

Lovell Primary School

Policy on the Use of Reasonable Force

(also known as Restraint & Positive Handling)

Date agreed: 6th December 2021

Date of next review: 1st December 2023

Signed on behalf of the headteacher

Signed on behalf of Governing Body (Chair / or chair of committee) - (signed copy available in the school office)

Lovell Primary School is committed to maintaining the safety of children and staff. Situations involving decisions about whether to use reasonable force can occur in school. This policy seeks to establish clear guidelines on the use of force by staff and acts as an important part in minimising risks associated with choosing to use or not use reasonable force. 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 student from doing, or continuing to do, any of the following:

- committing any criminal offence
- causing personal injury to, or damage to the property of, any person (including the child him /herself)
- prejudicing the maintenance of good order and discipline at the school or among any children receiving education at the school, whether during a teaching session or otherwise.

This has been reaffirmed in the most recent guidance from the Department for Education available at the link below:

<http://www.education.gov.uk/aboutdfe/advice/f0077153/use-of-reasonable-force-advice-for-school-leaders-staff-and-governing-bodies>

This policy seeks to:

- Ensure the safety of students and staff
- Prevent serious breaches of school discipline
- Prevent serious injury to staff and/or pupils
- Provide guidelines to staff when faced with situations that may require the use of force

Minimising the use of force - the following principles should help to minimise the need to use force:

- Establishing a calm and orderly school environment
- Positive behaviour management as set out in the school behaviour policy
- Ensuring appropriate levels of supervision, including break and lunchtimes
- Using JIGSAW and Zones of Regulation approaches to teach children how to manage conflict and strong feelings
- Using emotional intelligence to de-escalate incidents if they do arise
- Developing appropriate risk assessments and positive handling plans for individual pupils particularly those with Special Educational Needs
- Only using force where the member of staff considers that the risks involved in doing so are outweighed by the risks involved in not using force

Staff Authorisation - All teachers and support staff who have control or charge of children automatically have the statutory power to use force. This includes teachers, teaching assistants and office / support staff.

Temporary authorisation: May be issued by the Headteacher to other members of staff involved in supervising students, e.g. site staff, office staff or volunteers. Any such authorisation will be given in advance, in writing and will be time limited.

Deciding whether to use reasonable force – Reasonable force may be considered when:

- There is a need to prevent injury to another child and/or member of staff or to the child themselves
- A child fails to comply with a reasonable instruction to stop an action that is potentially dangerous to themselves or others
- A child's actions place in jeopardy the health and safety of others
- A child's behaviour seriously prejudices good order and discipline in the school

Members of staff should use the following guidelines to decide whether or not reasonable force should be used in particular circumstances:

- The potential consequences of not intervening were sufficiently serious to justify considering using force.
- The chances of achieving the desired result by other means were judged to be low.

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- The risk associated with not using force outweighs those of using force.
- There was identifiable risk to other children and/or members of staff and/or school property

Proper account should be made of any particular Special Education Need and/or disability that a child may have. It is worth noting, however, that decisions often need to be made quickly and that the professional judgement of the member of staff involved is key.

Using Reasonable Force: it is important to use the minimum force necessary to achieve the desired result. It is always unlawful to use force as a punishment. A clear verbal warning should be given to the reasonable that force may have to be used e.g. *'If you do not choose to climb off the fence, unfortunately I am going to have to lift you off.'* Wherever possible force should not be used unless there is another responsible adult present to support, observe and call for assistance.

The types of force used could include:

- a. Passive physical contact resulting from standing between children or blocking children
- b. Active physical contact such as:
 - i) leading a student by the hand or arm
 - ii) ushering a student away by placing a hand in the centre of the back
 - iii) in more extreme cases using appropriate physical restraint

Where there is a high and immediate risk of death or serious injury, a member of staff is justified in taking any necessary action (consistent with seeking to use the minimum force required to achieve the desired result) e.g. preventing a student running in to a busy road. Staff should make every effort to avoid acting in a way that might reasonably be expected to cause injury. Staff should avoid touching or restraining a pupil in a way that could be interpreted as sexually inappropriate conduct.

