



Stillness Junior School

Use of Reasonable Force Policy

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| Date of Policy: | January 2017 | Approved By: |
| Renewal Date: | January 2019 | Signed by: <i>Emily Mackenzie:</i> Governors <i>Mitzi Nichol:</i> Headteacher |

1. **Aim**

Through the school's behaviour policy and code of conduct children are clear about what is and what is not acceptable behaviour and the rewards and sanctions that will be applied in different situations. The context of a well ordered and calm environment will mitigate against restraint being necessary. However, if restraint is used governors, staff, pupils, parents and carers need to be clear about who, how and when it should be applied.

2. **Definition of Restraint**

Physical restraint is the positive application of force with the intention of protecting the child from seriously harming himself or others or damaging property.

3. **The Legal Framework**

Section 89 of the Education and Inspections Act 2006 introduces, for the first time, a statutory power for teachers and certain other school staff to discipline pupils. This is further defined in the DES guidance "Use of reasonable force". Advice for headteachers, staff and Governing Bodies. July 2013.

All school staff have the power to use reasonable force to prevent pupils committing an offence, injuring themselves or others, or damaging property, and to maintain good order and discipline in the classroom.

We acknowledge our legal duty to make reasonable adjustments for disabled children and children with SEN.

4. **Introduction**

Before physical restraint is applied all strategies of behaviour modification and diffusion should be attempted.

It should be applied as an act of care and control with the intention of re-establishing verbal control as soon as possible and, at the same time, allowing the pupil to regain self-control. Only minimum and proportional force should be applied.

If restraint does have to be used on a child it will be viewed by the school as serious and all necessary steps will be taken to try to prevent the situation happening again. Parents will always be informed and involved.

5. **Alternative Strategies**

There are some situations in which the need for physical restraint is immediate and where there are no equally effective alternatives (eg if a pupil is about to run across a road). However, in many circumstances there are alternatives eg. use of assertiveness skills such as:

- The broken record in which an instruction is repeated until the pupil complies;
- Use of distracter, such as a loud whistle, to interrupt the behaviour (such as a fight) long enough for other methods of verbal control to be effective;
- Withdrawal of attention (audience) eg if an action such as damage to property is threatened;
- Other techniques designed to defuse the situation, such as the avoidance of confrontation, or use of humour (in these cases the incident can be dealt with later when emotions are no longer running high); and

- The employment of other sanctions consistent with the School's policy on behaviour;
- Remove other children from the situation to allow it to calm down.

6. **When Might It Be Appropriate To Use Reasonable Force?**

Examples of situations that may require restraint are when:

- A pupil attacks a member of staff, or another pupil;
- Pupils fighting;
- A pupil is causing, or at risk of causing, accidental injury or damage, by rough play, or by misuse of dangerous materials, substances or objects;
- A pupil is running in a corridor or on a stairway, in a way in which he/she might have or cause an accident likely to injure her/himself or others;
- A pupil absconding from a class or trying to leave school;
- A pupil persistently refuses to obey an order to leave an area; and
- A pupil behaves in such a way that seriously disrupts a lesson.

Staff are only authorised to use reasonable force in applying physical restraint, although there is no absolute definition of this, as what constitutes reasonable force depends upon the particular situation and the pupil to whom it is being applied. However, as a general rule, only the force necessary to stop or prevent the behaviour should be used, in accordance with the guidelines below.

There are some forms of physical intervention, which may involve minimal physical contact, such as blocking a pupil's path or the staff member physically interposing him or herself between the pupil and another pupil or object. However, in some circumstances, direct physical contact may be necessary.

Occasionally a parent/carer may ask us to hold their child, for example where the child is distressed and does not want to separate from them. We will explain to the parent that we are not able to do this.

In all circumstances other methods should be used if appropriate or effective. Physical restraint should be a last resort.

6.1 Criteria to be applied when judging what is reasonable:

- The circumstances of the particular incident must warrant it
- The degree of force must be in proportion to the circumstance.
- The age, understanding and sex of pupil.

6.2 When Physical Restraint becomes necessary:

Do:

- Tell the pupil what you are doing and why;
- Use the minimum force necessary;
- Involve another member of staff if possible;
- Tell the pupil what s/he must do for you to remove the restraint (this may need frequent repetition);
- Use simple and clear language;

- Hold limbs above a major joint if possible e.g. above the elbow; and
- Relax your restraint in response to the pupil's compliance.

