

Greenfields Federation

Littlehaven Infant School and Northolmes Junior School



Growing Together, Aiming High

Our vision at Greenfields Federation is that we will work together as a community to ensure all pupils achieve their best and everyone feels valued and respected. We will prioritise the well-being of our children and have high expectations for behaviour. We will create an inspiring and motivating learning environment where all children can deepen their knowledge, acquire new skills and develop as well-rounded, happy, confident individuals.

Use of Reasonable Force Policy

Review date:	September 2023
Ratified by the Governing Body:	
Next review:	September 2024 (or before if guidance changes)

This Policy should be read in conjunction with the Federation's Behaviour policy, and with the DfE guidance published in July 2013, "Use of reasonable force. Advice for headteacher, staff and governing bodies." It should also be read in conjunction with our Safeguarding Policy as well as Keeping Children Safe in Education (2023).

Aims

- To create a learning environment in which children and adults feel safe.
- To protect every person in the school community from harm.
- To protect all pupils against any form of physical intervention that is unnecessary, inappropriate, excessive or harmful.
- To put in place guidance for staff so that they are clear about the circumstances in which they might use reasonable force to restrain pupils and how such reasonable force might be applied.

What is reasonable force?

The following is an extract from the DfE document 'Use of reasonable force' as referred to on Page 2 of this document.

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.
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. 'Reasonable in the circumstances' means using no more force than is needed.
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.
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.
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.

Who can use reasonable force?

All school staff members have a legal power to use reasonable force¹.

The staff to which this power applies are:

- i. any member of staff at the school;
- ii. any other person whom the Headteacher has authorised to have control or charge of pupils. This can also include people to whom the head has given temporary authorisation to have control or charge of pupils such as unpaid volunteers (for example parents accompanying pupils on school-organised visits); and

When can reasonable force be used?

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

- a) Prevent a pupil from hurting themselves
- b) Prevent a pupil from hurting others
- c) Prevent a pupil from damaging property
- d) Prevent a pupil from causing disorder.

In school, force is used for two main purposes – to **control** pupils or to **restrain** them.

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).

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.

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.

Examples of when reasonable force could be used

- 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.
- To 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.
- To restrain a child at risk of harming themselves through physical outbursts.

¹ Section 93, Education and Inspections Act 2006

Schools cannot:

- Use force as a punishment – it is always unlawful to use force as a punishment.

See **Appendix B** for more examples of when reasonable force could be used and the forms it may take and the forms it must not take.

Prevention should be the primary consideration.

Steps to avoid the use of force should always be taken and the adult should be able to demonstrate that those steps were taken. Physical restraint should always be the last resort.

Staff have a responsibility to ensure the safety and welfare of their pupils. They are in a particular position of trust (in loco parentis).

The following should be applied in all cases:

- Staff should delay if at all possible. (However, in some circumstances e.g. a child running out onto the road, you might be deemed negligible if you do not intervene.)
- An 'on the spot' risk assessment for each occasion that you feel reasonable force or restraint may be necessary should be made. (If I use reasonable force/restraint what might the impact be? If I don't use reasonable force/restraint what might the impact be?)
- Consideration should be given to the environment, the medical circumstances and the clothing.
- Action being taken should always be for the good of the child, trying to keep them safe.
- Assure the child that the restraint is not a punishment.
- Never use other children in the restraint.
- Restraint or reasonable force should be witnessed by another responsible adult. Staff should call for another adult if restraint or reasonable force is needed and another adult is not available in the area.
- For more information on preventative strategies, see Appendix C.

Children with SEND

Schools have a legal duty to make reasonable adjustments for disabled children and children with special educational needs (SEND).

If a child has SEND there may be an additional negative impact if using force and restraint and staff should be aware of how a child may react and the increased risk of harm to both the child and staff. A child with SEN who may react in a way that increases the risk of harm may require an individual plan, drawn up in conjunction with the child and their parent/carer, which includes preventative strategies, de-escalation strategies and specific guidance.

Staff training

The Headteacher and Assistant Headteachers will routinely attend appropriate training on restraint techniques.

If the use of restraint techniques becomes a regular requirement, further training will be organised for members of staff likely to need to use these techniques.

The school will use 'TeamTeach' training and only members of staff who have attended the one day (or more) course will be able to use these techniques.

Informing parents when force has been used on their child

Parents should be informed as soon as possible about serious incidents involving the use of force and the incident explained to them. In deciding what a serious incident is, teachers should use their professional judgement and consider the:

- pupil's behaviour and level of risk presented at the time of the incident;
- degree of force used and whether proportionate in relation to the behaviour;
- effect on the pupil or member of staff; and
- the child's age.

Recording the use of significant incidents

Immediately following any such incident the member of staff concerned should inform the Headteacher or Assistant Headteachers and provide a written report, recorded on CPOMS.

A record of each significant incident in which a member of staff uses force on a pupil should be made using the form on Appendix A. Such records may be required for future reference.

A copy of this form should be given to the Headteacher or Assistant Headteachers and uploaded to CPOMS. Staff should keep their own copy of any written report.

If parents are to be informed of the incident (see section above) then the form should have any other pupil names removed and consent sought from staff to include their names on the form before handing to parents.

If reporting the incident to a parent would be likely to result in significant harm to the pupil, then the incident must be reported to the local authority where the pupil normally lives.

Where a pupil has caused actual harm or injury, details will need to be recorded in the school accident book.

