



Northbrook Primary School Use of Reasonable Force Policy



Adopted by Governors

Last Review Date: March 2018

Next review: Spring 2019

Person Responsible: Headteacher



NORTHBROOK PRIMARY SCHOOL

USE OF REASONABLE FORCE POLICY

'Navigating a route to success'

April 2018

At Northbrook Primary School we strive to create an environment in which both children and adults feel happy, safe, secure and valued. We aim to ensure a whole school approach to behaviour is known and understood by all staff, children, parents and outside agencies (see Behaviour Policy). The use of force upon any pupil by a member of staff is a serious matter, and should only be considered as a last resort. However, the law is clear and the Governing Body has a responsibility to all concerned, to support any member of staff who as a last resort uses reasonable force in accordance with the law, and with this 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.

All staff have a duty of care to take the action needed to keep pupils, staff and visitors safe. Every effort will be made to ensure that all staff in this school:

- 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
- are provided with appropriate training to deal with these difficult situations.

In fulfilling our duties, we recognise that there are occasions when the use of reasonable force/intervention to control or restrain pupils is necessary.

What is the Policy for?

The health, safety and well-being of all pupils in our school is of paramount importance to all who work within them.



The policy aims:

- To provide clarification on the use of reasonable force in our school;
- To enable staff to feel more informed and confident about the use of reasonable force when they believe it to be necessary;
- To make clear the responsibilities of the head teacher, senior staff and governing body in respect of this power.

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 they understand and follow the School's Behaviour Policy.

This policy has been compiled in response to the following legislation:

- Education and Inspections Act 2006 – Section 93
- Use of Reasonable Force – DfE Non-statutory Guidance July 2013
- DfE Keeping Children Safe in Education September 2016.

This policy should be read in conjunction with:

- Child Protection Policy / Safeguarding Policy
- Behaviour Policy
- Equalities Policy
- Health and Safety policy



What the law says

- Section 93 of the Education and Inspections Act 2006 enables all school staff to use such force as is reasonable in the circumstances to prevent a pupil from doing or continuing to do any of the following:
- Committing a criminal offence
- Causing personal injury to themselves or another
- Causing damage to property belonging to them or another, including the school
- Any behaviour prejudicing the maintenance of good order and discipline in the school.

Who is the Policy for?

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 Northbrook Primary School to explain the school's arrangements for use of reasonable force.

Policy Standards

1. What is reasonable force?

1.1. 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.

1.2. 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.

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

1.4. Reasonable force can take several forms:

- Physically interposing between pupils
- Blocking a pupil's path
- Holding
- Leading a pupil by the arm
- Shepherding a pupil away by placing a hand in the centre of the back
- In more extreme circumstances, using restrictive holds

1.5. 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.



2. Who can use reasonable force?

2.1 All members of school staff have a legal power to use reasonable force and lawful use of the power will provide a defence to any related criminal prosecution or other legal action.

2.2 This power applies to any member of staff at the school. It can also apply to people whom the headteacher has temporarily put in charge of pupils such as unpaid volunteers or parents accompanying students on a school organised visit.

2.3 All staff have a duty of care to take the action needed to keep pupils, staff and visitors safe.

2.4 Suspension should not be an automatic response when a member of staff has been accused of using excessive force.

2.5 Senior school leaders should support their staff when they use this power.

2.6 If the situation cannot be dealt with by staff, the police should be contacted.

For further information, please see the Appendix

3. When can reasonable force be used?

3.1. Reasonable force can be used to prevent pupils from hurting themselves or others, from damaging property, or from causing disorder.

3.2. In all cases, the minimum amount of force required should be used.

3.3. 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.

4. Schools can use reasonable force to:

4.1. Remove disruptive children from the classroom where they have refused to follow an instruction to do so;

4.2. Prevent a pupil behaving in a way that disrupts a school event or a school trip or visit;

4.3. 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;



4.4. Prevent a pupil from attacking a member of staff or another pupil, or to stop a fight in the playground; and

4.5. Restrain a pupil at risk of harming themselves through physical outbursts.

4.6 As a general rule staff should only use force when:

- The potential consequences of not intervening are sufficiently serious to justify it
- The chance of achieving the desired outcome by other non-physical means are low
- And the risk associated with not using force outweighs the risk of using it

4.7 Staff do not require parental consent to apply reasonable force on a pupil.

5. Schools cannot:

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

6. Using Force

6.1 Before using force, staff should where practicable - tell the pupil to stop misbehaving.

6.2 Care should be taken to avoid giving the impression that the member of staff is angry or frustrated, or are acting to punish the child.

