

Christchurch Learning Centre

Physical Intervention: Use of Reasonable Force

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Introduction

This policy should be read in conjunction with the DfE's 'Use of reasonable force' advice and guidance for headteachers, staff and governing bodies 2013. Also refer to the Centre's policies on behaviour, bullying and special needs.

At no point is the use of reasonable force seen as the first and only response to a pupil's behaviour. It is viewed as a necessary last resort to prevent harm or damage to him or herself, others or property.

The use and type of force will depend on the experience of the staff, the frequency of the need to use force and the pupil's response in such circumstances.

Key Points

- School staff have a power to use force and lawful use of power provide a defence to any related criminal prosecution or other legal action.
- Senior school leaders should support their staff when they use this power.

What is reasonable force?

1. The term 'reasonable force' covers the broad range of actions used by most teachers at some point of their career that involves a degree of physical contact with pupils.
2. Force is usually used either to control or restrain. This can range from guiding a pupil to safety by the arm to more extreme circumstances such as breaking up a fight or where a student needs to be restrained to prevent violence or injury.
3. 'Reasonable in the circumstances' means using no more force than is needed.
4. As mentioned above, schools generally use force to control pupils and restrain them. Control means either passive physical contact, such as standing between pupils or blocking a pupil's path, or active physical contact such as leading a pupil by the arm out of the classroom.
5. Restraint means to hold back physically or to bring a pupil under control. It is typically used in more extreme circumstances, for example when two pupils are fighting and refuse to separate without physical intervention.
6. School staff should always try to avoid acting in a way that might cause injury, but in extreme cases it may not always be possible to avoid injuring the pupil.

Who can use reasonable force?

- All members of school staff have a legal power to use reasonable force.
- This power applies to any member of staff at the school. It can also apply to people whom the headteacher has temporarily put in charge such as unpaid volunteers or parents accompanying students on school organised visits.
- The decision on whether or not to physically intervene is down to the professional judgement of the staff member concerned and should always depend on the individual circumstances.
- At CLC, all staff participate in Teamteach, training which is the adopted approach across all five learning Centres in Dorset. A cycle of up-date training is followed every 2/3 years. Only staff that have successfully passed this course are permitted to use its techniques and strategies.

Schools can use reasonable force to:

- Remove disruptive children from the classroom where they have refused to follow an instruction to do so.
- Prevent a pupil 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 behaviour that disrupts the behaviour of others.
- Prevent a pupil from attacking a member of staff or another pupil, or to stop a fight, and
- Restrain a pupil at risk of harming themselves through physical outbursts.

School cannot:

- Use force as a punishment – it is always unlawful to use force as a punishment.

Power to search pupils without consent

In addition to the general power to use reasonable force described above, headteachers and authorised staff can use such force as is reasonable given the circumstances to conduct a search for the following 'prohibited items'.

- Knives and weapons
- Alcohol
- Illegal substances
- Stolen items
- Tobacco and cigarette papers
- Fireworks
- Pornographic images
- Any article that has been or is likely to be used to commit an offence, cause personal injury or damage to property.

Force **cannot** be used to search for items banned under the school rules.

Use of Force

- All staff should follow the recognised practices and strategies of Teamteach which recommends de-escalation techniques before initiating the use of force or restraint. In some instances, emergency intervention is required where these steps would be omitted in order to reduce any harm or injury to staff, pupils or visitors.

After Care

- Pupils should be removed to a quiet area or the rest of the class removed to create a withdrawal area.

- Force should be withdrawn as quickly as possible.
- Pupils should be given the opportunity to talk through the incident and rebuild their esteem in a calm, non-threatening or judgemental atmosphere.
- Staff involved should be given the opportunity to gather themselves before continuing with their work. Provision will be made to analyse the incident at the end of the day.
- Where necessary and appropriate pupils will be taken home after parental contact has been made.
- A timetable for re-admission or case conferencing should be made. It is hoped temporary exclusion will not be a definite next step.

7. Procedure

- A written account of the incident should be documented in the 'Physical Intervention Log Book' section of Behaviour Watch.
- A telephone call followed by a letter outlining the incident should be sent to the parent/carers of the protagonists.
- A written report of the incident will be sent to the chair of the Safeguarding sub-committee.

Where a pupil requires repeated intervention and use of force, an individually prescribed 'Positive Handling Plan' which may include appropriate risk assessments will be maintained. This will be monitored frequently and shared with all staff and parents.

Staff are regularly trained in Teamteach strategies by qualified training providers and are only permitted to use such techniques if they have attended and up-dated their training within a three year period.