Roles and Responsibilities

The Headteacher will:

- Share this policy with all members of staff
- Confirm with all staff whether they meet the terms of the legislation to use reasonable force.
- Help staff to understand their roles and responsibilities in relation to the management of pupils.
- Identify appropriate staff to attend specialist training
- Monitor the use of force by reviewing recorded incidents
- Monitor the implementation of this policy.

The Assistant Headteachers will:

- Keep staff informed about pupils with special educational needs who may require special attention with regard to their physical management and work with staff to put individual plans in place where necessary.
- Keep staff informed of individual pupils who are considered likely to pose serious behavioural problems or violence and put in place individual risk assessments for those pupils to keep them and others safe.
- Maintain records of incidents where use of reasonable force has been required.
- Advise the Headteacher on additional staff who may require specialist training in positive handling techniques.

All staff will:

- Consult with the Headteacher or Assistant Headteachers regarding any concerns that they have about the physical management of pupils with special educational needs.
- Consult with the Headteacher or Assistant Headteachers regarding concerns that they have about the physical management of other pupils.

Dealing with complaints and allegations regarding the use of force

Parents and pupils have a right to complain about actions taken by school staff, including any use of force.

If a specific allegation is made against a member of staff then the school will follow procedures set out in

- the school's Complaints Policy;
- the school's Dealing with Allegations Against Staff Policy;

with reference to the following DfE Guidance:

- The use of reasonable force (July 2013)
- Working together to safeguard children (updated July 2022)
- Keeping Children Safe in Education (2023)

APPENDIX A: INCIDENT RECORD FORM

Details of pupil on whom force was used – name, class and any Special Educational Needs, disability or other vulnerability
Date, time and location of incident
Names of staff (or volunteers) involved (directly and as witnesses)
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 the force used
Any injury suffered by staff or pupils and any first aid and/or medical attention required
Reasons for making a record of this incident
Follow up, including post-incident support and any disciplinary action against pupils

Any information about 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	
Has any complaint been lodged (details should not be recorded here)?	
Report compiled by:	
Name and role:	
Date	
Report countersigned by:	
Name and role:	
Date	

Please note: the names of pupils should be removed before the completed form is sent to parents and the names of members of staff should only be included with their consent.

The member of staff involved in the incident compiles the incident report. The member of staff with lead responsibility for safeguarding checks the record and that the school provides the member of staff involved in the incident with a copy of the final version. It is important that this information is treated in confidence.

All accounts of the same incident should be recorded, including those of the pupil or pupils involved. Parents should not be given a copy of the incident record as a matter of course, but they should be told when and where the incident took place, why it was decided that force had to be used, the strategies used to try to avoid having to use force, what force was used, whether there were any injuries and what follow-up action (support and/or disciplinary) was being taken in relation to their child.

Ordinarily the names of those involved in the incident should not be disclosed in the report. However, the pupil may give this information to the parent or the parent can request the information from the school. The school should deal with these requests in accordance with the Data Protection Act 1998.

APPENDIX B: FURTHER EXAMPLES OF HOW REASONABLE FORCE MAY BE USED AND HOW IT MUST NOT BE USED

Reasonable force might be used:-

- in self-defence, where risk of injury is imminent
- when there is developing risk of injury to the person deemed in need of restraint or others (including self-harm)

Physical intervention in these circumstances may take several forms, e.g.: -

- physically interposing between pupils
- blocking a pupil 's path
- holding
- leading a pupil by the hand or arm
- shepherding a pupil away by placing a hand in the centre of the back
- (in extreme circumstances) using more restrictive holds

The law strictly prohibits the use of force, which constitutes the giving of corporal punishment. The use of force as a punishment or to intentionally cause pain, injury or humiliation, such as the examples below, (which are not exhaustive) should not be permitted under any circumstances:

- holding around the neck
- any hold that might restrict breathing
- kicking, slapping or punching
- forcing limbs against joints
- tripping
- holding by the hair; and
- holding the pupil face down on the ground

Physical intervention may involve staff in: -

- holding
- pushing
- pulling

Staff must always avoid touching or holding a pupil in a way that might be considered indecent.

APPENDIX C: PREVENTATIVE STRATEGIES

Preventative Strategies

Staff in school need to be aware of strategies and techniques for dealing with difficult pupils and steps, which they can take to defuse and calm a situation. The strategies listed below as examples will be influenced by the age of the pupil(s) and the context in which they are applied.

- 1) Move calmly and confidently
- 2) Make simple, clear statements
- 3) Intervene early
- 4) Try to maintain eye contact
- 5) If necessary summon help before the problem escalates
- 6) If possible, remove the audience from the immediate location

ACTION STEPS

- 1) Tell the pupil who is misbehaving to stop and tell them the possible consequences of failure to do so
- 2) Summon another adult. (Another adult should be present if physical restraint of any kind needs to be applied)
- 3) Continue to communicate with the pupil throughout the incident
- 4) Make it clear that physical intervention will cease as soon as it is no longer necessary
- 5) Appropriate follow-up action should be taken, which may include:
 - a. providing medical support
 - b. providing respite for those involved
 - c. accessing external advice/support

A calm and measured approach to a situation is needed and staff should never give the impression that they have lost their temper or are acting out of anger or frustration when handling a problem. Whilst limiting damage to property and/or persons, it is advisable not to 'corner' or give the child a feeling of being 'trapped' in any way as this can often inflame reactions. Where possible, allow the child space to move.

If an individual risk assessment in place, then this should be followed where possible