



Inspiring Primaries Academy Trust  
Inspiring pupils to achieve for their tomorrows

## Inspiring Primaries Academy Trust

### Policy for Use of Reasonable Force (M7)

**The Board of Trustees adopted this policy on: 04 March 2021**

**To be reviewed: Spring 2024 or earlier if required**

#### **Rationale**

The Trust is committed to ensuring that all staff and adults with responsibility for pupils' safety and welfare will deal professionally with all incidents involving aggressive or reckless behaviour, and use physical intervention only as a last resort. If used at all it will be in the context of a respectful, supportive relationship with the pupil, and be reasonable and proportional to the circumstances of the incident. We will always aim to ensure minimal risk of injury to pupils and staff. It is recognised in both Statute and Common Law that there is a need to intervene when there is an obvious risk of safety to pupils, staff and property.

This policy is based on The Department for Education guidance Use of Reasonable Force Advice for Headteachers, Staff and Governing Bodies.

#### **Objectives**

The key objectives of this policy are to:

- Maintain the safety of pupils, staff and visitors;
- Prevent serious damage to property;
- Prevent serious breaches of school discipline.

#### **Deciding if the use of restrictive physical intervention is appropriate**

Staff will view physical intervention of pupils as a last resort. Force must not be used as a punishment. If pupils are behaving disruptively or anti-socially, every effort will be made to support behaviour positively to prevent the need for restrictive physical intervention.

In the following situations staff must judge whether or not physical intervention would be reasonable or appropriate:

- Risk to the safety of staff, pupils, or visitors.
- Where there is a risk of serious damage to property.
- Where a pupil's behaviour is seriously prejudicial to good order and discipline.
- Where a pupil is committing a criminal offence.

Any member of staff who undertakes a restrictive physical intervention should be clear as to why it is necessary and be able to show that it was in the pupil's best interest and that it was reasonable and proportionate. For those pupils assessed as being at risk of restrictive physical intervention Positive Handling Plans will be developed (see section below).

The judgement on whether to use physical intervention and what physical intervention should be used should always depend on the circumstances of each case and, in the case of students with Special Educational Needs/Disabilities, information about the individual concerned.

Staff need to make the clearest possible judgements about:

- a. The seriousness of the incident, assessed by the effect of the injury, damage or disorder which is likely to result if force is not used. The greater the potential for injury, damage or serious disorder, the more likely it is that using force may be justified.
- b. The chances of achieving the desired result by other means. The lower the probability of achieving the desired result by other means, the more likely it is that using force may be justified.

- c. The relative risks associated with physical intervention compared with using other strategies. The smaller the risks associated with physical intervention compared with other strategies, the more likely it is that using force may be justified.

### **Using physical interventions**

Before using restrictive physical intervention, staff should be aware of the de-escalation techniques and supporting strategies and interventions outlined in the Positive Handling Plan. Staff will communicate in a calm and measured manner throughout the incident. Wherever practicable a pupil should be warned that physical intervention may have to be used before applying it. Staff should make it clear that physical contact or restraint will stop as soon as it ceases to be necessary.

The types of physical intervention could include:

- a. Passive physical contact resulting from standing between pupils or blocking a pupil's path.
- b. Active physical contact such as:
  - i) Leading a pupil by the hand or arm;
  - ii) Ushering a pupil away by placing a hand in the centre of the back;
  - iii) In more extreme circumstances, using appropriate restrictive interventions, which require specific expertise and training.

The restrictive physical interventions authorised by the Trust are those techniques in which staff have received appropriate training and development through 'Team Teach'. Each school keeps an up to date record of staff who are trained in 'Team Teach'.

"Team-Teach techniques seek to avoid injury to the pupil, but it is possible that bruising or scratching may occur accidentally, and these are not to be seen necessarily as a failure of professional technique, but a regrettable and infrequent side effect of ensuring that the pupil remains safe." (George Matthews, Founder)

The core principles of 'Team Teach' include:

- Minimum of two staff involved;
- Last resort, minimum force and time;
- Techniques that do not rely on pain or locks and allow for verbal communication;
- Staff safety and protection addressed;
- Planned responses and techniques are written out and included in positive handling plans for individual pupils.

Where there is a high and immediate risk of death or serious injury, any member of staff is justified in taking any necessary action (consistent with the principle of seeking to use the minimum intervention required to achieve the desired result).

### **Reducing the likelihood of situations arising where physical intervention may be required**

All physical interventions at the Trust schools are conducted within a framework of positive behaviour support. Each school's behaviour and discipline policy encourages effort, application and for pupils to take responsibility for their own behaviour. The behaviour and discipline policy also outlines the steps each school undertakes to ensure a calm, orderly and supportive school climate which minimises the risk and threat of violence of any kind, thereby reducing the need for physical intervention.