6.3 It should be made clear with calm language that as soon as the need for force ceases, it will stop.

6.4 Appropriate use of force will range from physical passive presence in between pupils, to blocking a pupil's path, ushering them by placing a hand in the centre of the back, leading them by the hand or arm, to in more extreme circumstances using appropriate restraining holds.

6.5 Particular attention will be given to individuals' needs which arise from statements of SEN or disability.

6.6 Whilst it is highly desirable that staff should avoid acting in any way which might reasonably be expected to cause an injury, in truly exceptional circumstances it is recognised that it may not always be possible to avoid. Any such injury caused will be properly investigated by the school and will require justification.



7. Power to search pupils without consent

In addition to the general power to use reasonable force described above, the headteacher and authorised staff can use such force as is reasonable given the circumstances to conduct a search for the following “prohibited items”:

- knives and weapons
- alcohol
- illegal drugs
- stolen items
- tobacco and cigarette papers
- fireworks
- pornographic images
- any article that has been or is likely to be used to commit an offence, cause personal injury or damage to property.

Force cannot be used to search for items banned under the school rules.

8. Pupils with Special Educational Needs and Disabilities

8.1 Staff must always be aware of the reasonable adjustments that need to be made for pupils with Special Educational Needs and/or needs related to other Disabilities. Where this is necessary, the Inclusion Leader/ SENCO will support the staff to identify the adjustments required.

8.2 The Inclusion Leader/ SENCO will complete individual risk assessments and handling plans where it is known that reasonable force is more likely to be necessary to restrain an individual pupil where their need is associated with extreme behaviour, or their impairment leads to making them less responsive to communication.

8.3 Parents and carers will be kept fully informed and included as part of the decision making process.

9. Risk Assessments

If we become aware that a pupil is likely to behave in a disruptive way that may require the use of reasonable force, we will plan how to respond if the situation arises. Such planning will address:

- Strategies to be used prior to intervention
- Ways of avoiding ‘triggers’ if these are known
- Involvement of parents to ensure that they are clear about the specific action the school might need to take
- Briefing of staff to ensure they know exactly what action they should be taking (this may identify a need for training or guidance)



- Identification of additional support that can be summoned if appropriate
- The school's duty of care to all pupils and staff

10. Recording, Reporting and Monitoring

10.1 The purpose of recording is to ensure that policy guidelines are followed, to inform parents/carers, to inform future planning as part of school improvement processes, to prevent misunderstanding or misinterpretation of the incident and to provide a record for any future inquiry.

10.2 After incidents in which physical intervention is used, staff should report and record the matter in accordance with school procedures. A record will be kept of each significant incident of the use of force to control and restrain using the school's "CPOMS" system. Staff should choose the 'Reasonable Force' category when adding an incident to CPOMS and attach the form in Appendix 1.

10.3 All incidents requiring the use of physical intervention should be thoroughly and systematically documented within school records such as logs or incident books.

10.4 Whether or not an incident is significant will be a matter for the School to decide on a case by case basis.

Decisions will include the following considerations:

- The pupil's behaviour and the level of risk presented at the time
- The degree of force used and whether it was proportionate in relation to the behaviour, together with the effect on the pupil or member of staff
- The effect on the pupil or member of staff
- The child's age

10.5 Post-incident support

- If injuries result from the application of reasonable force, medical help should be sought straight away. It is also important to ensure that staff and pupils are given emotional support
- As soon as possible after the incident parents / carers should be informed and provided with a copy of this policy. If necessary details of the incident will be confirmed in writing
- When assessing the incident, consideration may be given to involving multi-agency partners to offer support or advice
- Where a pupil is responsible for injury to another, as well as holding him/her to account and issuing appropriate sanction, the pupil will be given the opportunity to repair the relationships with pupils and staff affected by the incident. The pupil will be offered appropriate support to help develop strategies for avoiding such crisis points in future.



10.6 Use of physical intervention in school should be monitored in order to help staff learn from experience, promote the well-being of children and their care, and provide a basis for appropriate support.

10.7 Monitoring information should be reported on a regular basis to school governors.

For further information, please see the Appendix.

11. Informing Parents/ Carers

11.1 Schools do not require parental consent to use force on a pupil.

11.2 Parents/ Carers will be informed on the same day of an incident.

For further information, please see the Appendix.

12. Staff training

Physical restraint is an available option, only to be used when other means of dealing with the situation have failed. Staff are made aware of this policy and have training on Child Protection and Safeguarding that will ensure they are aware of their duties and the law. The headteacher should consider whether members of staff require any additional training to enable them to carry out their responsibilities and should consider the needs of the pupils when doing so. Where possible there will be staff on the premises that have specific training in physical restraint ("Team Teach" training).

