



Use of Reasonable Force Protocol

October 2022

Next review: October 2024

(Previously Positive Handling Protocol)

1.0 - Policy Statement

1.1 - Staff with a duty of care operate in exceptional circumstances where it is sometimes necessary to act outside the norm; any physical intervention should be based upon providing the maximum amount of care, control and therapeutic support.

1.2 - There is no legal requirement to have a protocol on the use of reasonable force, but it is good practise to do so.

2.0 - Duty of Care

2.1 - Both employers and employees have a duty of care. All members of school staff have a legal power to use reasonable force to:

- Prevent a pupil behaving in a way that disrupts a school event, trip or visit if they are hurting themselves, others or causing damage to property.
- Prevent a pupil leaving the classroom where allowing the pupil to leave would risk their behaviour to hurt others.
- Prevent a pupil from attacking a member of staff or another pupil, or to stop a fight in the playground.
- Prevent a pupil at risk of harming themselves through physical outbursts.

3.0 - Introduction

3.1 - The term 'Use of Reasonable Force' includes a wide range of supportive strategies for managing challenging behaviour. Included in this framework are a small number of responses which may involve the use of reasonable force to control a pupil. The term is used when reasonable force is used to overcome active resistance. These are referred to as 'Restrictive Physical Interventions' in national Guidance (DfS/DoH 2002). HM Government, published 27.06.19 Reducing the need for restraint and restrictive intervention. (Children with disabilities, autistic spectrum conditions and mental health difficulties in health and social care services and special educational needs settings)

3.2 - A clear and consistent Use of Reasonable Force protocol supports pupils who have social, emotional and behavioural difficulties within an ethos of mutual respect, care and safety.

3.3 - Pupils with severe behavioural difficulties sometimes present a risk to themselves and others. The Education and Skills Act 2006 and DfE, Use of Reasonable Force, July 2013 describes the circumstances in which teachers and others authorised by the Head of School may use reasonable force to control or restrain pupils. Examples of when such action may be reasonable are to prevent injury to people, damage to property or the breakdown of discipline.

3.4 - This protocol is designed to provide guidance only. It should be considered alongside recent national guidance. It is designed to help staff to ensure that any actions they take are reasonable, proportionate and necessary.

4.0 - Positive Behaviour Management

4.1 - All physical interventions at NET Academies are conducted within a framework of positive behaviour management and these will only be used when reasonable and proportionate to the risk that presents itself and absolutely necessary. Part of the preventative approach to risk reduction involves looking for early warning signs, learning and communicating any factors which may influence bad behaviour and taking steps to divert behaviours leading towards foreseeable risk. Pupils are encouraged to participate in the development of their own Use of Reasonable Force Plans by focusing on positive alternatives and choices. Parents are also consulted. However, if problems arise, staff have an additional responsibility to support all pupils when they are under pressure and safely manage crises if and when, they occur.

5.0 - Modifications to Environment

5.1 - Consideration should be given to obvious hazards. For example:

- How is the availability of pointed implements (including pens, pencils, compasses) controlled?
- What small items are available to an angry pupil who may be tempted to use them as missiles?
- What objects are available to be used as blunt instruments?
- Do they all need to be left out all the time?
- Are there sharp edges or corners which present a risk?
- Is the design arrangements or furniture safe and appropriate for pupils who exhibit extreme behaviour?
- Is there a comfortable place to sit with an agitated pupil?
- Are protocols in place to encourage angry pupils to take themselves to a safer place?

6.0 - The Last Resort Principal

6.1 - NET Academies only adopts use of reasonable force techniques when there is no realistic alternative and have considered in the first instance de-escalation, diversion and diffusion strategies.

7.0 - Proactive Physical Intervention

7.1 - It is sometimes reasonable to use reasonable force controls to prevent extreme behaviour from becoming dangerous provided that it is an agreed part of the behaviour management plan. Examples of this are where a pupil has shown ritual patterns of behaviour, which in the past have led to the child becoming more distressed and violent. In such circumstances, it may be reasonable to withdraw the child to a safer place when the pattern of behaviour begins, rather than wait until the child is distressed and out of control. The paramount consideration is that the action is taken in the best interest of the child and that it reduces, rather than increases, risk.