A structured approach to staff development is adopted through the 'Team Teach' programme, which allows staff to develop the skills of positive behaviour support and de-escalating incidents.

Staff should recognise the need to effectively manage individual incidents. It is important to communicate calmly with the pupil, using non-threatening verbal and body language and ensuring that the pupil can see a way out of the situation. Strategies might include, for example, going with the staff member to a quiet room, away from bystanders or other pupils so that the staff member can listen to concerns; or being joined by a particular member of staff well known to the pupil. Wherever practicable, a pupil should be warned that physical intervention may have to be used before applying it.

### **Authorisation of staff to use physical intervention and staff development**

As stated in the 2012 guidance use of reasonable force "All members of school staff have a legal power to use reasonable force". However, this power will only be used as a last resort, where it is in the child's best interest and any use of a physical intervention is reasonable, proportionate and necessary.

Staff should be trained in specific physical interventions and de-escalation strategies through the 'Team Teach' approach. Once staff have received their full training, refresher training should take place 3 years following initial training. The names of staff that have been trained to use physical intervention techniques along with the dates they received their training are kept by each school.

### **Positive Handling Plans**

Individual pupils assessed at being at greatest risk of requiring restrictive physical intervention will be placed on Positive Handling Plans developed in consultation with the school, parents / carers, and the pupil.

Positive Handling Plans set out the situations that may provoke difficult behaviour, preventative strategies and the de-escalation strategies that are most effective. They should also include:

- risk assessments where necessary and alert people to risks;
- preventative strategies;
- de-escalation strategies;
- strategies which have been ineffective in the past;
- specific strategies and techniques that have been agreed by staff when physical intervention is required;
- bring together contributions from key partners working in partnership and signed by all concerned;

Positive handling plans will be reviewed at least each term.

### **Recording and reporting incidents**

Each school keeps a record of all physical interventions in the Bound and Numbered Book or similar located in the Executive Principal/Headteacher's office. All records are kept for 75 years after the date of birth of the pupil who was restrained.

The purpose of recording is to ensure that policy guidelines are followed, to inform parents / carers, to inform future planning as part of the school improvement process, to prevent misunderstanding or misinterpretation of the incident and to provide a record for any future enquiry. The Executive Principal/Headteacher will be informed at the earliest possible opportunity that a physical intervention has taken place. Accounts of the incident should be taken from the members of staff who undertook the physical intervention, the pupil/s involved and any third party witnesses.

Parents/carers will be informed as soon as possible after any recordable incident. Parents/carers will be telephoned before details are confirmed in writing. Parents/carers will be informed of when and where the incident took place, which members of staff were directly involved (anonymised where necessary), why they decided physical intervention had to be used, what physical intervention was used, whether there were any injuries and what follow up action was being taken in relation to their child. Parents/carers will also be given a copy of this policy.

The welfare of pupils is paramount and, if for any reason a school believes a pupil could come to harm as a consequence of a parent being notified, a judgement will be made by the Executive Principal/Headteacher to notify social care.

The Local Governing Body will be informed of the number of physical interventions through the Executive Principal/Headteacher reports to the Local Governing Body.

### **Search for Weapons & Prohibited Items**

Reasonable force may also be used in exercising the statutory power, introduced under section 45 of the Violent Crime Reduction Act 2006 (and re-enacted by Section 242 of the ASCL Act 2009), to search pupils without their consent for weapons. Executive Principals/Headteachers and authorised staff can use force as is reasonable given the circumstances to conduct a search for the following prohibited items - knives and weapons, alcohol, illegal drugs, stolen items, 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. Reasonable force may be used by the searcher. Where resistance is expected school staff may judge it more appropriate to call the police.

### **Post-incident support**

- The Trust recognises the need to ensure that staff and pupils have appropriate emotional support.
- The pupil and the member of staff will be checked for any sign of injury after an incident.

- Immediate action will be taken to provide first aid for any injuries requiring attention.
- The pupil will be given time to become calm whilst staff continue to supervise.
- When it is deemed that the pupil is composed, a senior member of staff will discuss the incident with the pupil and ascertain the reason for its occurrence.
- All necessary steps will be taken to re-establish a positive relationship between the pupil and the member of staff involved in the incident.
- All members of staff involved will be allowed a period to debrief and recover from the incident. A senior member of staff (or his/her nominee) will provide support to the member of staff involved. This may involve access to external support.
- Parents/carers will be engaged in discussing the incident and for setting out subsequent actions and support.

### **Complaint procedure**

If a parent/carer or pupil is concerned about any aspect of the management of an incident requiring physical intervention, the Executive Principal/Headteacher should be informed of their concern. The Executive Principal/Headteacher will respond to the complaint in accordance with the Trust's policy.