

#### **6) Staff Training**

The Headteacher will ensure that all staff, as part of their induction to the school, are aware of their responsibilities in relation to the School Policy on the Use of Force.

At Elmhurst School we will ensure the following training is in place:

- At least one member of staff will have received training by expert accredited providers in physical intervention and restraint technique. It is, however, not assumed that the named trained members of staff should be solely responsible for dealing with all incidents where physical intervention or restraint is required.
- All staff are made aware of the policy on the use of force and restraint with a particular focus on when, where and how force and restraint may reasonably be used and the way such incidents should be recorded.

### **7) Recording Incidents:**

Any use of force or restraint must be recorded in the 'Bound and Numbered Book' which is kept in the Inclusion Room. There is an electronic version of this form which may be completed on BehaviourWatch. This form must be completed as soon as practicable after the incident and handed to Jacqueline Moore, the SENDCo by the end of the working day on which the incident occurred.

Incidents are monitored weekly by the Senior Leadership Team.

### **8) Reporting Incidents**

The school acknowledges it has a duty to report to parents if there has been a significant incident where a member of staff has used force or restraint on a pupil.

Once an incident is recorded and passed to the SENDCo she will consult with the Headteacher/Member of the Senior Leadership team who will make a decision about whether the incident is deemed as significant within 1 working day.

If the use of force or restraint is seen to have been significant it must be reported to parents. Ideally this will be by telephone and will occur as soon as possible after the incident. Families should be given access to a copy of this policy.

If there is any concern that reporting the incident could lead the child being put at risk of harm, the incident should be passed immediately to the designated teacher for Child Protection who should liaise with the Local Authority and/or Social Services.

### **9) Post Incident Support**

If there is any injury to the child as a result of the use of restraint or force first aid and medical assistance should be sought immediately. Staff and pupils should be given appropriate emotional support. Any member of staff who has been assaulted may decide to report the incident to the police or seek advice from their professional association.

We will ensure that there is clear follow up and use of sanctions, in line with the behaviour policy, to the poor behaviour of the pupil concerned. We will work to help the pupil and staff involved to rebuild a productive working relationship so, where appropriate, they may resume professional contact.

### **10) Complaints and Allegations**

If a specific allegation is made against a member of staff the school will follow the guidance set out in *Safeguarding Children and Safer Recruitment in Education*. There complaints should be dealt with according the school complaints procedure.

### **11) Monitoring and Review**

The Headteacher will give an annual/termly report to the Premises, Health & Safety committee of the Governing Body on the use of force and restraint.

This policy will be reviewed alongside the School Behaviour Policy in a cycle determined by the Governing Body.

Appendix A: Example of Behaviour Plan and Risk Assessment

**Pupil Specific Risk Assessment**

<b>Name</b>					
<b>D.O.B</b>					
<b>Date of assessment</b>					
<b>Hazard/Behaviour</b>	<b>Opinion Known O/K</b>	<b>Conscious Subconscious Involuntary C/S/I</b>	<b>Serious of Outcome A 1/2/3/4</b>	<b>Probability of Hazard B 1/2/3/4</b>	<b>Severity Risk Score A x B</b>
Harm to self					
Harm to Peers					
Harm to Staff					
Damage to property					
Harm from Disruption					
Criminal Damage					
Harm from Absconding					
Other Harm					
Other Harm					
<b>Seriousness</b>					
<b>4</b>	Foreseeable outcome is loss of life or permanent disability, emotional trauma requiring counselling or critical property damage				
<b>3</b>	Foreseeable outcome is hospitalisation, significant distress, extensive damage				
<b>2</b>	Foreseeable outcome is harm requiring first aid, distress or minor damage				
<b>1</b>	Foreseeable outcome is upset or disruption				
<b>Probability</b>					
<b>4</b>	The risk of harm is persistent and constant				
<b>3</b>	The risk of harm is more likely than not to occur				
<b>2</b>	The risk of harm has occurred within the last 12 months, the context has changed to make a reoccurrence unlikely				
<b>1</b>	There is evidence of historical risk, but the behaviour has been dormant for over 12 months and no identified triggers remain.				

*Risks which score 6 or more (probability x seriousness) should have strategies listed on next page.*

*These must be shared with parents and all staff.*

*These must be displayed in the staff room and copies kept in the Inclusion room, school office and relevant classrooms.*

### Individual Behaviour Management Plan

<b>Name:</b>		
<b>Date of plan:</b>		
<b>D.O.B.</b>		
<b>Year:</b>		
<b>Class:</b>		
<b>Staff involved:</b>		
<i>All members of staff need to be aware of ...</i>		
<b>Potential Triggers:</b> 		
<b>What we want to see:</b> In class ○ Outside ○	<b>Strategies to maintain:</b> 	
<b>First signs that things are not going well:</b> 	<b>Strategies to support</b> 	
<b>Where this behaviour leads next:</b> 	<b>Interventions necessary:</b> 	
<b>What we are trying to avoid:</b> 		
<b>Appropriate consequences:</b>		
<b>Debriefing process:</b> 	<b>Signatures:</b> Staff:  Parents:  Child:  Review date:	