Don't:

- Act in temper;
- Involve yourself in a prolonged verbal exchange with the pupil;
- Attempt to reason with the pupil;
- Involve other pupils in the restraint;
- Touch or hold the pupil in sexual areas;
- Twist or force limbs back against a joint;
- Bend fingers or pull hair;
- Hold the pupil in a way which will restrict blood flow or breathing e.g. around the neck; and
- Slap, punch, kick or trip up the pupil.

In addition, the adult should seek as far as possible, given all the circumstances of the situation to:

- Seek to lower the child's level of arousal during the restraint by offering verbal reassurance and avoiding generating fear of injury in the child;
- Cause the minimum level of restriction of movement of limbs, consistent with the danger of injury;
- Take account of the danger of accidental injury during the restraint by using a suitable method for the environment in which it takes place.

7. Actions After An Incident

Physical restraint often occurs in response to highly charged emotional situations and there is a clear need for debriefing after the incident, both for the staff involved and the pupil. A member of the leadership team should be informed of any incident as soon as possible and will take responsibility for making arrangements for debriefing once the situation has stabilised. An appropriate member of the teaching staff should always be involved in debriefing the pupil involved and any victims of the incident should be offered support, and their parents informed.

If the behaviour is part of an ongoing pattern it may be necessary to address the situation through the development of a behavioural EHCP (Education Health Care Plan), which may include an anger management programme, or other strategies agreed by the SENCO. Advice may be sought from external agencies.

It is also helpful to consider the circumstances precipitating the incident to explore ways in which future incidents can be avoided.

All incidents should be recorded immediately. All sections of this report should be completed so that in the event of any future complaint a full record is available. A member of the leadership team will contact parents as soon as possible after an incident, normally on the same day, to inform them of the actions that were taken and why, and to provide them with an opportunity to discuss it.

8. **Reporting**

All incidents will be reported to a member of the Senior Leadership team as soon as possible.

All incidents will be recorded as soon as possible after the event using the schools incident sheet (Appendix 1, Record of Restraint): the following information will be detailed:

- The name(s) of the pupil(s) involved;
- The name(s) of the adults(s) involved;
- When and where the incident took place;
- Why the use of force was deemed necessary;
- Details of the incident, including all steps taken to diffuse the situation and resolve it without force and the nature of the force used;
- The pupil's response;
- The outcome of the incident;
- A description of any injuries suffered by the pupil or others and/or any property damaged during the incident;
- When and how the parent was contacted; and
- Follow up action

9. **Informing Parents/Carers**

If it is felt by the school that restraint of a child might be necessary in the future, this will be discussed with the parent/carer beforehand. A strategy will be discussed, agreed and recorded.

If restraint has not been predicted but is deemed necessary, parents/carers will be informed by the school as soon after the event as possible. Parents/carers will be asked to come to the school to discuss the incident, why it occurred and to agree action that will prevent reoccurrence. The child will be involved in this meeting as appropriate.

10. **Complaints**

A clear restraint policy, adhered to by all staff and shared with parents, should help to avoid complaints from parents. It is unlikely to prevent all complaints, however, and a dispute about the use of force by a member of staff might lead to an investigation, either under disciplinary procedures or by the Police and Social Services department under Child Protection procedures.

It is our intention to inform all staff, pupils, parents and governors about these procedures and the context in which they apply.

11. **Links with Other Policies**

- Safeguarding Policy (Child Protection)
- Behaviour Policy
- SEN Policy

Stillness Junior School

Record of Restraint

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| Date of incident: | Time of incident: |
| Pupil Name: | Pupil D.o.B |
| Member(s) of staff involved: | |
| Adult witnesses to restraint: | |
| Pupil witnesses to restraint: | |
| Outline of event leading to restraint: | |
| Outline of incident of restraint (including restraint method used): | |
| Description of any injury sustained and any subsequent treatment: | |
| Date /Time Parent/Carer informed of incident: | |
| By Whom Informed: | |
| Outline of Parent/Carer Response: | |
| Signatures of staff completing report: | |
| Brief description of any subsequent inquiry/complaint or action: | |