



St Nicholas
C of E Primary School

Policy on the Use of Force to Control and Restrain Pupils

Adopted: March 2018

Reviewed: March 2019

1. AIMS

- 1.1 Any citizen in an emergency may use reasonable force and self defence to prevent another person being injured or committing a criminal offence. Teachers have additional statutory powers to use force to control and to restrain pupils. The headteacher authorises all other adult employees of the school to use force in accordance with section 93 of the Education and inspections Act 2006.
- 1.2 The purpose of this policy is:
- To ensure the safety of pupils and staff at St Nicholas C of E Primary School
 - To prevent serious breaches of school discipline
 - To prevent serious damage to school property
 - To minimize the risk to staff and pupils by establishing clear guidelines concerning the use of force

2. CIRCUMSTANCES WHERE IT IS REASONABLE TO USE FORCE

- 2.1 Staff may use force to prevent a pupil from doing, or continuing to do, any of the following:
- Committing any offence
 - 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.
- 2.2 The degree of force must be in proportion to the consequence it is intended to prevent and should be the **minimum** needed to achieve the desired result.
- 2.3 Force must not be used to prevent trivial misbehaviour.
- 2.4 **It is unlawful to use force as a punishment.**

3. MINIMISING THE NEED TO USE FORCE

- 3.1 At St Nicholas C of E Primary School we aim to create a calm and safe environment for pupils and staff to work in. Our Behaviour Policy sets out our MORAL code and gives guidance for maintaining discipline at the school through a system of rewards and sanctions. (See Behaviour and Discipline Policy)
- 3.2 The creation of a calm environment minimizes the risk of incidents that might require force arising.
- 3.3 Through our PSHE curriculum (including Protective Behaviours) we teach pupils how to manage conflict and strong feelings.

- 3.4 Staff will communicate calmly with pupils using non-threatening verbal and body language in order to give the pupil a way out of the situation. They will also try to take the pupil away from other pupils to give pupil time out to calm down.
- 3.5 Where possible, staff will warn the pupil that force may have to be used.
- 3.6 Force should only be used where the risks involved in doing so are outweighed by the risks involved in not using force.
- 3.7 Individual pupils may need positive handling plans and risk assessments to minimise the need to use force to control them.

4. PUPILS WITH SEN OR DISABILITY

- 4.1 Staff need to take appropriate account of individual pupils with special needs and/or disabilities. The SENCo should, through SEN files and discussion, make staff aware of the relevant characteristics of those pupils particularly situations that may provoke difficult behaviour, preventative strategies and what de-escalation techniques are most likely to work.
- 4.2 The school will make individual risk assessments for pupils with SEN where their SEN and/or disability is associated with extreme behaviour.
- 4.3 Staff should know what is most likely to trigger a violent reaction, including relevant information relating to previous incidents. They should also know any specific techniques or strategies which have been agreed by staff, parents and the pupil concerned.
- 4.4 Positive handling plans or individual behaviour plans should be developed where appropriate in consultation with the pupil, staff, parents and any outside agencies involved with supporting the pupil.
- 4.5 Pupils who are at risk should be taught to communicate in times of crisis and be given strategies such as moving to a designated time out area. Staff should be familiar with these strategies.
- 4.6 Additional guidance in relation to pupils with learning disability, Autistic spectrum disorders, and emotional, behavioral and social difficulties is available from the DfE <https://www.gov.uk/children-with-special-educational-needs>

5. STAFF AUTHORISED TO USE FORCE

- 5.1 The Headteacher has authorised that all teachers and teaching assistants who have control or charge of pupils automatically have the statutory power to use force.
- 5.2 The Headteacher may also give temporary authorisation to staff or volunteers whose jobs do not normally involve supervising pupils e.g. volunteers on school trips or outings. The Headteacher will inform the staff with permanent authorisation

in the event of giving temporary authorization to another member of staff or volunteer.

6. DECIDING WHETHER TO USE FORCE

6.1 Often there is little time to consider but if you have time to think then: -

- Consider how serious the incident is- What is the likely effect of injury, damage or disorder if you don't use force?
- What other options are open to you and what are the chances of achieving the desired result without force?
- What are the risks to the pupil, you and others associated with the use of force?
- Staff should minimise the highest risks e.g. calling the police if you suspect a pupil of having a weapon.
- Staff with temporary authorization should be made aware by the head teacher of pupils likely to present particular risks and how to deal with them.

7. USING FORCE: TEAM TEACH

7.1 Staff at St Nicholas C of E Primary School have been trained in using Team Teach methods to restrain pupils in situations where the use of force may be needed.

7.2 Staff trained in Team Teach should only restrain children in the following situations: -

- If the child is at risk of harming themselves or others.
- If the child is causing significant damage to property.
- If the child is disrupting the good order of the school.

7.3 If a member of staff or supervisor requires assistance, wherever possible, another team teach trained staff member of staff should be alerted immediately.

7.4 Staff should be aware of the risks of using restraint and that it should only be used where there is no viable alternative.

7.5 Situations where restraint may be necessary can be stressful. Where a member of staff believes a staff member needs to step away from the situation as they are becoming frustrated or tired the member of staff will use a predetermined phrase to release them.

7.6 Restraining does not automatically mean a child should be sent home or excluded – this decision will be made at the Headteacher's discretion in consultation with the class teacher.

7.7 Staff should give a clear oral warning to the pupil that force may have to be used.

7.8 It is strongly advised that, where possible, help is sent for before using force to restrain a pupil. As far as possible staff should not use force unless and until a responsible adult is available to observe, support or deal with other pupils who may

be present.

- 7.9 An incident form must be completed and a phone call/letter sent to parents informing them of the events.

8. STAFF TRAINING

- 8.1 Team Teach training has been provided as whole school training for teachers and teaching assistants and will be updated when needed.
- 8.2 Any staff member requiring training in the interim should inform the Headteacher so that they can take part in training at another school. Local authority advice can be obtained from Julia Jessup, Team Teach Co-ordinator, EIS, 01926335421.

9. RECORDING INCIDENTS

- 9.1 Incidents should be recorded in the Team Teach record book. This is located in the school office. Staff should also ask in the office for an incident form which should be signed by them and any witnesses and given to the Headteacher. The record forms part of the child's school record. Incidents should be recorded as soon as possible.

10. REPORTING INCIDENTS

- 10.1 Any incidents requiring the use of force must be recorded and reported to the Headteacher and the parents informed.
- 10.2 One copy of the incident form must be given to the Headteacher and another placed in the pupil's file in the office.
- 10.3 All incidents must be reported to the pupil's parents or carers. This can be initially through a telephone call but should be followed up with a letter.
- 10.4 The parents/carers should be told: -
- When and where the incident took place
 - Which members of staff were involved
 - Why restraint had to be used
 - What restraint was used
 - Whether there were any injuries
 - What follow up action will be taken in relation to their child
- 10.5 The incident should also be reported to any outside agencies involved in supporting the child such as Local Authority Children's Services.

11. POST INCIDENT SUPPORT

- 11.1 Members of staff who have been assaulted may wish to consider reporting that to the police.
- 11.2 A serious incident may involve the exclusion of the pupil concerned.

- 11.3 It may be appropriate to involve multi-agency partners such as Child and Adolescent Mental Health Services. Pupils and staff may need the support of outside agencies to repair relationships and develop strategies to prevent incidents recurring.
- 11.4 The pupil may need opportunities to develop social and emotional skills through intervention groups which will be organised by the SENCo.

12. COMPLAINTS AND ALLEGATIONS

- 12.1 With any use of force there is the risk of an allegation by the pupil that they have been assaulted by a member of staff. Such an allegation will be processed under Child Protection procedures. Staff should be aware that the report of the incident may be required by the Police or crown prosecution service to decide whether a prosecution is warranted.
- 12.2 Pupil and parents also have the right to complain to the governing body and as such the complaint will be dealt with through an internal investigation in the school and possibly in a governor's complaints committee meeting.

13. MONITORING AND REVIEW

- 13.1 The governors and Senior Leadership Team will monitor the impact of this policy on the use of force through recorded incidents and monitoring of behaviour generally in the school.