

Cherry Tree Academy



Use of Reasonable Force Policy

INTRODUCTION

At Cherry Tree Academy, we are proud of the way our children conduct themselves. The school's Positive Behaviour Policy outlines how staff create and maintain good order and relationships through positive approaches, which are very successful. However, we acknowledge that it is important that clear guidelines exist for those few occasions where physical restraint may be necessary. This policy, on the use of restrictive physical interventions, supplements the main Positive Behaviour Policy.

PURPOSE OF THIS POLICY

This policy aims to give all members of the school community clear guidance so that any physical intervention that they undertake is carried out in a way that supports our values and principles. In particular, it aims to describe the circumstances in which restrictive physical intervention is an appropriate response and how staff at school will fulfil their responsibilities in those circumstances.

We will follow, where appropriate, the DfE guidance 'The Use of Reasonable Force'. This policy outlines the school's response to the issues outlined in the guidance.

<https://www.gov.uk/government/publications/use-of-reasonable-force-in-schools>

The Headteacher will be responsible for ensuring that staff and parents are aware of the policy, and will ensure that any necessary training/awareness-raising takes place so that staff know their responsibilities.

PHYSICAL TOUCH

The staff at Cherry Tree Academy, believe that physical touch is an essential part of human relationships. In our school, adults may well use touch to prompt, to give reassurance or to provide support in PE, at an age and ability appropriate level.

To use touch/physical support successfully, staff will adhere to the following principles. It must:

- Be non-abusive, with no intention to cause pain or injury
- Be in the best interests of the child safety and the safety of others
- Have a clear educational purpose (e.g. to access the curriculum or to improve social relationships)
- Take account of gender issues

At our school, the Headteacher/SENDSCO are responsible for ensuring that relevant staff are aware of any pupil who finds physical touch unwelcome. Such sensitivity may arise from the pupil's cultural background, personal history, age etc.

WHAT DO WE MEAN BY 'PHYSICAL INTERVENTION'

Definition	Example	
Non-restrictive physical interventions. (As already stated touch/physical contact is a small but important and natural part of teacher-pupil relationships in our school).	Either where the child's movement is not restricted or where the child is held supportively but such that they will be released immediately should they so wish.	For example: <ul style="list-style-type: none"> • Guiding/shepherding a person from A to B • Use of a protective helmet to prevent self-injury • Removal of a cause of distress
Restrictive physical interventions	<ul style="list-style-type: none"> • Prevent, impede or restrict movement or mobility. • Restraint. • To use force to direct. 	For example: <ul style="list-style-type: none"> • Holding a pupil • Blocking a person's path • Inter-positioning • Pushing/pulling
Emergency/unplanned interventions	Occur in response to unforeseen events.	
Planned interventions	In which staff employ, where necessary, pre-arranged strategies and methods which are based on a risk assessment and recorded in an individual plan for the management of a pupil.	

WHEN IS RESTRICTIVE PHYSICAL INTERVENTION PERMISSIBLE

It is recognised that under Section 93 of the Education and Inspections Act 2006, that school staff should use force as is reasonable in the circumstances to prevent a pupil from doing or continuing to do, any of the following:

- Committing any offence (or, for a pupil under the age of criminal responsibility, what would be an offence for an older pupil);
- Causing personal injury to, or damage to the property of, any person (including the pupil him/herself);
- 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.

RISK ASSESSMENT

The use of a restrictive physical intervention will be the outcome of a professional judgement made by staff on the basis of the Use of Reasonable Force Policy. It is avoided whenever possible and will not be used for staff convenience.

Restrictive physical intervention will only be considered if other behaviour management options have proved ineffective or are judged to be inappropriate (or in an emergency situation). Before deciding to intervene in this way, staff will weigh up whether the risk of not intervening is greater than the risk of intervening. Any actions will be carried out with the child's best interests at heart. Physical intervention will never be used to punish a pupil or cause pain, injury or humiliation.

Staff are not expected to intervene physically against their better judgement, and nor are they expected to place themselves at unreasonable risk. In such circumstances, they must take steps to minimise risks. For example, by removing other pupils and calling for assistance.

A member of staff recognising that a situation is escalating to a point demanding positive handling yet feeling unable to carry this out must, as part of their duty of care, clearly tell the pupil to stop the behaviour and seek help by any means available.

WHO MAY USE RESTRICTIVE PHYSICAL INTERVENTIONS

As outlined in Section 95 of the act, all staff are, by the nature of their roles, authorised to use positive handling as appropriate. Some staff will have received Team Teach training if deemed necessary to their role, however it is explicitly reiterated that under their duty of care all staff (regardless of Team Teach Training) are authorised to use positive handling.

Supply staff will not be authorised to use restrictive physical interventions except if they have been specifically authorised by the headteacher.

Parents and volunteers in the school are not given authorisation.

Staff from the Local Authority may have their own policies about the care and control of pupils but, whilst on the premises, they will be expected to be aware of, and operate within, the policy of this school. This means that visiting staff will need to ask the Headteacher for authorisation.

This policy applies to all times where pupils are on the school premises or elsewhere in the lawful control or charge of staff members (e.g. on a school visit).

HOW STAFF MIGHT INTERVENE

When a restrictive physical intervention is justified, staff will use 'reasonable force'. This is the degree of force 'warranted by the situation'. It will be 'proportionate to the circumstances of the incident and the consequences it is intended to prevent'. Any force used will always be the minimum needed to achieve the desired result and for the shortest amount of time.

Staff will:

- Use the minimum amount of force for the minimum amount of time;
- Avoid causing pain or injury; avoid holding or putting pressure on joints;
- Never hold a pupil face down on the ground or in any position that might increase the risk of suffocation.

A pupil's behaviour may be adversely affected by the presence of an audience. Wherever possible, the audience will be removed, or if this is not possible, the pupil and member of staff will withdraw to a quiet, but not completely private, place (e.g. two members of staff should be present or a door left open so that others are aware of the situation).

During an incident, the member of staff involved will tell the pupil that his or her behaviour may be leading to restraint. This will not be used as a threat or said in a way that could inflame the situation. Staff will not act out of anger or frustration. They will try to adopt a calm, measured approach and maintain communication with the pupil at all times.

Staff intervening with children will seek assistance from other members of staff as early as possible, since single-handed intervention increases the risks of injury to both parties and does not provide a witness.

Staff who become aware that another member of staff is intervening physically with a pupil will have a responsibility to provide a presence and to offer support and assistance should this be required.

Actions which are deemed acceptable are:

- Holding for security and to reduce anxiety where there is potential risk, even if the pupil is not yet out of control. This is best used when the pupil is anxious or confused. Its purpose is to defuse or prevent escalation. Staff should take care that their actions should in no way be capable of being interpreted by the pupil as aggression.
- Physically interposing between pupils.
- Blocking a pupil's path.
- Pushing if restricted to situations where reasonable force is used to resist a pupil's movement, rather than a forceful push that might cause the pupil to fall over.
- Escorting a pupil by the hand or arm.

Staff will not:

- Use corporal punishment – the use of force as a punishment is unlawful (section 548 of Education Act 1996)
- Use pain to gain compliance
- Deprive the person of food or drink
- Require the person to wear inappropriate clothes
- Humiliate or degrade the child or young person
- Holding a pupil around the neck, or by the collar, or in any other way that might restrict a pupil's ability to breathe
- Slapping, punching or kicking a pupil
- Twisting or forcing limbs against a joint
- Tripping a pupil
- Holding a pupil by the hair or ear
- Holding a pupil face down on the ground

In an emergency, staff must summon assistance by informing another member of staff and inform SLT as soon as is reasonably possible.

THE PLACE OF RESTRICTIVE PHYSICAL INTERVENTION WITHIN BROADER BEHAVIOURAL PLANNING

If, through the school's special needs assessment procedures, it is determined that a restrictive physical intervention is likely to be appropriate to help a pupil make progress, a risk assessment will be carried out following the Local Authority guidelines.

