

# **SOMERSET COUNTY COUNCIL**

## ***Use of force to Control or Restrain Pupils***

### **A Model Policy**

**Adopted by  
Greenfylde C of E First School  
March 2016  
Reviewed: March 2019**



Greenfylde Church of England First School

## ***Use of force to Control or Restrain Pupils Policy***

### ***Our Vision***

*Our doors are open – everyone is welcome in Greenfylde C of E First School. As a school community we seek through shared service to support children, families and wider community; encouraging high expectation, hope and support for aspirations and an understanding that all deserve to receive and give respect and dignity.*

*“.....life in all its fullness” John 10:10*

### **SCHOOL ETHOS**

Recognising its historic foundation, the school will preserve and develop its religious character in accordance with the principles of the Church at parish and diocesan level. The school aims to serve its community by providing education of the highest quality within the context of Christian belief and practice. It encourages an understanding of the meaning of faith and promotes Christian values through the experience it offers pupils. The ethos of the school promotes the spiritual, moral, cultural, emotional, social and academic progress of every child. We strive for a safe, secure and positive learning environment, in which all learners can thrive

Greenfylde School values the individuality of all children. We are committed to giving all of our children every opportunity to achieve the highest of standards. We do this by taking account of pupils' varied life experiences and needs. We offer a broad and balanced curriculum and have high expectations for all children. The achievements, attitudes and well-being of all our children matter. This policy helps to ensure that this school promotes the individuality of all our children, irrespective of ethnicity, attainment, age, disability, gender or background.

## **SOMERSET COUNTY COUNCIL**

### ***USE OF FORCE TO CONTROL OR RESTRAIN PUPILS***

#### **A Model School Policy**

##### **1. OBJECTIVES**

In Greenfylde C of E First School we believe that pupils and staff need to be safe, pupils know how to behave, and know that the adults around them are able to manage them safely and confidently. For a very small minority of pupils only will the use of force to control or restrain be needed, and, on such occasions, acceptable forms of intervention are used.

The majority of pupils behave well and conform to the expectations of our school. We have responsibility to operate an effective behaviour policy that encompasses preventative strategies for tackling inappropriate behaviour in relation to the whole school, each class, and individual pupils, thereby preventing serious breaches of school discipline and serious damage to property.

All the school staff need to feel able to manage inappropriate behaviour, and to have an understanding of what challenging behaviours might be communicating. They need to know what the options open to them are, and they need to be free of undue worries about the risks of legal action against them if they use appropriate physical intervention. Parents need to know that their children are safe with us, and they need to be properly informed if their child is the subject of the use of force to control or restrain them, including the nature of the intervention and the rationale for its use.

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

In our school we aim to:

- create a calm, ordered environment that minimises the risk of incidents arising that might require using force
- use Personal, Social, Health Education via SCARF to teach pupils how to manage conflict and strong feelings
- de-escalate incidents if they do arise
- only use force when the risks involved in doing so are outweighed by the risks involved in not using force
- use risk assessments and positive handling/behaviour management plans for individual pupils as appropriate.

### **3. STAFF AUTHORISED TO USE FORCE**

- All teachers and staff whom the head teacher has authorised to have control or charge of pupils automatically have the statutory power to use force.
- In some circumstances, staff whose jobs do not normally involve supervising pupils and volunteers working with pupils will be authorised to be in control or charge of pupils and therefore have statutory power to use force. In these cases, the head teacher or senior member of staff will inform the teachers and other staff (with permanent authorisation) who has temporary authorisation.

### **4. DECIDING WHETHER TO USE FORCE**

In our school, authorised staff will only use force when:

- the potential consequences of not intervening are sufficiently serious to justify considering use of force;
- the chances of achieving the desired result by other means are low; and
- the risks associated with not using force outweigh those of using force.

School staff (including people with temporary authorisation to have charge or control of pupils) will be kept informed about and advised how to deal with pupils who present particular risks to themselves or others (as a result of SEN and/or disabilities and/or other personal circumstances, such as domestic violence) by appropriate handover and liaison.

School staff will minimise the highest risks, for example by calling the police if a pupil suspected of having a weapon seems likely to resist a search.

### **5. USING FORCE**

Before using force at our school, staff will engage the pupil in a calm and measured tone, making clear that their behaviour is unacceptable and setting out how the pupil could choose to change their behaviour.

