



Reasonable Force and Restraint Policy

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Source:	Model Policy
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REASONABLE FORCE AND RESTRAINT POLICY

Aims

- To create a learning environment in which young people and adults feel safe.
- To protect every person in the school community from harm.
- To protect all pupils against any form of physical intervention that is unnecessary, inappropriate, excessive or harmful.
- To put in place guidance for staff so that they are clear about the circumstances in which they might use reasonable force to restrain pupils and how such reasonable force might be applied.

DEFINITION OF REASONABLE FORCE

The Education (NI) Order 1998 (Part II Article 4(1)) states:

'A member of the staff of a grant-aided school may use, in relation to any pupil at the school, such force as is reasonable in the circumstances for the purpose of preventing the pupil from doing (or continuing to do) any of the following, namely:-

- a) committing any offence;*
- b) causing personal injury to, or damage to the property of, any person (including the pupil himself);*
- c) or engaging in any behaviour prejudicial to the maintenance of good order and discipline at the school or among any of its pupils, whether that behaviour occurs during a teaching session or otherwise.'*

Based on this legal framework, our 'working' definition of 'reasonable force' is the minimum force necessary to prevent a pupil from physically harming him/herself or others or seriously damaging property, but used in a manner which attempts to preserve the dignity of all concerned. The use of reasonable force will always depend on the circumstances of the case and staff should take the following into consideration:

- Whether it is reasonable to use force, and the degree of force that could reasonable be employed, given the age, sex, physical strength, size, understanding, medical conditions and any special education needs of the pupil.
- The use of force can be regarded as reasonable only if the circumstances of the particular incident warrant it. The use of any degree of force is unlawful if the particular circumstances do not warrant the use of physical force. Therefore, physical force could not be justified to prevent a pupil from committing a trivial misdemeanour, or in a situation that clearly could be resolved without force.
- The degree of force employed should be in proportion to the circumstances of the incident and the seriousness of the behaviour or the consequences it is intended to prevent. Any force used should always be the minimum needed to diffuse the situation.

When might it be appropriate to use reasonable force?

Reasonable force should be limited to EMERGENCY SITUATIONS and used only as a last resort in situations where:

- A pupil attacks a member of staff, or another pupil;
- Pupils are fighting;
- A pupil is causing, or at risk of causing, injury or damage by accident, by rough play, or by misuse of dangerous materials, substances or objects;
- A pupil attempts to abscond from school (NB this will only apply if a pupil could be at risk if not kept in the classroom or at school and will be applied appropriate to age and individual special educational need – older children without SEN issues who attempt to abscond from premises should be reported to police/EWO and not restrained).

Prevention should be the primary consideration. Steps to avoid these situations should be taken and the adult should be able to demonstrate that those steps were taken. Physical restraint should always be the last resort.

Staff have a responsibility to ensure the safety and welfare of their pupils. They are in a particular position of trust (in loco parentis).

The following should be applied in all cases:

- Staff should delay if at all possible. (However, in some circumstances, e.g. a child running out onto the road, you might be deemed negligible if you do not intervene.)
- An 'on the spot' risk assessment for each occasion that you feel reasonable force or restraint may be necessary should be made.
- Consideration should be given to the environment, the medial circumstances (not quite sure what this means and the clothing nor this
- Action being taken should always be for the good of the child, trying to keep them safe.
- Assure the child that the restraint is not a punishment.
- Never use other children in the restraint.
- Restraint or reasonable force should be witnessed by another responsible adult. Staff should use the red card system to call for another adult if restraint or reasonable force is needed and another adult is not available in the area.
- An immediate account of the incident and the steps taken to prevent and deal with it must be made to the Headteacher. A written report of the incident and action taken should be completed, signed by the person using restraint/reasonable force and the witness and logged with the Headteacher. The incident should be followed up with time for the adult and child to talk about the situation.

Reasonable force might be used:-

- In self defence, where risk of injury is imminent;
- When there is developing risk of injury to the person deemed in need of restraint or others.