If appropriate, an Individual Health Care Plan and/or Behaviour Risk Assessment will then be written up for that pupil. This plan will aim to reduce the likelihood of the need for restrictive physical intervention as well as describing how such intervention will be carried out. This plan will be discussed with parents/carers. When it involves the use of a restrictive physical intervention, medical colleagues will be consulted where necessary.

In cases where it is known that a pupil will require positive handling on occasions, the school will ensure that appropriate training is provided. This will be in the form of Team Teach training, which is Wakefield Local Authority's preferred provider. The training is BILD (The British Institute of Learning Disabilities) accredited. Key personnel who

support the identified individuals will be trained in this approach. Staff will identify this as part of their training needs where appropriate.

Staff trained in positive handling techniques need to update their training on a regular basis and ensure that their training is kept up to date.

WHAT TO DO AFTER THE USE OF A RESTRICTIVE PHYSICAL INTERVENTION

After the use of an unplanned restrictive physical intervention, the following steps will be taken:

The pupil and the member of staff will be checked for any sign of injury after an incident by another member of staff. First aid will be administered to anyone who requires it, or medical treatment obtained. The school will report any injuries to pupils or staff. Details of the incident will be recorded by all adults involved immediately on the report form. A copy will be sent to the LA Health and Safety department.

Recording will be completed within 12 hours whenever possible. Staff will be offered the opportunity to seek advice from a senior colleague or professional representative when compiling their report.

The report will include:

- The name(s) and the job title(s) of the member of staff who used reasonable force
- The name(s) of the pupil(s) involved
- When and where the incident took place
- Names of staff and pupils who witnessed the incident
- The reason that force was necessary
- Behaviour of the pupil which led up to the incident
- Any attempts to resolve the situation
- The degree of force used
- How it was applied
- How long it was used for
- The pupil's response and the eventual outcome
- Details of any injuries suffered by either staff or pupils
- Details of any damage to property
- Details of any medical treatment required (an accident form will be completed, where medical treatment is needed)
- Details of follow up, including contact with the parents/carers of the pupil involved
- Details of follow up involvement of other agencies such as Police, Social Services

The pupil will be given time to become calm while staff continue to supervise her/him. When the pupil regains complete composure, a senior member of staff (or her/his nominee) will discuss the incident with the pupil and try to ascertain the reason for its occurrence. The pupil will be given an opportunity to explain things from her/his point of view. All necessary steps will be taken to re-establish the relationship between the pupil and the member(s) of staff involved in the incident.

In cases where it is not possible to speak to the pupil on the same day as the incident occurred, the debrief will take place as soon as possible after the pupil returns to school.

All members of staff involved will be allowed a period to debrief and recover from the incident. This may involve access to external support. A senior member of staff (or her/his nominee) will provide support to the member(s) of staff involved.

The Headteacher will be informed at the earliest possible opportunity of any incidents where restrictive intervention was used. The Headteacher (or her/his nominee) will initiate the recording process if not already underway and review each incident to ensure that any necessary lessons are learned. Where violence has occurred against pupils, parents and /or staff, the Headteacher will take advice from the Local Authority ‘Violence at Work’ guidance (Ref: PG206a). This will determine how and to whom the outcomes of the incident are reported.

Arrangements for recording and informing parents in the case of a planned restrictive intervention will be followed as agreed beforehand but broadly will follow the same pattern as above.

The Headteacher will use the records kept to analyse patterns of behaviour and so decide whether responses are being effective. The Headteacher will report on this information to the Academy Council annually.

ARRANGEMENTS FOR INFORMING PARENTS

All parents will be informed after a non-planned incident where positive handling is used with a child.

COMPLAINTS PROCEDURE

Any complaint will first be considered in the light of the school’s child protection procedures. If child protection procedures are not appropriate, the school’s complaint procedures will be followed.

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