

# **Whittle-le-Woods CE Primary School**

## **Minimal Force Policy**



### **Mission Statement**

**We are together in our Christian family – a learning community where everyone is respected, valued, nurtured and challenged within a high-quality, creative and safe environment.**

**We provide guidance and time so each individual may grow academically, spiritually, physically, emotionally and socially. We celebrate the place of primary education as a fundamental part of the learning journey.**

**We ensure an exciting, challenging and rigorous curriculum is taught and learned. Educating is our highest priority so individual potential may be realised.**

**We work together, within God's love, children, staff, parents, carers, governors, Church and community.**

**We are God's children doing God's work.**

At Whittle-le-Woods C.E. Primary School, we embrace the development of Christian Values embedded in Christian love.

Other relevant documentation:

Child Protection Policy

Behaviour and Relationships Policy

Confidentiality Policy

# 1. CARE & CONTROL OF PUPILS

## A. Introduction

This policy has been prepared for the support of all teaching and support staff who come into contact with pupils and for volunteers working within the school to explain the school's arrangements for care and control. Its contents are available to parents and pupils. A statement about the Schools Behaviour and Relationships policy is made to parents in the School prospectus.

This statement includes information on the use of reasonable force to control or restrain pupils.

The policy has been developed in response to the recommendations of Circular 10/98 "The Use of Force to Control or Restrain Pupils", issued following the enactment of Section 550A of the 1996 Education Act. It also follows the policies of Lancashire Education and Cultural Services Committee.

The policy should be read in conjunction with other school policies relating to interaction between adults and pupils e.g. Behaviour and Relationships Policy

The policy was prepared after staff discussion in summer 2015. The responsible person for the implementation of the policy is the Head Teacher. The policy will be reviewed in accordance with the SLT by the Headteacher and the Governing Body.

## B. Purpose of policy

Good personal and professional relationships between staff and pupils are vital to ensure good order in our school. It is recognised that the majority of pupils in our school respond positively to the discipline and control practised by staff. This ensures the well-being and safety of all pupils and staff in school. It is also acknowledged that in exceptional circumstances, staff may need to take action in situations where the use of reasonable force may be required.

Every effort will be made to ensure that all staff in this school:

- (i) clearly understand this policy and their responsibilities in the context of their duty of care in taking appropriate measures where reasonable force is necessary and
- (ii) are provided with appropriate training to deal with these difficult situations.

### **However individual members of staff cannot be required to use physical restraint.**

The application of any form of physical control places staff in a vulnerable situation. It can only be justified according to the circumstances described in this policy. Staff, therefore, have a responsibility to follow the policy and to seek alternative strategies wherever possible in order to prevent the need for physical intervention.

Reasonable force will only be used as a last resort when all other behaviour management strategies have failed or when pupils, staff or property are at risk

## **C. Definitions**

### (a) Physical Contact

Situations in which proper physical contact occurs between staff and pupils, eg, in the care of pupils with learning disabilities; in games/PE; to comfort pupils.

### (b) Physical Intervention

This may be used to divert a pupil from a destructive or disruptive action, for example guiding or leading a pupil by the hand, arm or shoulder with little or no force.

### (c) Physical Control/Restraint

This will involve the use of reasonable force when there is an immediate risk to pupils, staff or property. All such incidents must be recorded.

### (d) Reasonable force (from DFE guidance)

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

## **D. Underpinning values**

Everyone attending or working in this school has a right to:

- recognition of their unique identity;
- be treated with respect and dignity;
- learn and work in a safe environment
- be protected from harm, violence, assault and acts of verbal abuse

Pupils attending this school and their parents have a right to:

- individual consideration of pupil needs by the staff who have responsibility for their care and protection;
- expect staff to undertake their duties and responsibilities in accordance with the school's policies;

- be informed about school rules, relevant policies and the expected conduct of all pupils and staff working in school;
- be informed about the school's complaints procedure.

The school will ensure that pupils understand the need for and respond to clearly defined limits which govern behaviour in the school.

Parents should have committed themselves through the Home-School Agreement to ensure the good behaviour of their child and that he/she understands and follows the Schools' Behaviour Policy.

#### **E. Authorised staff**

In this school all teachers are authorised to use reasonable force but only non-teaching support staff specifically authorised by the Headteacher to have control or charge of pupils may use reasonable force to manage or control pupils. Within the school, this authorisation will be extended to the following:

School management team members, Welfare Staff representative, Foundation Stage staff

Authorisation is not given to volunteers or parents.