Physical intervention in these circumstances may take several forms, e.g.:-

- Physically interposing between pupils;
- Blocking a pupil's path;
- Holding;
- Leading a pupil by the hand or arm;
- Shepherding a pupil away by placing a hand in the centre of the back; or
- (in extreme circumstances) using more restrictive holds.

The law strictly prohibits the use of force, which constitutes the giving of corporal punishment. The use of force as a punishment or to intentionally cause pain, injury or humiliation, such as the examples below, (which are not exhaustive) should not be permitted under any circumstances:

- Holding around the neck;
- Any hold that might restrict breathing;
- Kicking, slapping or punching;
- Forcing limbs against joints;
- Tripping;
- Holding by the hair; and
- Holding the pupil face down on the ground.

Physical intervention may involve staff in:-

- Holding
- Pushing
- Pulling

Staff must always avoid touching or holding a pupil in a way that might be considered indecent.

Where a pupil has caused actual harm or injury, details will need to be recorded in the school accident book.

Roles and Responsibilities

The school should endeavour to ensure that all staff know and understand their roles and responsibilities in relation to the management of pupils. Legislation allows 'members of staff' to use 'reasonable force' and defines a member of staff as 'any teacher who works at the school and any person who, with the authority of the Headteacher, has lawful control or charge of pupils at the school'. The Headteacher will confirm with all staff whether they meet the terms of this definition.

New staff should be given a copy of the policy as part of their induction.

Staff should be made aware of individual pupils who are considered likely to pose serious behavioural problems or violence.

The SENCO should keep staff informed about pupils with special educational needs who may require special attention with regard to their physical management. Staff will consult with the SENCO regarding any concerns that they have about the physical management of pupils with special educational needs.

Record Keeping

All incidents involving the use of reasonable force should be recorded in a detailed, written signed and dated report. (See attached to be kept in 'school forms' section of staff share server). The school should keep an up-to-date record of all such incidents. Such records may be required for future reference. Immediately following any such incident the member of staff concerned should inform the Headteacher of a senior member of staff and provide a written report. Parents/carers should be contacted as soon as possible and the incident explained to them. This action will also be recorded in the incident log.

Staff should keep their own copy of any written report.

Preventative Strategies

All staff in school need to be aware of strategies and techniques for dealing with difficult pupils and steps, which they can take to defuse and calm a situation. The strategies listed below as examples will be influenced by the age of the pupil(s) and the context in which they are applied.

1. move calmly and confidently;
2. make simple, clear statements;
3. intervene early;
4. try to maintain eye contact;
5. if necessary summon help before the problem escalates; and
6. if possible, remove the audience from the immediate location.

ACTION STEPS

1. Tell the pupil who is misbehaving to stop and tell him/her the possible consequences of failure to do so.
2. Summon another adult. (Another adult should be present if physical restraint of any kind needs to be applied.) Use the 'red card' or send another pupil/message to alert a member of the senior management team.
3. Continue to communicate with the pupil throughout the incident.
4. Make it clear that physical intervention will cease as soon as it is no longer necessary.
5. Appropriate follow-up action should be taken, which may include:
 - a. providing medical support;
 - b. providing respite for those involved; and
 - c. accessing external advice/support.

A calm and measured approach to a situation is needed and staff should never give the impression that they have lost their temper or are acting out of anger or frustration when handling a problem. Whilst limiting damage to property and/or persons, it is advisable not to 'corner' or give the child a feeling of being 'trapped' in any way as this can often inflame reactions. Where possible, allow the child space to move.

Name of person completing this report:	
Name of person to whom reasonable force/restraint was used:	
Date of incident:	Time of incident:
Witnesses to incident:	
Outline of events leading up to application of reasonable force/restraint:	
Outline of incident including reason for use of reasonable force, how it was applied and for how long:	
Description of any injury(ies) sustained by anyone, any subsequent treatment and any damage to property:	
Date parent/carer informed of incident:	Time:
By whom informed:	
Outline of parent/carer response:	
Signature of staff completing report:	Date:

Signature of Witness:

Date:

Signature of Headteacher:

Date: