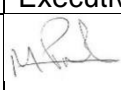


Use of Reasonable Force Policy

Date approved	July 2022	Approved by	Executive Headteacher
Review cycle	1 year	Signature	
Date for review	July 2023	Author	Emmet Bunting

Introduction

At Kingsmead and Newton's Walk (the school) we strive to create an environment in which both pupils and adults feel happy, safe, secure and valued. We aim to ensure a whole school approach to behaviour known and understood by all staff, children, parents and outside agencies. We regard physical interventions as just one part of a wider approach to the positive management of pupil behaviour and safety. 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 once all other de-escalation strategies have been exhausted. 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 within this (and related) policy/ies.

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 expectations and strategies 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.

Leaders will endeavour 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.

This policy is drawn from advice contained in the 2013 Department for Education document - [Use of Reasonable Force – Advice for Headteachers, Staff and Governing Bodies](#).

The school subscribes to teachings and methodologies of TeamTeach – the TeamTeach principles are also used to guide the school's policy and practice. (<https://www.teamteach.co.uk/>)

Aims of this Policy

- To provide clarification on the use of reasonable force in school;
- To maintain focus on de-escalation as a primary tool to positively intervene with heightened behaviour
- To enable staff to feel informed and confident about the use of reasonable force when they believe it to be necessary;
- To make clear the responsibilities of all staff and the Governing Body in respect of this power and responsibility;

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 follows the School's Behaviour Policy.

Key Points Regarding Reasonable Force

- School staff have a power to use reasonable force and lawful use of the power will provide a defence to any related criminal prosecution or other legal action that may arise from doing so.
- Suspension should not be an automatic response when a member of staff has been accused of using excessive force. However, in some cases this may be appropriate to protect staff/pupils and/or prevent further escalation. *(NB. In the context of suspension) itself is not a presumption of 'guilt' or culpability*
- Senior school leaders should support their staff when they use this power provided that this is consistent with this (and related policies) and the schools values

What is Reasonable Force?

1. The term 'reasonable force' covers the broad range of actions that may be used by teachers/pupil facing colleagues that involves a degree of physical contact with pupils.
2. Force is usually used with the purpose to either to control and/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 held or moved to prevent violence or injury.
3. 'Reasonable in the circumstances' means using no more force than is needed and for no more time than is necessary. This must be rational and proportionate to the circumstances
4. The schools will generally use force to control a dangerous situation.. Control means either passive physical contact, such as standing between pupils or blocking a pupil's path, or active physical contact such as moving or guiding a pupil..
5. Restraint means to hold back physically or to bring a pupil under control using TeamTeach approved holds (where this is reasonably practicable). It is typically used in more extreme circumstances, for example when two pupils are fighting and refuse to separate without physical intervention.
6. 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 accidentally injuring the pupil as part of the intervention process.

Who Can Use Reasonable Force?

- All members of school staff are legally allowed to use reasonable force. However, those colleagues in receipt of higher level TeamTeach training should be called upon in the first instance if this possible/circumstances allow
- This applies to any member of staff at the school. It can also apply to people whom the Executive headteacher/Head of School has temporarily put in charge of pupils such as unpaid volunteers or parents accompanying students on a school organised visit.

When Can Reasonable Force be Used?

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

- Force is general used for two main purposes – to control or restrain pupils or to restrain them.
- 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.
- The following list is not exhaustive but provides some examples of situations where reasonable force can and cannot be used.

Examples where Reasonable Force Might be Used

- to remove disruptive or pupils displaying dangerous or potentially dangerous behaviour from the classroom or from situations that are likely to cause harm and/or distress themselves or others;
- to prevent a pupil behaving in a way that disrupts the school day, a school event or a school trip or visit;
- to prevent a pupil leaving the classroom or engaging in activities where allowing the pupil to do so would risk their safety or lead to behaviour that disrupts the behaviour of others;
- to prevent a pupil from attacking/causing harm to a member of staff, pupil or other member of the school community (this could be to stop a fight);
- to restrain a pupil at risk of harming themselves through physical outbursts.

The school does not condone or support the use force as a punishment – it is always unlawful to use force as a punishment.

Power to Search Pupils Without Consent

Please refer to the ‘Searching and Confiscation Guidelines’

- In addition to the general power to use reasonable force described above, Headteachers 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
 - vapes, 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.

Other Physical Contact with Pupils

It is not illegal to touch a pupil. There are occasions when physical contact, other than reasonable force, with a pupil is appropriate and necessary. Examples of where touching a pupil might be proper or necessary:

- When comforting a distressed pupil;
- When a pupil is being congratulated or praised (e.g. pat on the back);
- To demonstrate how to use a musical instrument;
- To greet pupils (hand shake)
- To demonstrate exercises or techniques during PE lessons or sports coaching; and
- To give first aid.