The Headteacher is responsible for making clear to whom such authorisation has been given, in what circumstances and settings they may use force and for what duration of time this authorisation will last. The Headteacher will ensure that those authorised are aware of, and understand, what the authorisation entails. Those whom the Headteacher has not authorised will be told what steps to take in the case of an incident where control or restraint is needed, for example to contact an authorised member of staff.

Supply staff will not be authorised to use reasonable force unless they are familiar with this school's policy and have undertaken training.

The Headteacher will maintain a list of those who have been authorised and training which has been provided. This list will be reviewed annually.

#### **F. Staff from the Authority working within the school**

Support Services will have their own policies of care and control of pupils but service staff will, whilst on school premises, be expected to be aware of and operate within the policy of this school.

#### **G. Training**

Training for **all** staff will be made available and will be the responsibility of the Headteacher. No member of staff will be expected to undertake the use of reasonable force without appropriate training. Prior to the provision of training, guidance will be given on action to be taken. Arrangements will be made clear as part of the induction of staff and training will be provided as part of on-going staff development.

#### **H. Strategies for dealing with challenging behaviour**

Staff consistently use positive strategies to encourage acceptable behaviour and good order.

Every effort will be made to resolve conflicts positively and without harm to pupils or staff, property, buildings or the environment. All staff should ensure that they prevent escalation

wherever possible and take anticipatory action to avoid escalation by defusing or diverting action

Where unacceptable behaviour persists/escalates, threatening good order and discipline such that a more direct intervention is needed, some or all of the following approaches should be taken according to the circumstances of the incident:

- Verbal acknowledgement of unacceptable behaviour with request for the pupil to refrain; (this includes negotiation, care and concern)
- A judgement should be made as to whether behaviour is escalating so that there is a need to see if the pupil can safely leave the classroom to a specified location "to cool down" saying that the teacher/assistant will come out after a short time so that when the child is calmer they can explain their problem
- If the situation has not escalated a further verbal reprimand can be made stating:
  - that this is the second request for compliance;
  - an explanation of why observed behaviour is unacceptable;
  - an explanation of what will happen if the unacceptable behaviour continues
- Where possible a child should be asked to leave the room at the point of a second reprimand as above to "cool down"
- Warning of intention to intervene physically and that this will cease when the pupil complies. If possible summon assistance.
- Physical intervention. Reasonable force uses the minimum degree of force to prevent a child harming him or herself, others or property.
- Staff also need to be aware that in an escalating situation, due to the physiological level of arousal, demands made should be a simple and direct /non-threatening as possible as hearing may well be impaired. They should also check themselves as they may also be experiencing symptoms of physiological arousal in a situation which may slow down thinking which is why strategies already conceived can be used more automatically and within a knowledge of the child.

## **I. Escalating situations**

The 1996 Education Act (Section 55O A) stipulates that reasonable force may be used to prevent a pupil from doing, or continuing to do any of the following:

- engaging in any behaviour prejudicial to maintaining good order and discipline at the school or among any of its pupils, whether the behaviour occurs in a classroom during a teaching session or elsewhere (this includes authorised out-of-school activities);
- self-injuring or placing him or herself at risk;
- injuring others;
- causing damage to property, including that of the pupil himself or herself;
- committing a criminal offence (even if the pupil is below the age of criminal responsibility).

## **J. Types of incidents**

The incidents described in Circular 10/98 fall into three broad categories:

- (a) where action is necessary in self-defence or because there is an imminent risk of injury;
- (b) where there is a developing risk of injury, or significant damage to property;
- (c) where a pupil is behaving in a way that is compromising good order or discipline;

Examples of situations which fall within one of the first two categories are:

- a pupil attacks a member of staff, or another pupil;
- pupils are fighting;
- a pupil is engaged in, or is on the verge of committing, deliberate damage or vandalism to property;
- a pupil is causing, or at risk of causing, injury or damage by accident, by rough play, or by misuse of dangerous materials or objects;
- a pupil is running in a corridor or on a stairway in a way which he or she might have or cause an accident likely to injure him or herself or others;
- a pupil absconds from a class or tries to leave school (NB this will only apply if a pupil could be at risk if not kept in the classroom or at school).

Examples of situations which fall into the third category are:

- a pupil persistently refuses to obey an order to leave a classroom;
- a pupil is behaving in a way that is seriously disrupting a lesson.

#### **K. Acceptable measures of physical intervention**

The use of any degree of force can only be deemed reasonable if:

- (a) it is warranted by the particular circumstances of the incident;
- (b) it is delivered in accordance with the seriousness of the incident and the consequences which it is desired to prevent;
- (c) it is carried out as the minimum to achieve the desired result;
- (d) the age, understanding and gender of the pupil are taken into account;
- (e) it is likely to achieve the desired result.

