



## **William Penn Reasonable Force and Physical Intervention Policy**

### **Introduction**

If staff become aware of, or have a need to become involved in, situations where a child may be at risk of hurting themselves or others, or if the behaviour of a child seriously disrupts good order in the school or causes damage to property, staff may need to take steps to intervene physically. In such circumstances staff will follow the school's policy for dealing with such situations.

The policy has been developed in response to The School and Inspections Act 2006 section 93 which reinforces previous guidance. It also takes account of DCSF and DOH letters of guidance and follows the guidance for 'The Use of Reasonable Force To Control or Restrain Pupils' issued by DCSF.

The policy has been prepared for the support of all teaching and support staff who come into contact with pupils and for volunteers working within the school to explain the school's arrangements for care and control. Its contents are available to parents and pupils.

### **Purpose of Policy**

Good personal and professional relationships between staff and pupils are vital to ensure good order in our school. It is recognised that pupils at William Penn usually respond positively to the discipline and control practised by staff. This ensures the well-being and safety of all pupils and staff in school. It is also acknowledged that in exceptional circumstances, staff may need to take action in situations where the use of reasonable force may be required. We acknowledge that physical techniques are only part of a whole setting approach to behaviour management.

Every effort will be made to ensure that all staff in this school:

- Clearly understand this policy and their responsibilities in the context of their duty of care in taking appropriate measures where reasonable force is necessary and
- Are provided with appropriate training to deal with these difficult situations.

### **Implications of the Policy**

The Education and Inspections Act 2006 stipulates that reasonable force may be used to prevent a pupil from doing, or continuing to do any of the following:

- Engaging in any behaviour prejudicial to maintaining good order and discipline at the school or among any of its pupils, whether the behaviour occurs in a classroom during a teaching session or elsewhere within school (this includes authorised out-of-school activities).
- Self-injuring
- Causing injury to others
- Committing a criminal offence

Individual members of staff cannot be required to use physical restraint. However, as teaching and non-teaching staff should always operate with an appropriate 'Duty of Care', they could be liable for a claim of negligence if they fail to follow the guidance within this policy. The application of any form of physical control places staff in a vulnerable situation. It can only be justified according to the circumstances described above. Staff, therefore, have a responsibility to follow this policy and to seek alternative strategies wherever possible in order to prevent the need for physical intervention. Reasonable force will only be used as a last resort when all other behaviour

management strategies have failed or when pupils, staff or property are at risk. The Violent Crime Reduction Act 2006 effective from September 2007, gives schools powers to screen or search pupils for weapons. This school follows the current DCSF guidance.

### **Definitions of Positive Handling**

No legal definition of reasonable force exists however for the purpose of this policy and the implementation of it at William Penn:

- Positive Handling uses the minimum degree of force necessary for the shortest period of time to prevent a pupil harming himself, herself, others or property.
- The scale and nature of any physical intervention must be **proportionate** to both the behaviour of the individual to be controlled, and the nature of the harm they might cause.

The term 'Physical Contact' describes situations in which proper physical contact occurs between staff and pupils, e.g., in the care of pupils and in order to support their access to a broad and balanced curriculum.

The term 'Physical Intervention' describes situations where a pupils needs to be diverted from a destructive or disruptive action, for example guiding or leading a pupil by the arm or shoulder where the pupil is compliant.

The term 'Physical Control/Restraint' describes situations which involve the use of reasonable force when there is an immediate risk to pupils, staff or property.

It is important to note that the use of 'reasonable force' should be seen as a last resort. **All such incidents must be recorded** and be stored in an accessible way.

**The level of compliance from the pupil determines whether or not the interaction is an intervention or a control/restraint.**

### **Underpinning Values**

Everyone attending or working in this school has a right to:

- recognition of their unique identity;
- be treated with respect and dignity;
- learn and work in a safe environment;
- be protected from harm, violence, assault and acts of verbal abuse.

Pupils attending this school and their parents have a right to:

- individual consideration of pupil needs by the staff who have responsibility for their care and protection;
- expect staff to undertake their duties and responsibilities in accordance with the school's policies;
- be informed about school rules, relevant policies and the expected conduct of all pupils and staff working in school;
- be informed about the school's complaints procedure.

The school will ensure that pupils understand the need for and respond to clearly defined limits, which govern behaviour in the school.

### **Authorised Staff**

In this school all Teaching staff (including Teaching Assistants) are authorised to use reasonable force within the context of The Education and Inspections Act 2006 The Use of Reasonable Force to Control and Restrain Pupils'. Only non-teaching staff specifically authorised by the Headteacher

to have control or charge of pupils may use reasonable force to manage or control pupils. The school provides training for all authorised staff and the Headteacher retains a list of all those staff trained. The list is reviewed on an annual basis (or more frequently if the context requires it). Authorisation is not given to volunteers or parents. The Headteacher is responsible for making clear to whom such authorisation has been given, in what circumstances and settings they may use force and for what duration of time this authorisation will last. The Headteacher will ensure that those authorised are aware of, and understand, what the authorisation entails. Those whom the Headteacher has not authorised will be told what steps to take in the case of an incident where control or restraint is needed.