Examples of situations that call for judgements of this kind might include:

- Children fighting
- A child deliberately damaging property
- A child causing, or at risk of causing, injury or damage by accident, rough play or by misuse of materials or objects
- A child persistently refusing to follow an instruction to leave a classroom
- A child behaving in a way that seriously disrupts a lesson, school event or visit
- A child placing him/herself at risk by absconding from school

In these examples the use of force would be reasonable if the behaviour was sufficiently dangerous or disruptive to warrant physical intervention and could not realistically be dealt with by other means.

The judgement on whether to use force should depend on the circumstances of each case and - crucially in the case of pupils with SEND - information about the individual concerned. If there are pupils who have one page profiles staff should be aware of the techniques that should be used with them. Usually following the use of reasonable force a pupil behaviour support plan & assessment is developed by the staff team involved.

Recording incidents - Annex A should be used to record details of any serious incidents requiring the use of force and CPOMS noted. This should be completed as soon as is practically possible after the incident and handed to the Headteacher.

Complaints: All complaints made relating to the use of force will be dealt with according to the school complaints procedure. Allegations about a member of staff will follow RBKs guidelines.

Staff CPD: staff will receive regular updates as part of INSET and induction provision on the reasonable use of force. This has taken place in each of the last two school years provided by AFC Spark and the Education & Inclusion Team.

Monitoring and Review: The Headteacher and members of the Headship Team will monitor the use of this policy on a day to day basis. Periodic reports will be made to the Governing Body about the use of reasonable force on request. The policy is subject to regular review, according to the cycle of policy review determined by the Governing Body.

Equal Opportunities: The governors and staff are committed to providing the full range of opportunities for all pupils, regardless of gender, disability, ethnicity, social, cultural or religious background. All pupils have access to the curriculum, and the right to a learning environment, which dispels ignorance, prejudice or stereotyping.

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Annex A - Use of reasonable force / Positive Intervention - Incident Record

Details of pupil or pupils on whom force was used by a member of staff (name, class):

Date, time and location of incident:

Details of other pupils involved (directly or as witnesses), including whether any of the pupils 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 pupils or any first aid and/or medical attention required:

Reasons for making a record of the incident:

Follow up, including post-incident support and any disciplinary action against pupils:

Pupil voice record sought as appropriate to age?

Any information about the incident shared with staff not involved in it and external agencies:

When and how those with parental responsibilities were informed about the incident (usually by the classteacher, SENDCo, Year Leader or Headship Team member and any response / follow up required:

Report compiled by:

Name and role:

Signature:

Date:

Report countersigned by:



Name and role:

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Signature:

Date:

Pupil Voice Record – used as as age appropriate, may be completed by adult scribing:

Name: Class teacher:	Date:
	
<h2 style="margin: 0;">Golden Rules – Time to Think</h2>	
<p>I am sorry that you have chosen to break the golden rules. Answer or draw pictures for the questions below:</p> <ol style="list-style-type: none">1. Which Lovelace golden rule did you choose to break? (tick) <div style="display: flex; justify-content: space-around; margin-top: 5px;"><input type="checkbox"/> I am gentle<input type="checkbox"/> I am kind and helpful<input type="checkbox"/> I listen</div><div style="display: flex; justify-content: space-around; margin-top: 5px;"><input type="checkbox"/> I am honest<input type="checkbox"/> I work hard<input type="checkbox"/> I look after property</div> 2. Describe what happened. What choice did you make? 3. Who was involved? Who was affected? What was the consequence of your choice? 4. What could you have done differently? 5. What do you need to do to put this right? 6. Think about a time when you did follow this golden rule. What did you do?	
Signed:	Discussed with: