



THE USE OF REASONABLE FORCE TO CONTROL PUPILS

Chair of Governors:

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The Use of Reasonable Force to Control Pupils

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Care, control and the use of reasonable force: Policy statement

This policy is based on WAG Guidance “Framework for Restrictive Physical Intervention Policy and Practice on the Use of Restrictive Interventions for Pupils with Severe Behavioural Difficulties” (March 2005), and the preceding Legislation within Circular 3/99 and the 1996 Education Act 550A.

At Ysgol Bryn Derw we work to ensure each individual pupil is able to reach his or her potential. Every child is entitled to learn and every member of staff is free to work in an environment that is safe and secure with the minimum possible distraction, given the range of behaviours exhibited by the pupils as identified on their Statement of Special Educational Needs.

Staff of Ysgol Bryn Derw are committed to providing the highest standards in protecting and safeguarding the welfare of children and young people entrusted to its care. We recognise there is a need in line with the 1996 Education Act Section 550A, to intervene when there is an obvious risk of safety to pupils, staff and property.

For the most part this is achieved through the fostering of good relationships, and the normal application of positive behaviour management to support and intervene. However, in exceptional or extreme circumstances this may involve the use of reasonable force or use of the “time out” approach.

It should be emphasised that if used at all, restraint (referred to in this document as positive handling), or “time out” should be seen in the context of a further positive action of care and concern. It is used as a ‘last resort’ option and in the most extreme cases, other strategies will always have been attempted first.

As best practice regarding positive handling this policy should be considered alongside other relevant school policies, specifically those involving behaviour, health and safety and child protection.

What is the legal use of reasonable force to control pupils?

Teachers and other persons authorised by the Headteacher to have charge of pupils, may use reasonable force to prevent pupils:

- causing injury to themselves or others
- committing a criminal offence (including behaving in a way that would be an offence if the pupil were not under the age of criminal responsibility)
- causing serious damage to property
- causing disruption by engaging in behaviour which is seriously prejudicial to good order and discipline – any such behaviours would be identified in an individual pupil's Individual Behaviour Plan.

Reasonable force has no legal definition but:

- staff must be aware of and take into account the circumstances of the incident, age, sex and development of the pupil together with any medical information which may impact upon the child's behaviour
- the degree of force must be proportional to the seriousness of the situation, behaviour or consequences it is intended to prevent, and always be the minimum force needed
- force could not be justified for a trivial misdemeanour or a situation that could be resolved without it. Everyone has the right to self-defence provided they do not use a disproportionate degree of force
- corporal punishment is illegal

Who can use reasonable force?

We recognise that most of the time positive handling will be used infrequently, that is, as a last resort to maintaining a safe environment. Wherever possible children who present with severe challenging behaviour difficulties will be placed with appropriately qualified and experienced staff.

All teachers are by the nature of their roles authorised to use positive handling as appropriate and are responsible for allocating staff to work with individual pupils in their class / teaching group.

Non-teaching staff require specific authorisation. The Headteacher keeps a register of all staff who have an up-to-date Team Teach Certificate.

Circumstances when reasonable force might be appropriate?

We recognise that some children may not be able to control their reaction to events as well as others, and at times may place themselves or others at risk through their uncontrolled behaviour. As indicated in 2.1, reasonable force might be appropriate when:

- Action is necessary in self-defence or because of imminent risk of injury.

Examples:

- Pupil attacks a member of staff, another pupil, a member of the public (when the child is on a school trip)
- Attempts self-injury
- Pupils are fighting
- Pupil has grabbed a member of staff's hair or clothes in an aggressive manner
- Pupil has bitten a member of staff and is unwilling to release their hold
- Pupil running in a corridor in a way that is likely to cause injury to self or others
- Pupil absconds from a class or tries to leave school and who would be judged to be at risk if not kept in the classroom or at school.
- Pupil refuses to move and has consequently placed themselves in a dangerous situation
- There is a serious and developing risk of damage to property, including the pupil's own property.

Examples:

- Pupil is causing, or about to cause, deliberate damage or vandalism
- Pupil is causing or at risk of causing injury or damage by accident, rough play, misuse of dangerous materials or objects
- Where pupil's behaviour is seriously prejudicial to good order and discipline and all other strategies have been exhausted

Examples:

- Pupil persistently refuses to obey an order
- Pupil is behaving in a way that is seriously disrupting a lesson

NB. Wherever possible early support to colleagues will be offered. Single handed intervention increases the risk of injury to both parties and does not provide the person intervening with the support of a colleague acting as a critical friend and can assist in ensuring the safety of the child. The school has help alarm points around the building, and help call buttons in each class.

Strategies other than force will be considered.

Examples

- Providing the disruptive pupil with a choice of locations to exit the situation
- Giving clear directions
- Removing the audience, i.e. requesting that other pupils leave the room, (however in some classes this may result in constant disruption and shouldn't be used if this is the case)
- When working with pupils who are known to bite, it is advised that arms are covered
- When working with pupils who grab hair, it is advised that hair is tied up
- When working with pupils who grab, wear minimal jewellery - see school dress code
- Implementing Team Teach help protocols so that another member of staff takes over the strategic lead of the incident, if he/she feels it is appropriate to do so.

Procedures and practical considerations during specific incidents

Wherever practicable staff are expected to:

- Use a calm and measured approach
- Tell the pupil to stop, remind them of consequences, tell them what will happen if she/he does not stop
- Seek assistance from other colleagues at as early a stage as possible
- Staff who become aware that another member of staff is intervening physically with a pupil have a responsibility to provide a presence, and to offer support and assistance should this be required
- Try to defuse the situation using total communication approaches and prevent escalation
- Try to remove the pupil from the peer audience
- Attempt to communicate with the pupil throughout the incident
- In as calm a manner as possible, explain that the reason for intervention is to keep the pupil and others safe
- Make it clear that positive handling will stop as soon as the pupil calms and the risk assessment indicates it is no longer necessary
- Summon assistance, if it is not possible to control the pupil without risk of injury to yourself or others; remove the other pupils who may be at risk. The use of appropriate help buttons should be considered to request additional support
- Offer help to colleagues who are dealing with a difficult situation

Application of force during specific incidents

Methods that staff may use in appropriate circumstances where a risk assessment judgement supports this:

- Physically interposing themselves between pupils
- Blocking a pupil's path
- Using classroom furniture to restrict movement
- Leading by the arm
- Guiding a pupil away by a light touch on the elbow or near the shoulder
- "Assertive guiding" - remembering this is the positive application of force to control a pupil and would be used in rare circumstances, e.g. if the pupil is in extreme danger and no other alternative is available, or where reasonable force is used to assist a pupil's movement.
- Holding - for security and to reduce anxiety where there is potential risk, even if the pupil is not yet out of control. The purpose is to defuse or prevent escalation.
- When intervening staff should take care that their actions should in no way be capable of being interpreted as aggressive. All holds are devised to minimise the risk of injury. They do not set out to intentionally cause pain to the pupil.

Staff may not carry out actions that might reasonably be expected to injure by:

- Holding a pupil around the neck, or by the collar, or in any other way that might restrict the ability to breathe
- Slapping, punching or kicking a pupil
- Twisting or forcing limbs against a joint
- Tripping a pupil
- Holding or pulling the pupil by the hair

Other considerations for non-urgent situations where the risk to people or property is not imminent:

- Consider carefully whether positive handling is the right course of action
- Try to deal with the situation through other appropriate strategies before using force
- Try to defuse and calm the situation to establish good order, the use of positive handling could lead to an escalation of the problem
- Take into account the age, understanding, personal characteristics of the pupil
- The use of positive handling to enforce compliance is likely to be increasingly inappropriate with older pupils
- Never use force as a substitute for good behaviour management
- In non-urgent situations force should only be used when all other methods have failed

Reporting and recording incidents

Should an injury occur as a result of an incident at school, immediate steps will be taken to secure appropriate medical attention. This will be reported and recorded in accordance with LA policy.

All incidents that result in restraint (where a child has to be held) will be recorded in detail using the school recording system.

Debriefing following serious incident

Pupils and members of staff will be checked for any sign of injury and first aid will be administered if required

The pupil will be given time to become calm while staff continue to supervise him/her. When the pupil regains complete composure, if appropriate a senior member of staff will discuss the incident with the pupil and try to ascertain the reason for it. The pupil 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 pupil 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 the debrief will occur as soon as possible after the pupil returns to school.

All members of staff involved will be allowed a period to debrief and recover from the incident. This may involve access to external support. The Head Teacher within Ysgol Bryn Derw plays a pivotal role in the support of staff especially after an incident involving challenging behaviour when staff stress levels may be high. Opportunities will be provided for staff to speak with either the Head Teacher or a senior member of staff to provide support to the member of staff involved.

Other procedures concerning incidents

If necessary and appropriate the Chair of Governors, LEA representative and Designated Safeguarding Person will be informed / consulted.

Help, support and reassurance will be given where appropriate to those involved.

Where possible an attempt will be made to help the pupil modify their behaviour.

Where possible, the pupil should apologise, this should be meaningful and appropriate. If this cannot be undertaken, then other consequences/sanctions reparations and monitoring should be considered.

If required procedures for the involvement of outside agencies should be formalised and documented and all staff made aware of these.

Planning for incidents and meeting training needs

If we are aware that a pupil is likely to require positive handling on more than one occasion in a term we will plan how to respond in line with Team Teach protocols and guidance. This will include involving the parents to ensure they are clear about what specific action we might need to take and obtaining medical advice if the pupil with the Individual Behaviour Plan has any specific health needs. A risk assessment will be drawn up, in consultation with all concerned and included as part of the Individual Behaviour Plan (IBP). It will be regularly reviewed.

Staff involved will, through risk assessment, have identified their training needs in this area. In cases where it is known that a pupil will require positive handling appropriate training will be provided.

Arrangements for informing parents

Involvement of parents in as many aspects of education as possible is seen as essential by staff at Ysgol Bryn Derw. However, it is particularly important to involve parents in a positive approach to behaviour management in order to encourage consistency of approach between home and school settings.

Ysgol Bryn Derw will develop its behaviour plans and approaches in partnership with parents and other agencies, and, all parents/carers will be sent a letter outlining its introduction and a copy of the plan.

Ysgol Bryn Derw works closely with the local social services, Health professionals and the Educational Psychology Service.

All parents will be informed after an incident where positive handling is used with a pupil which is in excess of what has been agreed in the positive handling plan.

Physical contact with pupils in other circumstances

Staff must be sensitive to matters relating to culture and gender issues and any known individual characteristics or special circumstances relating to pupils.

Some physical contact will be necessary e.g. during P.E. lessons, sports coaching or Design & Technology, or if a member of staff has to administer first aid or medication or physiotherapy.

Young children and children with SEN will need staff to provide physical prompts or help.

Within Ysgol Bryn Derw there may be occasions when staff have to undertake procedures that require intimate care.

Physical contact must always be age appropriate and done openly; e.g. feeding, changing and manual and positive handling.

Complaints

This policy is in accordance with the WAG Guidance March 2005, Circular 3/99 and Education Act 1996 550A; as such, those acting in accordance with it, providing they act in good faith, working within the authority guidelines, will be positively supported in their actions.

Involving parents when an incident occurs, and having our clear policy about physical contact with pupils that staff adhere to will help avoid complaints from parents. Providing staff with approved training will also help.

All complaints will be recorded and followed up by the Headteacher or their representative in the first instance. Where appropriate the Authority will be notified/kept informed.

A complaint or dispute about the use of force by a member of staff might lead to an investigation under disciplinary procedures or by the Police under Child Protection procedures.

Review

This policy will be regularly monitored by the Head and reviewed and updated annually.