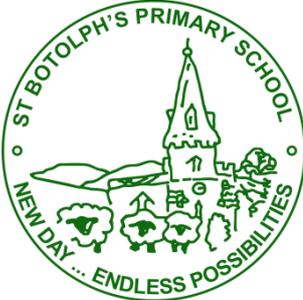


Policy:	<b>Use of Force Policy</b> Sept 2016	
Status:	Non-statutory	
Review Date:	3 yearly– Sept 2019	

In schools force is generally used for two different purposes – **to control pupils and 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.

### **Minimising the need to use force**

The power to use force helps ensure pupil and school safety.

Because the use of force should only be a last resort, our school minimises the possibility of force being needed by creating a calm, orderly and supportive school climate that lessens the risk and threat of violence of any kind.

### **Staff authorised to use force**

The staff to which this power applies are:

- any member of staff at the school
- any other adult whom the head 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)

The power to use force may be used where the pupil (including a pupil from another school) is on the school premises or elsewhere in the lawful control or charge of the staff member (for example on a school visit).

**All school staff members have a legal power to use reasonable force** to prevent pupils committing a criminal offence, injuring themselves or others or damaging property, and to maintain good order and discipline.

Members of staff should not put themselves at risk. An individual would not be seen to be failing in their duty of care by not using force to prevent injury, if doing so threatened their own safety.

### **Deciding whether to use force**

Section 93 of the *Education and Inspections Act 2006* enables school staff to use **reasonable force** to prevent a pupil from:

- committing a criminal offence (or, for a pupil under the age of criminal responsibility, what would be an offence for an older pupil);
- causing personal injury or damage to property; or

- prejudicing the maintenance of good order and discipline at the school or among any pupils receiving education at the school, whether during a teaching session or otherwise.

**There is no statutory definition of ‘reasonable force’.** Whether the force used is reasonable will always depend on the circumstances of individual cases. Deciding on whether the use of force is justified will depend in part upon the context in which the misbehaviour takes place. The force used must be proportionate to the consequences it is intended to prevent. The degree of force used should be the minimum needed to achieve the desired result. Use of force could not be justified to prevent trivial misbehaviour.

Some examples of situations where reasonable force might be used are:

- to prevent a pupil from attacking a member of staff, or another pupil, or to stop a fight between two or more pupils;
- to prevent a pupil causing deliberate damage to property;
- to prevent a pupil causing injury or damage by accident, by rough play, or by misuse of dangerous materials or object;
- to ensure that a pupil leaves a classroom where the pupil persistently refuses to follow an instruction to do so;
- to prevent a pupil behaving in a way that seriously disrupts a lesson; or
- to prevent a pupil behaving in a way that seriously disrupts a school sporting event or school visit.

The judgement on whether to use force and what force to use should always depend on the circumstances of each case and – crucially in the case of **pupils with SEN or disabilities** – information about the individual concerned.

We make **individual risk assessments** where it is known that force is more likely to be necessary to restrain a particular pupil, such as a pupil whose SEN and/or disability is associated with extreme behaviour (*see Appendix A- FORM PH1 – A&B*).

A Positive Handling Support & Intervention plan is then drawn-up based on specific needs and in response to the risks identified (*see Appendix B – FORM PH2*).

### **Staff training**

All staff that come in to daily contact with the pupils are trained in the use of reasonable force. Staff attend the accredited **Positive Handling training (Team Teach)**.

### **Recording and Reporting significant incidents**

Procedures are in place for **recording** and **reporting** to parents, *significant* incidents where a member of staff has used force on a pupil.

In determining whether incidents are significant, we would consider:

- 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.
- The effect on the pupil or member of staff.

The staff member who used force would complete an ‘Incident report form involving restrictive physical intervention’. This form would then be passed on to the Headteacher who would inform the parent/s (with parental responsibility). Parents would not be given a copy of the incident record as a matter of course, but would 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 (*see Appendix C- Incident Record Form PH3*).

**Post-incident support** (for both staff and pupils)

Following an incident in which restrictive physical interventions are employed, both staff and pupils are given separate opportunities to talk about what happened, when ready, in a calm and safe environment. This opportunity is designed to discover the cause and effect on those involved, not to apportion blame/punish. If any injury or severe distress was caused to either party, this would be given immediate medical attention and recorded accordingly.

**Complaints and allegations**

Should a complaint or allegation arise, this would be handled as stated in the associated policies:

- Safeguarding
- Complaints
- Grievances
- Whistle-blowing
- Exclusion

**Monitoring and review**

It is a statutory responsibility of the governing body to ensure that a procedure is in place, and is followed by staff.

Any significant incidents would be reported on and recorded termly at Full Governing Body meetings.

This policy will be reviewed in line with the policy review cycle.