



# **Whole School Policy On Physical Intervention**

(Use of Reasonable Force)

November 2021

## Physical Intervention Policy - (Use of Reasonable Force)

### **Objectives**

Here at Holly Primary School we aim to provide a safe, caring and friendly environment for all our pupils to allow them to learn effectively, improve their life chances and help them maximise their potential.

We take the safety of our pupils and staff very seriously. We believe that all pupils and staff have the right to be and feel safe whilst at school or on a school-run activity.

This policy should be read in conjunction with our behaviour, discipline, child protection (and the broader safeguarding agenda) policies.

### **Policy Development**

This policy is written in line with all recent guidance and legislation relating to the use of reasonable force in schools.

### **Minimising the Need to Use Reasonable Force**

As a school we are firmly committed to creating a calm and safe environment which minimises the risk of incidents arising that might require the use of reasonable force. We use a curriculum which endeavours to explore and strengthen emotional responses to situations.

We will only use force as a last resort and strongly believe in de-escalating any incidents as they arise to prevent them from reaching a crisis point. Staff will be skilled in promoting and rewarding positive behaviour and will utilise various appropriate techniques in the management of a class environment.

Staff will only use reasonable force when the risks involved in doing so are outweighed by the risks involved by **not** using force.

### **Staff Authorised to Use Reasonable Force**

Under Section 93 of the Education and Inspection Act (2006) and subsequent guidance published by the DfE in January 2016 entitled 'Behaviour and Discipline in Schools – Guidance for Head Teachers and Staff' the head teacher of our school is empowered to authorise those members of his/her staff to use reasonable force.

Here at Holly Primary School the head teacher has empowered the following members of staff to use reasonable force:

- Teachers and any member of staff who has control or charge of pupils in a given lesson or circumstance have permanent authorisation.

- Other members of staff such as site management and administrative teams also have the power to use reasonable force if a circumstance should arise in which immediate action should be taken.

### **Deciding Whether to Use Reasonable Force**

Under English law, members of staff are empowered to use reasonable force to prevent a pupil from or stop them continuing:

- committing any offence;
- causing personal injury to, or damage to the property of, any person (including the pupil himself); or,
- prejudicing the maintenance of good order and discipline at the school or among any pupils receiving education at the school, whether during a teaching session or otherwise.

All members of staff will make decisions about when, how and why to use reasonable force. To help staff in making decisions about using reasonable force the following considerations may be useful:

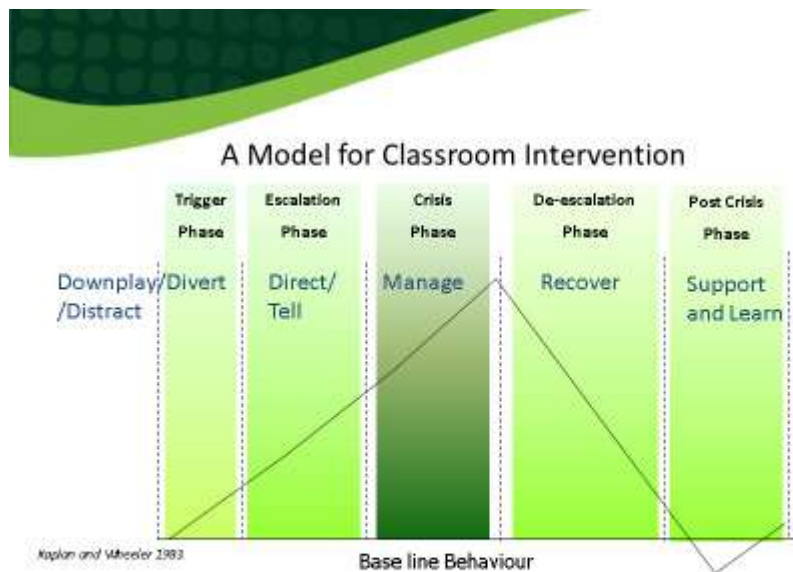
- whether the consequences of not intervening would have seriously endangered the wellbeing of a person;
- whether the consequences of not intervening would have caused serious and significant damage to property;
- whether the chance of achieving the desired outcome in a nonphysical way was low;
- the age, size, gender, developmental maturity of the persons involved.

Staff are also expected to remember that physical intervention is only one option and for behaviours involving extreme levels of risk it may be more appropriate to gain support from other agencies, including the police.

Staff will be kept informed and have a duty to inform others about the plans around specific pupils who can present risks to themselves and others. This may include information about SEN, personal circumstance and temporary upset.

### **Using Reasonable Force**

When using force members of staff should only use the minimum amount of force required in achieving the required outcome. Staff should also use force within the context of existing good practice in nonphysical skills and techniques, such as in the model for classroom practice outlined below



Staff should, where possible, avoid any type of intervention that is likely to injure a pupil, unless in the most extreme of circumstance where there was no viable alternative. Also staff should try to avoid using force unless or until another member of staff is present to support, observe or call for assistance.

### **Staff training**

Staff at Holly Primary School, who have been identified as needing training in this area, will access Physical Intervention training, known as CRB training (Coping with Risky Behaviours) through the County Council co-ordinator who delivers certified courses.

These courses provide participants with an insight into recent legislation and guidance that could impact on policy and practice, as well as a range of physical and non-physical strategies to help manage the risks posed by children and young people's behaviour.

Training programmes will be delivered to staff via whole school inset or by accessing specialist training events, details of which can be found on Schools Portal.

Staff who receive this training will be certified by the Local Authority for a defined period as stated on their certificate. Staff will be expected to attend a refresher course to update their skills and renew their certification every 12-15 months.

## **Recording and Reporting Incidents**

The governing body will ensure that a procedure is in place, and is followed by staff, for recording and reporting, significant incidents where a member of staff has used reasonable force on a pupil, in line with the most recent Safeguarding requirements issued to Governors and the latest advice given to OFSTED inspectors.

The record must be made as soon as practicable after the incident. While ultimately only a court of law could decide what is 'significant' in a particular case, in deciding whether or not an incident must be reported, staff should take into account:

- an incident where unreasonable use of force is used on a pupil would always be a significant incident;
- any incident where substantial force has been used (e.g. physically pushing a pupil out of a room) would be significant;
- the use of a restraint technique is significant;
- an incident where a child was very distressed (though clearly not over reacting) would be significant.

In determining whether incidents are significant, schools should consider:

- the pupil's behaviour and the level of risk presented at the time;
- the degree of force used and whether it was proportionate in relation to the behaviour;
- the effect on the pupil or member of staff.

Staff should also bear in mind the age of the child, any special education need or disability or other social factors which might be relevant. Sometimes an incident might not be considered significant in itself, but forms part of a pattern of repeated behaviour. In this case, although there is no legal requirement to record such incidents, schools are advised to let parents know about them.

Records are important in providing evidence of defensible decision-making in case of a subsequent complaint or investigation. Staff may find it helpful to seek the advice of a senior colleague or a representative of their trade union when compiling a report.

Holly Primary School will use the Nottinghamshire County Council electronic health and safety recording system 'Well-Worker'. This system enables members of staff to report, using a standardised format, any significant incident where force has been used, or any incident where violence to staff has occurred or been threatened. Staff can access well worker via Schools Portal.

### **Post-incident support**

Following the use of physical intervention staff and pupils will be supported, the immediate physical needs of all parties will be met and staff will ensure that positive relationships are maintained.

### **Complaints and allegations**

We will also make clear to pupils that they have a right, and are able, to question/complain about the use of reasonable force. We will ensure that mechanisms are in place for pupils, parents, carers and staff to voice the opinions, comments or concerns.

Complaints and allegations will be taken seriously and we will follow our complaints policy. A copy of which is available by request or can be found on our school website.

### **Monitoring and review**

This policy will be monitored regularly and reviewed by the governing body at least annually or as required.

The Head Teacher is responsible for the implementation of this policy and Emma Crawford, as our Safeguarding Link Governor also has responsibility in this area.

**Physical Interventions – Sample Recording Form**

<b>Name of student -</b>	<b>Additional students -</b>
<b>Witnesses -</b>	<b>Location -</b>
<b>Date -</b>	<b>Start Time -                      Finish Time -</b>
<b>Level of restraint - Low Medium High</b>	<b>Staff involved -</b>
<b>Parents informed - how and when? -</b>	<b>Staff reporting -</b>

**Pre-Incident**

(What were the triggers that led to this incident?)

e.g. TC was outside at lunchtime playing on the swings, she had just eaten lunch. JG approached her and attempted to get on swing	<b>Trigger</b>
	<b>Escalation</b>

**Incident details/Reason**

(Please record the approximate length of each hold that occurred during the incident)

e.g. TC assaulted JG punching and kicking him TC was held in a medium level intervention, in a standing position by 2 members of staff for 3 minutes	<b>Crisis (How was it managed?)</b>
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**Support and Learning**

(How was the incident de-escalated and resolved)

	<b>De-escalation</b>
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**Injuries**

(Were any injuries to staff or pupils sustained during this incident, if yes please record the reference number of the appropriate form here)

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**Incident De-brief**

(What happened post incident to ensure all involved were physically and emotionally well?)

	<b>Post Crisis (Support)</b>
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**Pupils views on the incident**

	<b>Post Crisis (Support)</b>
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**Key Learning**

(What learning has taken place following this incident, what are we going to do differently to avoid this happening again)

e.g. Playground protocol and use of play equipment reviewed. TC Behaviour Plan reviewed and amended to develop turn taking skills during social times. Lunch time staff briefed on support required	<b>Post Crisis (Learn)</b>
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**Signed**  
**Reporter -**  
**Witnesses -**

**Incident Reviewers Comments**

e.g. SLT commented that parents need to be informed as soon as possible
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**Signed Reviewer**

**Date**

**Designation**