## **Non-School Staff Working Within the School**

When working within school it is the Headteacher's responsibility to ensure that colleagues from support services are aware of school policy and practice.

## **Training**

Training for all staff will be made available and will be the responsibility of the Headteacher. No member of staff will be expected to undertake the use of reasonable force without appropriate training. If it may be necessary to use force in an environment for protection of the child, other children or members of the team should be made aware of the back up system in place. Prior to the provision of training, guidance will be given on action to be taken. Arrangements will be made clear as part of the induction of staff and training will be provided as part of on-going staff development.

William Penn acknowledges that physical techniques are only a part of a whole setting approach to behaviour management.

All training will include theory on the following:

- Restrictive Physical Intervention National perspective
- Causes of challenging behaviour
- Primary prevention strategies
- Secondary prevention strategies
- Positive behaviour management
- De-escalation
- Risk assessment
- Behaviour support planning
- De-brief
- Effective review of policy following the training

Physical techniques are not treated in isolation and the school is committed to ensuring that as a result of incidents learning opportunities are created for children that allow them to 'own' and take responsibility for their behaviour. Techniques used take account of a young person's;

- age
- gender
- level of physical, emotional and intellectual development
- special needs
- social context

If necessary, William Penn will implement a gradual, graded system of response. Where appropriate Positive Handling Plans will be written for individual children and where possible, these will be designed through multi agency collaboration eg when devising Pastoral Support Plans.

Risk assessments will to be completed against each child when physical restraint may need to be used in the context of the identified target behaviour(s) and environments in which they occur. The assessment will identify the benefits and the risks associated with the strategies being proposed.

## **Strategies for Dealing with Challenging Behaviour**

As endorsed in the school's Behaviour Policy, staff utilise consistent positive strategies to encourage acceptable behaviour and good order. Every effort will be made to resolve conflicts positively and without harm to pupils or staff, property, buildings or the environment. Where unacceptable behaviour threatens good order and discipline and provokes intervention, some or all of the following approaches should be taken according to the circumstances of the incident and in association with the Education and Inspections Act 2006 Section 93

- 1 A verbal acknowledgement of unacceptable behaviour with request for the pupil to refrain will be given; (this includes negotiation, care and concern).
- 2 If necessary, a further verbal reprimand will be given stating:
  - that this is the second request for compliance;
  - an explanation of why observed behaviour is unacceptable;
  - an explanation of what will happen if the unacceptable behaviour continues.
- 3 If necessary, a warning of intention to intervene physically will be given and this will cease when the pupil complies. If possible assistance from another member of staff will be summoned.
- 4 Physical intervention will take place i.e. reasonable force will be used to prevent a child harming him or herself, others or property.

## **Recording**

Where physical control or restraint has been used a record of the incident will be kept. Appropriate documentation will be completed as soon as possible after the incident, (within the same school day) and will be signed by all staff involved and the Headteacher or Assistant Headteacher. After the review of the incident, a copy of the details will be placed on the pupil's file. Where staff have been involved in an incident involving reasonable force they should have access to counselling and support.

## **Monitoring Incidents**

Whenever a member of staff has occasion to use reasonable force, this will always be recorded and documented following agreed procedures. Monitoring of incidents will help to ensure that staff are following the correct procedures and will alert the Headteacher to the needs of any pupil(s) whose behaviour may require the use of reasonable force. Monitoring of incidents will take place on a regular basis and the results used to inform planning to meet individual pupil and school needs.

## **Action after an Incident**

The Headteacher will ensure that each incident is reviewed and investigated further as required. If further action is required in relation to a member of staff or a pupil, this will be pursued through the appropriate procedure:

- Review of Behaviour Programme
- Safeguarding Procedure (this may involve investigations by Police and/or Social Services)
- Staff or Pupil Disciplinary Procedure
- School Behaviour Policy
- Exclusions Procedure in the case of violence or assault against a member of staff

The member of staff will be kept informed of any action taken. In the case of any action concerning a member of staff, he/she will be advised to seek advice from his/her professional association/union.

William Penn is committed to supporting pupils, parents and staff through both school based and external mechanisms.

### **Complaints**

The availability of a clear policy about reasonable force and early involvement of parents should reduce the likelihood of complaints but may not eliminate them. Any complaints about staff will be investigated through the School's Complaints Policy.

### **Policy Review**

This policy will be reviewed every three years and sooner should guidance change significantly. The review will, as appropriate, seek the views of parents, pupils and staff.

Agreed:

Signed:

Next Review: Autumn 2022