Wherever possible assistance should be sought from another member of staff before intervening.

**Physical intervention uses the minimum degree of force necessary for the shortest period of time to prevent a pupil harming himself, herself, others or property.**

This form of physical intervention may involve staff:

- physically interposing themselves between pupils;
- blocking a pupil's path;
- escorting a pupil;
- shepherding a pupil away.

In extreme circumstances, trained staff may need to use more restrictive holds.

Any such measures will be most effective in the context of the overall ethos of the school, the way in which staff exercise their responsibilities and the behaviour management strategies used. Wherever reasonable force is used, staff must keep talking to the pupil.

**Where a child is identified as having a specific behavioural difficulty - either pre-existing or due to a recurrent disruptive behaviour - resulting in unacceptable behaviour:**

- there should be an assessment of the behaviour and interim strategies should be agreed specific to the child and behaviour whilst a longer-term preventive and positive behaviour plan is developed.

- the child and family should be party to any such strategy and the emphasis should be on helping the child to manage their behaviour and identifying the stressors which seem to precipitate the behaviour.
- all staff should be aware of the strategies and individual plan, follow it and contribute to ongoing assessment
- it should be reviewed regularly in the light of the response
- the aim is to eliminate any need for a physical intervention
- where a physical intervention is needed regularly this should be specifically related to the child and their behaviour; be the minimum necessary and staff should be trained specifically in this.

## **L. Recording**

Where physical intervention has been used to manage a pupil, a record of the incident **should** be kept. Where physical control or restraint has been used a record of the incident **will** be kept. This record should be made in a school incident book which will include

- name of pupil
- date, time and place of incident
- a brief description of the incident and actions taken.

The Incident Book report will be completed as soon as possible after the incident, normally prior to staff going off duty and be signed by all staff involved and the Headteacher.

In addition, specific details of the use of reasonable force will be recorded on Form RF1 which will include:

- how the incident developed;
- attempts made to calm the situation;
- names of any staff or pupils who witnessed the incident;
- the outcome of the incident including any injuries sustained, by any pupil or member of staff;
- any damage to property which has resulted;
- whether/how parents have been informed;
- and, after investigation, a summary of actions taken.

Staff may find it helpful to seek advice from a senior colleague or representative of their professional association/union when compiling a report. They should also keep a copy of the report.

After the review of the incident, copies of Form RF1 will be placed on the pupil's file and in the school's general file on the use of reasonable force.

A Health and Safety Accident/Incident Form (HS1) will be completed and returned to the Authority.

Where staff have been involved in an incident involving reasonable force they should have access to counselling and support. Within the school, this will be made available through the Headteacher. Staff may also contact the Directorate Stress line and/or the County Council's Welfare and Counselling Section.

## **M. Action after an incident**

The member of staff should always be debriefed as soon as possible after an incident in a supportive non-judgemental manner. (If mistakes have been made these would be learning points but the specific behaviour of the child is their own responsibility whatever the provocation).

If there has been an aggressive incident resulting in assaultative behaviour by the child, attempts to discuss this should allow for a cooling off period or there can be the risk of provoking another escalation;

When the child's arousal has come down, this can often be seen in an almost depressive, tired affect - maybe even tearful. The incident can then be discussed with some suggestion about how to repair things as well as future avoidance.

Depending on the extent of the incident there may need to be some follow up with others involved also.

There should always be communication with the parents of the child about the incident and follow-up

The Headteacher will ensure that each incident is reviewed and investigated further as required. If further action is required in relation to a member of staff or a pupil, this will be pursued through the appropriate procedure explained in school and LEA policies.

The member of staff will be kept informed of any action taken.  
In the case of any action concerning a member of staff, he/she will be advised to seek advice from his/her professional association/union

## **N. Complaints**

The availability of a clear policy about reasonable force and early involvement of parents should reduce the likelihood of complaints but may not eliminate them.

Any complaints about staff will be dealt with under the School's Complaints Policy.

The Chair of Governors will be informed of complaints but other governors will not be involved as a complaint may require further action on their part.

## **O. Monitoring of incidents**

Whenever a member of staff has occasion to use reasonable force, this will always be recorded and documented. Monitoring of incidents will help to ensure that staff are following the correct procedures and will alert the Headteacher to the needs of any pupil(s) whose behaviour can only be contained by the use of reasonable force

This process will also address patterns of incidents and evaluate trends which may be emerging.