7.2 – NET Academies has risk assessment procedures in place (see appendix 1, 2, 3 and 4).

8.0 - Reasonable and Proportionate

8.1 - Any response to extreme behaviour should be reasonable and proportionate. When physical interventions are considered, staff should consider the following questions:

- How is this in the best interest of the pupil?
- Why is a less intrusive intervention not preferable?
- Why do we have to act now?
- Why am I the best person to be doing this?
- Why is this absolutely necessary?

9.0 - Health and Safety

9.1 - If dangerous behaviour presents a significant risk of injury to people, there is a legal Health and Safety issue to be addressed. Dangerous behaviour should be regarded just as seriously as dangerous equipment. Dangerous occurrences should be reported to the person responsible for Health and Safety in the school. All have shared responsibility to identify risk, communicate potential risks and take active steps to reduce risk wherever possible. It is recognised that it is not possible to entirely remove risk.

9.2 - As a minimum requirement, in order to comply with health and safety legislation, each employee has a responsibility to ensure that they are conversant with school policy and guidance, and to cooperate to make NET Academies safer. It is also a requirement that they participate in training if they are directed to do so. This does not necessarily mean that all staff can be involved in all the physical activities. The non-physical aspects of use of reasonable force training are crucially important too. (Such as de-escalation strategies and diffusion techniques)

9.3 - When considering a pupil's behaviour staff should consider the following questions:

- Can we anticipate a Health and Safety risk related to this pupil's behaviour?
- Have we got all the information we need to conduct a risk assessment?
- Have we provided a written plan as a result?
- What further steps can we take to prevent dangerous behaviour from developing?

10.0 - Structures

10.1 - The following support structures are in place:

- IEP's and Behaviour Management plans kept on file and accessible to ensure all relevant information about each pupil is available to all members of staff working with them. Why is a less intrusive intervention not preferable?
- Use of help protocols and language to remind all staff of availability of colleagues to offer help including change-overs of staff during a crisis situation with a pupil. Why am I the best person to be doing this?

- Debrief sessions after a crisis with the pupil(s) involved, reflecting on how crisis was managed by all involved and identifying any points for review or learning.
- Debrief sessions for all staff to share experiences, concerns and access support from each other, led by a member of the SLT.

11.0 - Behaviour Management Plans

11.1 - Risk management is regarded as an integral part of behaviour management planning. All pupils who have been identified as presenting a risk should have a Use of Reasonable Force Plan, with identified de-escalation strategies to be used before a physical intervention is considered. The plan details any strategies which have been found to be effective for that individual, along with any particular responses which are not recommended. If particular physical techniques have been found to be effective they should be named, along with alerts to any which have proved ineffective or which caused problems in the past. Use of Reasonable Force Plans should be considered alongside the Educational Health Care Plan and any other planning documents which relate to the pupil. They should take account of age, gender, level of physical, emotional and intellectual development, special need and social context. Use of Reasonable Force Plans should result from multi-professional collaboration and be included in any Pastoral Support Plan, Individual Education Plan and/or Parenting Contract or Order.

12.0 - Responding to Unforeseen Emergencies

12.1 - Even the best planning systems cannot cover every eventuality and it is recognised that there are unforeseen or emergency situations in which staff have to make a dynamic risk assessment. The key principals are that any physical intervention should be:

- In the best interest of the child;
- Reasonable and proportionate;
- Intended to reduce risk

Where possible, staff should always attempt to use diversion or diffusion in preference to physical interventions.

13.0 - The Post Incident Support Structure for Pupils and Staff

13.1 - Following a serious incident NET Academies offer support for all involved. (Parents/Carers will be contacted immediately)

13.2 - Individuals should take time to recover from a serious incident. Until the incident has subsided the only priority is to reduce risk and calm the situation down. Staff should avoid saying or doing anything which could inflame the situation during the recovery phase. Immediate action should be taken to ensure medical help is sought if there are any injuries which require more than basic first aid. All injuries should be reported and recorded using the school's internal systems. It is important to note that injury in itself is not evidence of malpractice. Time needs to be allocated to follow up incidents so that pupils have an opportunity to express their feelings, suggest alternative courses of action for the future and appreciate other people's perspective.

