

Brookes UK

Use of Reasonable Force



This policy was approved for publication on: **Oct 2023**

This policy will be next reviewed on: **Oct 2025**

Principles

Brookes UK believes that:

- Each child has the right to be educated in a safe and secure environment where each child's moral, intellectual, personal, social and emotional development is promoted.
- Parents and carers are informed and reassured that their children are being educated in a safe, caring and respectful atmosphere.
- All staff have the right to work in a safe and secure environment.

These principles underpin our school ethos and culture.

Purposes

The following purposes underpin Brookes UK policy and practices to:

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

Legislative Framework

This policy has been formulated with due consideration to the following legislation:

- Children (NI) Order 1995 – duty to protect and child protection responsibilities / fulfilling responsibility;
- UN Convention on The Rights of the Child 1989 – (Articles 12, 16 and 19); UK 1991; Education (NI) Order 1998 (Part II Article 4(1));
- Human Rights Act 1998 – Articles 3 and 5 of the European Convention on Human Rights;
- Health and Safety at Work Act (NI) Order 1978; Education and Libraries (NI) Order 2003 – Articles 17, 18, 19.

Links With Other Policies

This policy is one of the overall pastoral policies and dovetails into the school's existing behaviour policy, anti-bullying policy, child protection policy, special needs policy, health and safety policy and complaints policy. I

It also takes account of the staff development and welfare policy, the staff code of conduct, teaching, learning and assessment policy and curricular policies.

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:

- committing any offence;
- causing personal injury to, or damage to the property of, any person (including the pupil himself);
- 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, the 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.

Practices

Preventative Strategies

Brookes UK actively promotes positive behaviour management strategies thus reducing the need for the use of any form of physical intervention, except in emergency situations. Preventative strategies for inappropriate behaviour(s) are detailed in our school’s positive behaviour policy i.e. defusing and de-escalating conflict, confrontation or aggression.

Risk Assessment

Risk assessment is one of our preventative strategies to minimise the risk of an incident escalating unnecessarily and will be a normal practice for our school where a pupil or a small number of pupils are known to exhibit disturbing or distressing behaviour (EBD).

Risk assessment will be considered only for those pupils where there is a foreseeable risk and enables the school to plan and train accordingly.

Risk assessment will be considered from two perspectives

- (a) environmental risk assessment or
- (b) individual risk assessment.

This should form part of the pupil’s education plan.

Procedures - Support Structures

The following procedures have been agreed by the staff. Parents and pupils will be informed of the school’s procedures and support structures.

Roles and Responsibilities

Reasonable force / safe handling can be used by any member of staff who is authorised by the Principal to have lawful control or charge of pupils, e.g. teachers, classroom assistants, supervisory assistants. The Principal will confirm with all staff those who are authorised to be in charge of pupils at any given time.

Procedures

We understand that there may be circumstances when a member of staff may have to decide between making an intervention / using reasonable force by placing him / herself in a dangerous situation or standing back and thereby allowing colleagues or pupils to face a potential danger. There will always be an element of personal judgment in these decisions and there is the possibility of someone being injured. However, it is reasonable to expect a member of staff to engage in some risk where there is evidence of danger to others and intervention has a good chance of being effective. Staff should not, however, put themselves in personal danger merely to safeguard property. Reasonable force / safe handling can be used by a teacher or other authorised person(s) on the school premises or when authorised elsewhere e.g. supervision of pupils in bus queues, a field trip, on other authorised out of school activities such as a sporting event or educational trip.

Reasonable force should be limited to emergency situations and used only as a last resort when all other behaviour management strategies have been exhausted and where:

- action is necessary in self defence or because there is imminent risk of injury to another pupil or person;
- there is a developing risk of injury to another pupil or person, or significant damage to property;
- a pupil is behaving in a way that is compromising good order and discipline.

Examples that fall into the above categories are:

- 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 is running in an area in which s/he might cause an accident likely to injure her / himself or others;
- a pupil absconds from a class or tries to leave school (Note: this will only apply if a pupil could be at risk if not kept in the classroom or at school);
- a pupil persistently refuses to obey an order to leave a classroom;
- a pupil is behaving in a way that is seriously disrupting a lesson.

Forms of Reasonable Force

When other behaviour management strategies have failed - it should be the minimum intervention or force that should reasonably be employed depending on the age, sex, physical strength, size, understanding, medical condition and any special needs of the pupil and used in a way that preserves the dignity and respect of all concerned.

The use of reasonable force / safe handling should involve a calm and measured approach at all times appropriate to the particular pupil and be in accordance with the schools agreed strategies and the following procedures:

- tell the pupil to stop the inappropriate behaviour;

- ask the pupil to behave appropriately, clearly stating the desired behaviour;
- tell the pupil that physical intervention will take place if inappropriate behaviour continues; or during the incident repeatedly reassure the pupil and tell him / her that physical contact will stop as soon as he / she is ready to behave appropriately;
- if the teacher, classroom assistant or supervisory assistant feels at risk, e.g. from a large or older group of pupils, send for the nearest staff support.

The forms of reasonable force that our members of staff may use will depend on the individual circumstances and are:

- separating pupils who are fighting, or who are about to fight;
- blocking a pupil's path; or holding; or leading a pupil by the arm;
- shepherding a pupil away by placing hands on the backs of elbows;
- using more restrictive holds (in extreme circumstances). F

Forms of Safe Handling

The types of safe handling that our members of staff may use will depend on the individual circumstances and are:

- teaching a child to hold an adults arm appropriately whilst walking down a corridor or a staircase; or on a visit outside school;
- reacting instinctively to a situation by holding or restraining a child who is running onto a busy road or into a place of danger;
- physically prompting a young child as part of an educational or behaviour programme;
- assisting a child with toileting.

Health and Safety

When using reasonable force / physical intervention / restraint / safe handling, the pupil's health and safety must always be considered and monitored. Physical interventions should involve the minimum amount of force necessary to resolve the situation and calm the pupil.

Limits on the Use of Force

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 would contravene our Safeguarding and Child Protection Policy. Staff should **never** act in a way that might reasonably be expected to cause injury, for example by:

- holding around the neck;
- any hold that might restrict breathing;
- kicking, slapping or punching or using any implement;
- forcing limbs against joints;
- tripping;
- holding or pulling by the hair;
- holding the pupil face down on the ground;
- staff should also avoid touching or holding a pupil in any way that might be considered indecent.

The use of reasonable force is only to be employed in exceptional circumstances or an emergency where a pupil appears to be unable to exercise self-control of emotions and whose behaviour is presenting a threat to himself / herself or others. A member of staff should not intervene in an incident without help if there is a risk that he / she may be injured or may endanger his / her life.

Record Keeping

All incidents involving the use of reasonable force must be recorded in our proforma 'Incident Record Form – Appendix 2).

The Principal will keep an accurate up-to-date record of all such incidents.

Immediately following any incident, the member of staff concerned must inform the Principal or a senior member of staff and provide the contemporaneous written record / report. (Appendix 2 - Incident Record Form).

The Proprietor and the Principal will review annually the entries in the incident book. Records of incidents will be kept until the date of the child's twenty-first birthday. In the event of the young person being over 18 when they leave school, records should be kept for 3 years after their date of leaving.

Confidentiality and the young person's right to privacy will need to be ensured. The pupil's views should also be recorded as soon as possible, preferably on the same day. (Appendix 2 - Incident Record Form).

The use of physical intervention can be upsetting to all concerned, therefore, it is important to ensure that staff and pupils are given emotional support and where required basic first-aid treatment. Immediate action should be taken to ensure that medical help is accessed for any injuries that require more than basic first-aid. All 9 injuries should be reported and recorded in accordance with the school's procedures – parents / carers must be informed and allowed an opportunity to discuss.

Where it is clear that the teacher / member of staff concerned needs further support, advice or training, the Principal should take prompt action to ensure it is provided.

Contacting Parents / Carers

Parents / carers should be contacted as soon as possible and the incident explained to them. This must also be recorded in the 'Incident Record Form' as defined in the school policy. Any complaint from a parent will be dealt with within the school's complaints policy / procedures as detailed below.

Complaints

If an incident occurs at Brookes Uk involving the use of reasonable force / restraint by a member of staff, the procedures governing such incidents should be followed. This will include informing the parent(s) / guardian(s) of the child as outlined above.

In the event of a subsequent complaint made against a member of staff either by or on behalf of the child, this will be dealt with in accordance with the School's Complaints Policy/ Procedure and in accordance with DE Safeguarding and Child Protection in Schools: A Guide for Schools' 2017.

Staff who themselves are subject to physical violence or assault should be supported, as appropriate, in taking any necessary action against an assailant.

Training and Development

The Principal has responsibility for providing guidance to staff on the use of reasonable force/safe handling and for implementing and supporting the school's procedures.

All staff will have regular awareness raising of issues relating to the use of reasonable force/ safe handling, procedures and practices relating to behaviour management and child protection policy and procedures. All staff will receive appropriate training and development, in line with the school's staff development policy, in the use of preventative strategies and approaches for managing difficult situations when they may arise.

Appendix 2

Incident Record Form

Date of Incident: _____

Pupil's Name: _____ Class: _____

Staff involved in use of restraint: _____

Role _____

Events Leading Up To The Incident

Where did the incident start? _____

What was happening at the time? _____

Describe the Event that Occurred

When did the incident occur?

Date: _____

Time: _____

Where did the incident occur? _____

What action was taken to try to de-escalate the situation before using restraint?

What behaviour was the child presenting that warranted restraint/physical intervention (Please tick appropriate box)

At risk of injury to self or others At risk of significant damage to property

Compromising good order and discipline At risk of committing a criminal offence

What do you believe would have happened if there had been no physical intervention?

How was the pupil held? _____

How long did the pupil need to be held? _____

Was anybody injured? Yes/No

If yes, please give details _____

Name of member of staff who verbally checked pupil for injury after the hold:

Has the pupil been physically restrained before?

Yes

No

Implications for Future Planning

Does this pupil have an individual behaviour programme/education plan? **YES/NO**

Do changes need to be made to any of the following?

(Please tick appropriate box)

The environment eg organisation, curriculum Targets for teaching new skills

Reinforcement strategies Defusing and calming strategies

Other Please specify _____

Do other agencies need to be involved in the future?

YES/NO

If yes, please specify who and with what aim _____

Follow Up Action

Medical intervention was needed

YES/NO

Has school nurse/doctor been informed

YES/NO

Please specify other recording procedures:

Accident book Accident form Child Protection Record

Parent/carer informed by: Telephone Letter Direct Contact

Form completed by _____

Post held _____

Principal's signature _____ Date _____