The use of force will only be proportionate to the level of risk and will be reduced at the earliest possible time.

Staff will only use methods they are trained to use unless there is an extreme emergency and where there is no viable alternative.

Staff are advised that, as far as possible, they should not use force unless or until another responsible adult is present to support, observe and call for assistance.

## **6. STAFF TRAINING**

In our school, we have adopted the Team Teach approach to staff training. Nominated staff are fully accredited and update their skills/re-accredit every three years. Each class has a laminated list of staff that are trained throughout the whole school.

The Team Teach training includes de-escalation techniques which introduce the use of force at an appropriate time, based on a range of other options.

Staff working closely with pupils with SEN or disabilities will undertake risk assessments as required to inform decisions regarding levels of staff training required. These staff will also inform the circumstances in which the school will temporarily authorise staff or volunteers to have control or charge of such pupils.

## **7. RECORDING INCIDENTS**

In our school we have a bound and numbered book for the logging of incidents.

## **8. REPORTING INCIDENTS**

The governing body of our school will ensure that “significant incidents” where a member of staff has used force on a pupil are recorded and reported to parents.

If it is likely that reporting the incident will result in significant harm to the pupil, then the incident will be reported to Somerset Direct (Tel: 0300 123 2224) or to the police.

We will take into account:

- a) An incident where unreasonable use of force is used on a pupil would always be a significant incident.
- b) Any incident where substantial force has been used (e.g. physically pushing a pupil out of a room) would be significant.
- c) The use of a restraint technique is significant.
- d) An incident where a child was very distressed (though clearly not over reacting) would be significant.

Each parent or parents will be informed by the head teacher or senior member of staff of any significant incident when force has been used on their child, ideally by telephone as soon as practicable and then confirming the details in writing.

## **9. POST-INCIDENT SUPPORT**

Members of staff who have been assaulted may wish to report the incident to the police and/or seek advice and support from their trade union representative.

If staff or pupils have been injured, immediate first aid will be provided and medical help accessed, if necessary. Staff and pupils will also receive emotional support.

Letters to parents informing them about the use of force may be used to engage in discussion regarding future course of action. An Individual Behaviour Plan may be necessary to prevent and deal with any further recurrence of behaviour that could lead to the use of force.

If necessary our school will also inform local authority children's services (Youth Offending Team; Educational Psychology Service; Child and Adolescent Mental Health Service; Social, Emotional and Mental Health Support Service).

Staff will aim to help the pupil to develop strategies to avoid repeating the difficult behaviour.

School will provide on-going support for staff and pupils as long as necessary in respect of:

- a) physical consequences
- b) emotional stress/loss of confidence
- c) opportunity to analyse, reflect and learn from the incident

## **10. COMPLAINTS AND ALLEGATIONS**

Parents and pupils have a right to complain about actions taken by school staff including use of force. If a specific allegation is made against a member of staff, then our school will follow the guidance set out in "Safeguarding Children and Safer Recruitment in Education", including referring to the LADO.

Other complaints will be dealt with via the school's complaints procedure.

For further guidance see county policy on the use of force to control or restrain pupils.

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## ANNEX B: Summary of the additional guidance relating to pupils with special education needs and/or disabilities

The general guidance on The Use of Force to Control or Restrain Pupils (2010) continues to be supplemented by two specialist guidance documents, namely:

1. *Guidance on the Use of Restrictive Physical Interventions for Staff Working with Children and Adults who display Extreme Behaviour in Association with Learning Disability and/or Autistic Spectrum Disorders* (Circ LEA/0242/2002); and
2. *Guidance on the Use of Restrictive Physical Interventions for Pupils with Severe Behavioural Difficulties* (Circ LEA/0264/2003).

These provide additional advice for staff working in certain special schools and the main principles of both Circulars are set out below.

The Circulars were issued in 2002 and 2003 respectively and while the information is still relevant some references may not be fully up to date.

The Circular entitled *Guidance on the Use of Restrictive Physical Interventions for Staff Working with Children and Adults who display Extreme Behaviour in Association with Learning Disability and/or Autistic Spectrum Disorders* applies to all special school settings 'catering for pupils with severe behavioural difficulties associated with learning difficulties and/ or autistic spectrum disorders'. Local authorities are also invited to bring the principles set out in the guidance to the attention of mainstream schools.

This Circular stresses the importance of all staff working in such special schools (NB – only those specified as above, not all special schools) having effective training and support in the use of 'restrictive physical interventions'.