For further information, please see the Appendix

13. Managing complaints

13.1. All complaints about the use of force should be thoroughly, speedily and appropriately investigated.

13.2. In the event of a complaint being received by school in relation to use of force by staff, the matter will be dealt with in accordance with agreed procedures for handling allegations against members of staff. Also school will follow the guidance set out in Section Eight of the Use of Reasonable Force: Advice for head teachers, staff and governing bodies DfE Ref: DFE-00341-2014

13.3. Suspension must not be an automatic response when a member of staff has been accused of using excessive force.



14. Physical contact with pupils other than reasonable force

14.1. It is not illegal to touch a pupil. There are occasions when physical contact, other than reasonable force, with a pupil is proper and necessary.

14.2. Examples of where touching a pupil might be proper or necessary:

- Holding the hand of the child at the front/back of the line when going to assembly or when walking together around the school;
- When comforting a distressed pupil;
- When a pupil is being congratulated or praised;
- To demonstrate how to use a musical instrument;
- To demonstrate exercises or techniques during PE lessons or sports coaching;
- To give first aid.

Appendix 1

Record of Incident

Name of child		Class	
Date			
Place of Incident		Time of Incident	

Names of staff Involved	
Names of Witnesses	

REASONS FOR INTERVENTION

Immediate danger of personal injury to self		Immediate danger of personal injury to others							
Disruption to other pupils		Fighting		Assault		Verbal Threats		Accidental	
Immediate risk of serious damage to property		To prevent /interrupt absconding				Off Site		Within grounds	

<p>Details of Incident</p>

De-escalation Techniques Used							
Verbal Advice & Support		Humour		Distraction		Remained in Class	
Reassurance		Options offered		Step away		Nurture Room	
Calm Talking		Time out Offered		Time out Directed		Returned to class	
Non-threatening Body Language		Other (Please specify)					



Section B (To be completed if physical controls were used)

Forms of Physical Control as taught by Team teach			
Held by 2 or more		Friendly hold	Figure of four hold
Holding only		Single elbow	Wrap for smaller children
Guiding Escort		Double elbow	Shield
Taken to the floor-sitting/ kneeling		Inside double elbow	Approximation duration of physical control

Medical Intervention (Where appropriate)				Injury Suffered By the child	Yes		No	
Child Checked by				Treatment Required	Yes		No	
Referred to First aider	Yes		No	Specify				
Referred to GP	Yes		No					
Referred to hospital	Yes		No					
Parent/Carer informed								
Accident / Incident form completed								

Medical Intervention (where appropriate)				Injury Suffered by Staff	Yes		No	
Staff Checked by				Treatment required	Yes		No	
Referred to first aider	Yes		No	Specify				
Referred to GP	Yes		No					
Referred to hospital	Yes		No					
Accident/ Incident form completed								

Damage to property	Yes		No	

Section C Action Taken

Follow Up Talk		Pastoral Plan		Review Meeting	
Complete Missed Work		Refer to Police		Exclusion	
Returned to Class		Letter to Parent / Carer		Other (Specify)	

Signed : _____ Date : _____

Attach to CPOMS



Appendix 2

FREQUENTLY ASKED QUESTIONS

The following FAQ's have been taken from the 2013 Department for Education document "[Use of Reasonable Force – Advice for Headteachers, Staff and Governing Bodies.](#)"

Q: I'm worried that if I use force a pupil or parent could make a complaint against me. Am I protected?

Yes, if you have acted lawfully. If the force used is reasonable all staff will have a robust defence against any accusations.

Q: How do I know whether using a physical intervention is 'reasonable'?

The decision on whether to physically intervene is down to the professional judgement of the teacher concerned. Whether the force used is reasonable will always depend on the particular circumstances of the case. The use of force is reasonable if it is proportionate to the consequences it is intended to prevent. This means the degree of force used should be no more than is needed to achieve the desired result. School staff should expect the full backing of their senior leadership team when they have used force.

Q: What about school trips?

The power may be used where the member of staff is lawfully in charge of the pupils, and this includes while on school trips.

Q: Can force be used on pupils with SEN or disabilities?

Yes, but the judgement on whether to use force should not only depend on the circumstances of the case but also on information and understanding of the needs of the pupil concerned.

Q: Are there any circumstances in which a teacher can use physical force to punish a pupil?

No. It is always unlawful to use force as a punishment. This is because it would fall within the definition of corporal punishment, which is illegal.



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2018