Before using Force

Before using force or control, staff **must** explore all reasonable and practicable de-escalation techniques. This may include enlisting the help of other trusted adults or professionals and/or parents/carers. Staff should consider their own safety before engaging in the use of a physical intervention. Wherever reasonably practicable, staff should seek the assistance of colleagues before commencing a physical intervention.

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

Appropriate use of force will range from physical passive presence in between pupils, to blocking a pupil's path, guiding, ushering them using the 'caring Cs approach', to in more extreme circumstances using appropriate moves or holds. Particular attention will be given to individuals' needs which arise from SEND and/or mental health needs.

Whilst it is highly desirable that staff should avoid acting in any way which might reasonably be expected to cause an injury, in 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.

Training for Staff

Physical interventions are an available option, only to be used when other means of dealing with the situation have not worked. Staff will be made aware of this policy and have regular opportunities for consultation and training through school meetings so that the focus can be on individual scenarios and real situations. Training on Child Protection, de-escalation, restorative practices and other behaviour training will ensure they are aware of their duties and the law and will support staff in making appropriate professional judgements about the use of reasonable force.

The school use TeamTeach principles and have qualified/licensed practitioners to develop and share good practice. Training priorities reflect the schools' intent around the use of physical interventions i.e. the key focus is on developing understanding of behaviour and building a de-escalation 'tool kit' to avoid to need to intervene with physical intervention techniques.

Recording Incidents

A record will be kept of each significant incident of the use of force to control and restrain and will be recorded as a Physical Intervention on SIMS

A detailed record of the incident must be completed and stored on the child's pupil electronic file. **We have a duty to record and report incidents of physical intervention.**

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.

Parents should be informed of any incident regarding the use of Reasonable Force/Restraint. Following any such incident a full risk assessment should be completed or any existing risk assessment should be reviewed, updated and shared as appropriate.

Colleagues must follow this process to properly and accurately record a physical intervention

Step 1 – Head of School (or appropriate SLT) completes the Physical Intervention Record form (Appendix 1)

Step 2 – Head of School (or appropriate SLT) make contact with parent/carer and records this on the child's communication log on SIMs

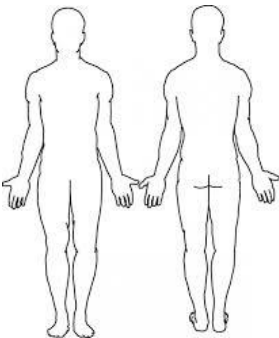
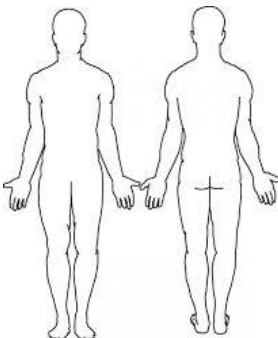
Step 3 – form is passed to school admin

Step 4 – admin place form in the child's PEF (Physical Intervention folder) and complete the tracking and monitoring spread sheet.

Complaints and Allegations

If a complaint is made against a member of staff about the use of force the 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 . Please refer to the School 'Allegations Against Staff' Policy.

Appendix A – Physical Intervention Log

Initial phone call home (add details please)					
Date		Time of day			
Name of child		Class and year group			
Name of adult reporting the incident		Other adult(s) witness to incident			
Other children involved					
Reason for Physical Intervention	ASSAULT		CHILD LIABLE TO INJURY		OTHER CHILD LIABLE TO INJURY
	DAMAGE		STAFF LIABLE TO INJURY		SERIOUS DISRUPTION
	BULLYING		OTHER (SPECIFY) :		
De-escalation techniques used	Verbal advice		Reassurance		Calm talking
	Non – threatening body language		Warning		Distraction
	Clear options				
	Other (specify)				
Was anyone hurt?	YES/NO		Accident form completed YES/NO		
Who	Child		Adult		
Details of injury	<div style="display: flex; justify-content: space-between;"> <div style="text-align: center;"> <p>Adult</p>  </div> <div style="text-align: center;"> <p>Child:</p>  </div> </div>				
First Aid update: (ideally, the child should be checked by a First Aider who has not been involved in the incident)	Name of first aider				
	Outcome for child				
	Signed (child)				
	Signed (first aider)				
Intervention used	Held	How long	With whom		
	Moved	To where:	With whom		
Other staff involved	Name: Role:				
Post incident discussion with Pupil	Time:		Date:	Present:	
	Description of outcomes				
	Pupil signature			Staff signature	
Action taken by Head of School/SLT	Parents informed		Time and date:		
	Outcome from discussion				
	Sign and date				
Involved parties to read, sign and date	Name		Date		
	Name		Date		
	Name		Date		

Please ensure that these are filled in a given to the Head of School (or SLT member if absent) so that follow up phone calls can be made on the same day.

Incident log/SIMs log completed		By whom (sign)	
Date completed			