The Circular stresses that people with learning disabilities have a right to be treated with respect, care and dignity, especially when they are behaving in ways which may be harmful to themselves or others and as a result may require physical intervention from staff.

The Circular was prepared in close consultation with a voluntary sector organisation, the British Institute of Learning Disability (BILD).

The Circular's underpinning principles are that:

- The use of force should, wherever possible, be avoided
- There are occasions when the use of force is appropriate
- When force is necessary, it must be used in ways that maintain the safety and dignity of all concerned

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The Circular stresses the importance of:

- Schools falling within the remit of the guidance having a written policy on the use of physical interventions, which describes the context in which it is appropriate to use restrictive physical interventions.
- Schools' policies being part of their more general behaviour management strategies.
- Specific strategies and techniques for specific pupils being outlined in each pupil's behaviour management plan.
- Schools' policies indicating how children and their families can participate in the planning, monitoring and review of the use of physical restrictive interventions.
- Schools' policies including reference to the following:
  - Strategies for preventing and de-escalating behaviours that precipitate the use of restrictive physical interventions
  - Descriptions of strategies staff are allowed to use when managing extreme behaviour
  - Procedures for post-incident support
  - How the concept of reasonable force will be determined
  - The approach to risk assessment and risk management. The circular advises that a risk assessment should balance the risk of using a physically restrictive intervention against the risk of not doing so
  - Distinctions between seclusion, time out and withdrawal
  - Distinctions between planned and emergency physical interventions
  - Descriptions of practices which carry elevated levels of risk

The Circular only stresses the importance of recording incidents involving the use of restrictive physical interventions (and provides detailed guidance on the points to be covered in special schools' policies). However, recording and reporting to parents significant incidents of the use of force is now a legal requirement.

The Circular stresses that staff should normally only use methods of restrictive physical intervention for which they have received training.

*The key conclusions of the Guidance are that:*

Restrictive physical intervention can be employed to achieve a number of different outcomes:

- to break away or disengage from dangerous or harmful physical contact initiated by a service user;
- to separate the person from a 'trigger', for example, removing one pupil who responds to another with physical aggression; and
- to protect a child from a dangerous situation – for example the hazards of a busy road.

Restrictive physical interventions should always be designed to achieve outcomes that reflect the best interests of the child whose behaviour is of immediate concern.



The decision to use a restrictive physical intervention must take account of the circumstances and be based upon an assessment of the risks associated with the intervention compared with the risks of not employing a restrictive physical intervention.

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 cause.

The minimum force necessary should be used, applied for the shortest period of time, and the techniques deployed should be those with which the staff involved are familiar and able to use safely and are described in the child's support plan.

**The use of seclusion** (where a person is forced to spend time on their own against their will) is a form of physical intervention and should only be considered in *exceptional* circumstances. The right to liberty is protected by criminal and civil law and seclusion outside the Mental Health Act should always be proportionate to the risk presented by the pupil.

It is an offence to lock a person in a room without a court order except in an emergency, for example where the use of a locked room is a temporary measure while seeking assistance.

*Guidance on the Use of Restrictive Physical Interventions for Pupils with Severe Behavioural Difficulties* (Circ LEA/0264/2003) applies to all local authorities and special schools. The Circular advised **all** local authorities and special schools to draw up policies on the use of restrictive physical interventions (as opposed to just some special schools as under the 2002 Circular), and provided advice on what should be covered in those policies – for example, the importance of consistency, reasonableness and proportionality in the context of effective risk assessment, risk management and schools' duty of care are stressed. It reiterates that the use of force should be avoided wherever possible.

The guidance says that the following points should be covered in special schools' policies:

- Positive behaviour management. It is explained that this is about finding out why a child behaves in certain ways, understanding what factors influence a child's behaviour and identifying early warning signs that indicate foreseeable behaviours are developing. This should form the basis of developing behaviour management plans for individual pupils which encourage pupils to make positive choices and develop self-control, support the pupil in difficult situations and safely manage crises if and when they occur. The Circular provides sample behaviour management plans for individual pupils.
- Risk assessment and planning for the use of restrictive physical interventions.
- Use of restrictive physical interventions in unforeseen and emergency situations.
- Post-incident support.
- Reporting and recording use of restrictive physical interventions.
- Responding to complaints.
- Staff training.