14.0 - Complaints

14.1 - It is not uncommon for pupils to make allegations of inappropriate or excessive use of force following an incident. Schools have a formal Complaints Procedure which pupils/parent(s) should be reminded of with the procedure and encouraged to use the appropriate channels. If an allegation is made against a teacher the quick resolution should be a priority to the benefit of all concerned. At any stage of consideration or investigation, all unnecessary delays should be eradicated. Advice should be sought from the Local Authority Designated Officer (LADO) regarding allegations against staff.

15.0 - Recording

15.1 - A serious incident must be recorded using approved forms. The serious incident book is kept in the office and the incident sheets are kept in folders in the Head of School's office. All staff involved in an incident should contribute to the record which should be completed within 24 hours. Staff should:

- Read through the school recording form carefully;
- Take time to think about what actually happened and try to explain it clearly;
- Complete all names in full
- Sign and date all forms

15.2 - Records will be retained and cannot be altered, but may be added to after the 24 hour period. They may be kept for many years and could form part of an investigation at some time in the future.

15.3 - Serious incident reports should not be completed until the individuals concerned have recovered from the immediate effects of the incident. They should not be rushed. A record is written into the Incident Book. This refers to supporting sheets and other relevant information.

16.0 - Monitoring and Evaluation

16.1 - The Head of School should ensure that each incident is reviewed and instigate further action as required. The school incident log is open to external monitoring and evaluation.

17.0 - Follow Up

17.1 - Following an incident, consideration may be given to conducting a further risk assessment, reviewing the Behaviour Management plan, Behaviour policy or this Use of Reasonable Force Protocol. Staff and pupil(s) will have a de-brief session to see how this can be avoided in the future) Any further action in relation to a member of staff, or an individual pupil, will follow the appropriate procedures. (See staff and pupil disciplinary policy)

18.0 - Other Relevant Policies

18.1 - This protocol should be read in conjunction with:

- Behaviour and Anti-bullying Policy;

- Health and Safety Policy;
- School Safeguarding Policy and Procedures
- Staff Handbook

Appendix 1

Use of Reasonable Force Incident Overview Sheet

Term	Date	Name of Pupil	Class	Name of Staff member/s

Appendix 2

Risk Assessment checklist

Guidance for assessing and managing foreseeable risks for children who present challenging behaviours

Name of child:

Class/Year group :

Name of teacher:

School:

Identification of Risk	
Describe the foreseeable risk/pupil triggers	
Is the risk potential or actual?	
List who is affected by the risk	
Assessment of Risk	
In which situations does the risk usually occur?	
How likely is it that the risk will arise?	
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:

Signed:

Date:

Appendix 3

Use of Reasonable Force Plan checklist

Name:	
Class / Year:	
Positives (what they are good at and what they like):	
Triggers (common situations which have led to problems in the past):	
Modifications to the environment or routines (what can we do to prevent problems arising?)	
Preferred de-escalation strategies (what tends to calm things down?) Please tick:	
Verbal advice and support	Distraction
Planned ignoring	Reassurance
Contingent touch	CALM script
CALM body language	Giving time out
Withdrawal offered	Withdrawal directed
Flexible negotiation	Involve new person
Choices offered	Limits set
Humour	Reminders of success
Level of risk presented on scale from 1–10 (1 being low level of risk and 10 being high level of risk):	
Preferred physical techniques (combination of least intrusive and most effective) Please include description of what works for this child.	
Follow up (where, when and how to debrief and repair after an incident):	
Notification (who have these plans and strategies been shared with?) Please tick:	
Parents / Carers	Placing authority
Social Worker	Educational Psychologist
Outreach workers	Key staff
Child views (has this been discussed with the pupil? If so, views ...):	
Names:	Signatures:
Date:	Review date:

Appendix 4

Evaluation of Behaviour Management Plan and school risk management strategy		
Measures set out	Effectiveness in supporting the child	Impact on risk
Proactive interventions to prevent risk		
Early interventions to manage risks		
Reactive interventions to respond to adverse outcomes		
Actions for the future		

Plans and strategies evaluated by:

Relationship to child:

Date: