



# The Trent-Rylands Federation

Trent Vale Infant and Nursery School *and* Beeston Rylands Junior School



## USE OF REASONABLE FORCE (PHYSICAL INTERVENTION) POLICY

### INTRODUCTION

- **THIS DOCUMENT IS** a statement of the aims, principles and strategies for the use of force to control or restrain pupils at the Trent-Rylands Federation
- **IT WAS ORIGINALLY DEVELOPED** in 2011 in consultation with the whole Trent Vale Infant and Nursery School community with input from members of staff, governors, parents/carers, pupils, and other partners. Pupils contributed to the development of the policy through the School Council. Parents were encouraged to contribute by making written comments about the draft policy. It was formally adopted in 2016 by Beeston Rylands Junior School when the two schools entered into a formal collaboration agreement.
- This policy is also written in line with Nottinghamshire County Council’s policy on the same subject, entitled ‘Keeping Classrooms Safe for Learning and Teaching’ and the advice for headteachers, staff and governing bodies ‘Use of reasonable force’ published by the DfE in July 2013.
- **IT WILL BE** continuously reviewed, updated and approved by the Governing Bodies, Headteacher and Office Managers
- This policy will be **REVIEWED ANNUALLY**

|                |             |             |             |
|----------------|-------------|-------------|-------------|
| Date of review | Autumn 2020 | Autumn 2021 | Autumn 2022 |
| Signed         |             |             |             |

### INTRODUCTION

This policy has been updated using the Nottinghamshire County Council’s policy on the same subject, entitled ‘Keeping Classrooms Safe for Learning and Teaching’ and the advice for headteachers, staff and governing bodies ‘Use of reasonable force’ published by the DfE in July 2013.

### OBJECTIVES

Here at Trent Vale Infant and Nursery School and Beeston Rylands Junior 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 Pupil Discipline and Behaviour, and Child Protection and Safeguarding policies. It is intended to ensure that it will prevent serious breaches of school discipline and prevent injury to individuals or serious damage to property. The decision to use force will not be taken lightly.

### **MINIMISING THE NEED TO USE FORCE**

As a school we are firmly committed to creating a calm and safe environment which minimize the risk of incidents arising that might require the use of reasonable force. We use the Social and Emotional Aspects of Learning (SEAL) curriculum 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 FORCE**

Under Section 93 of the Education and Inspection Act (2006) the head teacher of our school is empowered to authorise those members of his/her staff who are enabled to use reasonable force.

Here at Trent Vale Infant and Nursery 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 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.

Examples of situations where reasonable force can be used are as follows:-

- remove disruptive children from the classroom where they have refused to follow an instruction to do so;
- prevent a pupils behaving in a way that disrupts a school event or a school trip or visit;
- prevent a pupil leaving the classroom where allowing the pupil to leave would risk their safety or lead to behavior that disrupts the behavior of others;
- prevent a pupil from attacking a member of staff or another pupil, or to stop a fight in the playground;
- restrain a pupil at risk of harming themselves through physical outbursts.

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.

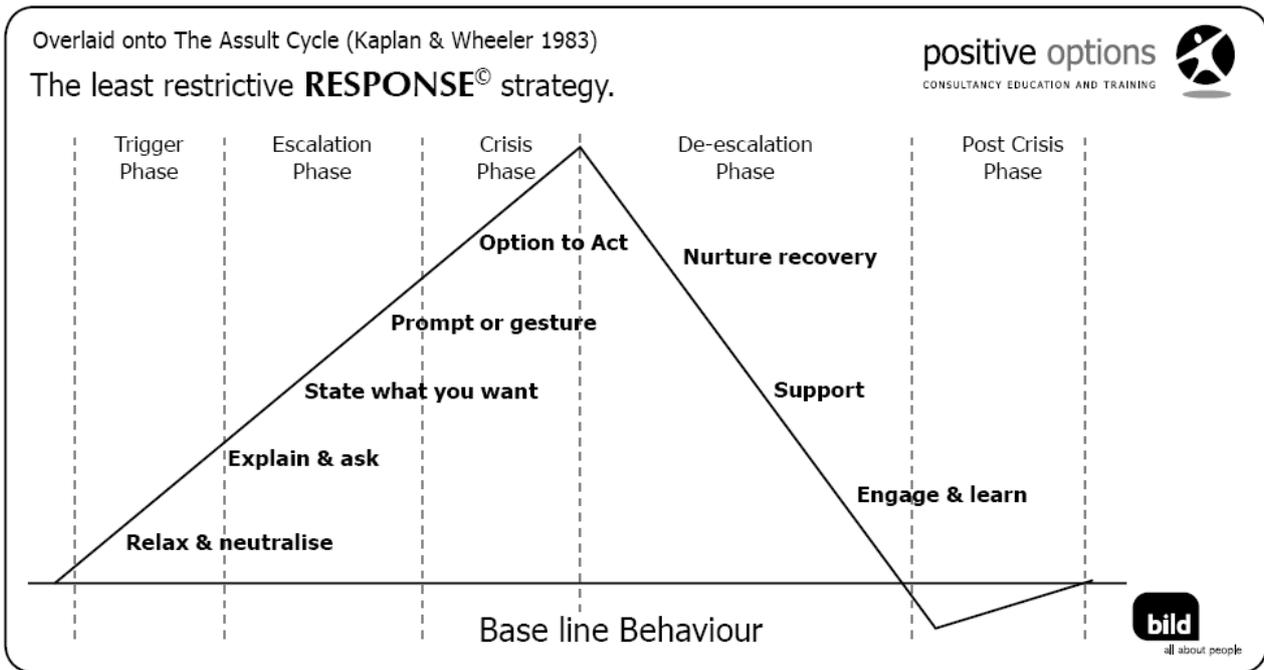
Staff are also expected to remember that physical intervention is only one option and for behaviours involving extreme levels of risk it may be more appropriate to gain support from other agencies, including the police.

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 RESPONSE© Strategy:



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 avoid using force unless or until another member of staff is present to support, observe or call for assistance.

**STAFF TRAINING**

Staff at Trent Vale Infant and Nursery School and Beeston Rylands Junior School, who have been identified as needing training in this area, will access Physical intervention and MAPA® training through the County Council co-ordinator who delivers nationally accredited 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.

Nottinghamshire County Council has adopted the MAPA® (Managing Actual and Potential Aggression) training model, and as such is an ‘Approved Training Centre’ for Positive Options Ltd, which is a BILD (British Institute of Learning Disability) accredited training programme.

These training programmes will be delivered to staff via whole school inset or by accessing specialist training events, details of which can be found in the physical intervention room on Nottinghamshire’s virtual learning platform, Fronter <https://nottsslp.org.uk>

Staff who receive this training will be accredited to use the physical elements of MAPA® 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 force on a pupil. 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.

Trent Vale Infant and Nursery School and Beeston Rylands Junior will use the Nottinghamshire County Council electronic health and safety recording system 'WellWorker'. 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.

### **POST INCIDENT REPORTING**

Following any incidents where force has been appropriate the Headteacher will make arrangements to support the staff and children as these can be upsetting times. This includes staff particularly being directed towards teacher counselling services.

First aid will be administered by a trained first aider and emotional support will be provided as required.

Staff will discuss the situation within 2 days with the Headteacher to see if all procedures were followed and how we could try to avoid further repercussions, learning from the experience.

### **COMPLAINTS AND ALLEGATIONS**

The school has a clear complaints procedure and any complaints would be received in the first instance by the Head teacher. If matters were not resolved then the complainant would take the matter to the Governing Body. Parents wishing to make a complaint will be issued with the guidance detailing the procedures. If the parent wishes to complain along the lines of abuse then the school will follow the

guidance set out in Safeguarding Children and Safer Recruitment in Education. We will also make clear to pupils that they have a right, and are able, to question/complain about the use of reasonable force. In addition 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.

#### **MONITORING AND REVIEW**

This policy will be monitored by the school and governors and will be reviewed on an annual basis. The Headteacher and staff will review the schools use of force strategy following any incidents and make any relevant changes to the policy.

The Head Teacher is responsible for the implementation of this policy along with the Child Protection and Safeguarding Link Governors.

#### **OTHER POLICY DOCUMENTS THAT UNDERPIN THIS POLICY FOR THE USE OF FORCE**

- SINGLE EQUALITY POLICY
- ANTI BULLYING POLICY
- PUPIL DISCIPLINE AND BEHAVIOUR POLICY
- NOTTINGHAMSHIRE COUNTY COUNCIL'S POLICY 'KEEPING CLASSROOMS SAFE FOR LEARNING AND TEACHING
- SPECIAL EDUCATIONAL NEEDS POLICY
- CHILD PROTECTION AND SAFEGUARDING POLICY
- INTIMATE CARE POLICY
- DfE 'USE OF REASONABLE FORCE' advice for headteachers, staff and governing bodies

Appendix 1

**USE OF FORCE TO CONTROL OR RESTRAIN PUPILS: TRENT VALE and BEESTON RYLANDS INCIDENT RECORD**

|   |                                       |
|---|---------------------------------------|
| Details of pupil or pupils on whom force was used by a member of staff, (name, class)   |                                       |
| Date, time and location of incident   |                                       |
| Names of staff involved, (directly or as witnesses)   |                                       |
| Details of other pupils involved, (directly or as witnesses), including whether any of the pupils involved were vulnerable for SEN, disability, medical or social reasons |                                       |
| Description of incident by the staff involved, including any attempts to de-escalate and warnings given that force might be used  |                                       |
| Reason for using force and description of force used  |                                       |
| Any injury suffered by staff or pupils and any first aid and/or medical attention required  |                                       |
| Reasons for making a record of the incident   |                                       |
| Follow up, including post-incident support and any disciplinary action against pupils   |                                       |
| Any information about the incident shared with staff not involved in it, and external agencies  |                                       |
| When and how those with parental responsibility were informed about the incident and any views they have expressed  |                                       |
| Has any complaint been lodged, (details should not be recorded here)?   |                                       |
| Report compiled by:   | Report countersigned by:              |
| Name:<br>Role:<br>Signature:<br>Date:   | Name:<br>Role:<br>Signature:<br>Date: |