



USE OF REASONABLE FORCE POLICY

DIOCESE OF WESTMINSTER



LOCAL EDUCATION AUTHORITY
HACKNEY LEARNING TRUST

In order to maintain the safety and welfare of our pupils, it may sometimes be necessary to use reasonable force on a pupil, as permitted by law. This is only to be used when all possible options for giving the child time/space to regain self-control have been exhausted.

The Governing Body have taken account of advice provided by the DfE – Use of reasonable force: advice for head teachers, staff and governing bodies and the school's public sector equality duty set out in section 149 of the Equality Act 2010. We have also adopted the Hackney Learning Trust Policy on Positive Handling. Please always refer to this more detailed guidance if needed.

Force is generally used for two different purposes, either to control pupils or to restrain them.

Control can mean either passive contact (standing between two pupils or blocking a pupil's path) or active physical contact (leading a pupil by the hand or arm, ushering a pupil away by placing a hand in the centre of the back).

All members of school staff have a legal power to use reasonable force. This power also applies to people whom the Head teacher has temporarily put in charge of pupils such as unpaid volunteers or parents accompanying pupils on a school organised visit.

Any use of force by staff will be reasonable, lawful and proportionate to the circumstances of the incident and the seriousness of the behaviour (or the consequences it is intended to prevent). Reasonable force will be used only when immediately necessary and for the minimum time necessary to achieve the desired result and in order to prevent a pupil from doing or continuing to do any of the following:

- committing a criminal offence
- injuring themselves or others
- causing damage to property, including their own
- engaging in any behaviour prejudicial to good order and discipline at the school or among any of its pupils, whether that behaviour occurs in a classroom or elsewhere.

Force will **never** be used as a punishment.

Whether it is reasonable to use force and to what degree, also depends on the age and understanding of the pupil and whether they have Special Educational Needs or disabilities (SEND). Medical advice will always be sought about the safest way to hold pupils with specific health needs and SEND.

ACTION AS A RESULT OF SELF-DEFENCE OR IN AN EMERGENCY

All staff including teaching assistants, lunchtime supervisors, admin staff and the site management have the right to defend themselves from attack, providing they do not use a disproportionate degree of force to do so. Similarly in an emergency, if for example, a pupil was at immediate risk of injury or at the point of inflicting injury on someone else, any member of staff is entitled to intervene. A volunteer helping in school would not be expected to work with a child who is known to need physical restraint as indicated in their Behaviour Management Plan.

CIRCUMSTANCES IN WHICH REASONABLE FORCE MIGHT BE USED

Circumstances in which reasonable force might be used include the following:

- Pupils found fighting will be physically separated.
- Pupils who refuse to leave a room when instructed to do so may be physically removed.
- Pupils who behave in a way which disrupts a school event or a school trip or visit may be physically removed from the situation.
- Restraint may be used to prevent a pupil leaving a classroom where allowing him or her to do so would risk their safety or lead to disruptive behaviour. This may also include leading a pupil by the arm out of a classroom.
- Pupils at risk of harming themselves or others through physical outbursts will be physically restrained.
- In order to prevent a pupil from attacking a member of staff or another pupil
- To prevent a pupil causing injury or damage by accident, by rough play, or by misuse of dangerous materials or an object

RECORDING AN INCIDENT

A contemporaneous record (i.e. written as soon as possible and no longer than 2 hours after the incident's occurrence) should be made by the staff member involved in the incident and a copy given to a senior member of staff and parent/carer.

Similarly, contemporaneous notes will also be made by all other members of staff involved (i.e. as witnesses or additional providers of support). The notes will be sealed and dated.

The record will contain the following information:

1. the name(s) and the job title(s) of the member(s) of staff who used reasonable force;
2. the name(s) of the child(ren) involved;
3. when and where the incident took place;
4. names of staff and child(ren) who witnessed the incident
5. the reason that force was necessary;
6. behaviour of the child(ren) which led up to the incident;
7. any attempts to resolve the situation;
8. the degree of force used;
9. how it was applied;
10. how long it was used for;
11. the child's/children's response and the eventual outcome;
12. details of any injuries suffered by either staff or child(ren);
13. details of any damage to property;
14. details of any medical treatment required (an accident form will be completed where medical treatment is needed);
15. details of follow-up including contact with the parents/carers of the child(ren) involved;
16. details of follow up involvement of other agencies, police, social services.

Child witnesses may also be asked to provide a written account if appropriate. A copy of this entry will be kept on the child's file and retained in line with The Hackney Learning Trust guidelines.

DEBRIEFING ARRANGEMENTS

The child/young person and the member of staff will be checked for any sign of injury after an incident. First aid will be administered to anyone who requires it, or medical treatment obtained. The child or young person will be given time to become calm while staff continue to supervise him/her. When the child regains complete composure, a senior member of staff (or his/her nominee) will discuss the incident with the child and try to ascertain the reason for its occurrence.

The child will be given the opportunity to explain things from his/her point of view. All necessary steps will be taken to re-establish the relationship between the child and the member(s) of staff involved in the incident.

In cases where it is not possible to speak to the pupil on the same day as the incident occurred, the debrief will take place as soon as possible after the child returns to school.

All members of staff involved should be allowed a period of debrief and recovery from the incident. A senior member of staff (or his/her nominee) will provide support to member(s) of staff involved.

The Head teacher will be informed at the earliest possible opportunity of any incidents where positive handling was used. The Head teacher (or his/her nominee) will initiate the recording process if not already under way and review each incident to ensure that any necessary lessons are learned.

All parents will be informed after an incident where positive handling is used with a child. Parents will need to be notified sensitively and to be made aware of the full circumstances.

Agreed By Governors: 25th January 2016

Presented to staff: January 2016

Signed by Chair of Head teacher _____ Date _____

Signed by Chair of Governors _____ Date _____

Review date: Spring 2018