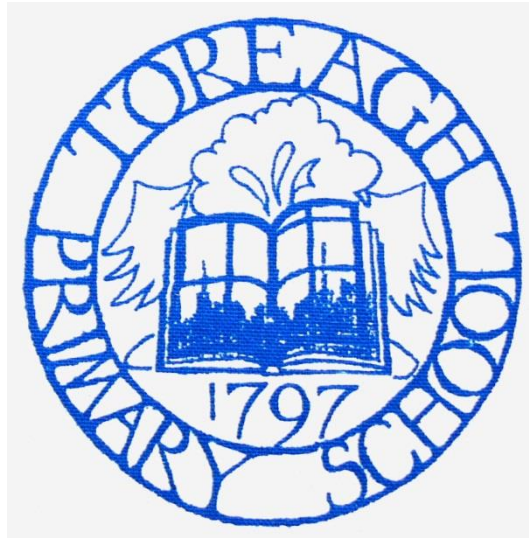


# **TOREAGH PRIMARY SCHOOL**



## **Reasonable Force and Safe Handling Policy**

**Date: February 2019**

**Review Date: February 2022**

In line with all grant aided schools in Northern Ireland, Toreagh Primary School is obliged to draw up a policy on the use of reasonable force to restrain or control pupils.

We, at Toreagh Primary School, have a pastoral responsibility towards the pupils in our charge and will, therefore, take all reasonable steps to ensure that the welfare of pupils is safeguarded and that their safety is preserved. The Board of Governors and the Principal will promote good behaviour and discipline on the part of pupils at the school.

### **Definition of Reasonable Force**

In accordance with Article 4 of the Education (Northern Ireland) Order 1998, a member of staff of Toreagh Primary School is enabled to use, in relation to any pupil at the school, such force as is reasonable in the circumstances to prevent a pupil from:

(a) committing an offence;

(b) causing personal injury to, or damage to the property of, any person (including the pupil himself); or

(c) engaging in any behaviour prejudicial to the maintenance of good order and discipline at the school or among any of its pupils, whether during a teaching session or otherwise.

The right of a member of staff to use such force as is reasonable to restrain or control a pupil applies:

- where the member of staff is on the premises of the school; or
- elsewhere at a time when he/she has lawful control or charge of the pupil concerned;
- to teachers at the school, and to any other member of staff who, with the authority of the principal has lawful control or charge of pupils.

The application of reasonable force to restrain or control a pupil is to be used as a last resort, only when other behaviour management strategies have failed, and when the pupil, other pupils, members of staff, or property are at risk, or the pupil is seriously compromising good order and discipline.

### **Who may use reasonable force?**

The use of reasonable force is only one of the strategies available to schools and teachers to secure pupils safety and well-being and also to maintain good order and discipline. All those who may have to use reasonable force with pupils must clearly understand the options and strategies open to them and they must know what is regarded as acceptable action on their part and what is not.

To facilitate this, members of teaching staff and governors of Toreagh Primary School has a copy of this policy on the use of reasonable force and has read the department of education's guidelines on the subject. Non-teaching staff and volunteers will be identified and specifically authorised by the Principal to be in control of or in charge of pupils. They will receive guidance by the Principal.

Miss Morrow, as principal, has responsibility for notifying parents about incidents where reasonable force has had to be used and for dealing with any complaints which may emerge. This will help to ensure a consistent approach within the school to the use of reasonable force and the reporting arrangements.

### **What is meant by reasonable force?**

There is no precise definition of "reasonable force" so it is not possible to state, in fully comprehensive terms, when it is appropriate to use physical force to restrain or control pupils or the degree of force that may reasonably be used. It will always depend on the circumstances of each case. However, there are three relevant considerations to be borne in mind:

1. The use of force can be regarded as reasonable only if the circumstances of the particular incident warrant it. The use of any degree of force is unlawful if the particular circumstances do not warrant the use of physical force. Therefore physical force could not be justified to prevent a pupil from committing a trivial misdemeanour, or in a situation that clearly could be resolved without force;
2. The degree of force employed must be in proportion to the circumstances of the incident and seriousness of the behaviour or the consequences it is intended to prevent. Any force used should always be the minimum needed to achieve the desired result;
3. Whether it is reasonable to use force, and the degree of force that could reasonably be employed, might also depend on the age, level of understanding and sex of the pupil, and the physical disability he/she may have.

### **When might it be appropriate to use reasonable force?**

Reasonable force may be used in a situation where other behaviour management strategies have failed to resolve the problem, or are inappropriate (eg in an emergency) there are a wide variety of circumstances in which reasonable force might be appropriate or necessary, to restrain or control a pupil. They will fall into three broad categories:

- a. Where action is necessary in self-defence or because there is an imminent risk of injury;
- b. Where there is a developing risk of injury, or significant damage to property;

c. Where a pupil is behaving in a way that is compromising good order and discipline. Examples of situations that fall into one of the first two categories are:-

- A pupil attacks a member of staff, or another pupil;
- Pupils are fighting;
- A pupil is causing, or at risk of causing, injury or damage by accident, by rough play, or by misuse of dangerous materials, substances or objects;
- A pupil is running in a corridor or on a stairway in a way in which he/she might have or cause an accident likely to injure him or herself or others;
- A pupil absconds from a class or tries to leave school (NB this will only apply if a pupil could be at risk if not kept in the classroom or at school).

Examples of situations that fall into the third category are:-

- A pupil persistently refuses to obey an order to leave a classroom;
- A pupil is behaving in a way that is seriously disrupting a lesson.

### **Is it appropriate to use reasonable force in every situation?**

Reasonable force should not be used automatically in every situation nor should it be used as a form of discipline. In a non-urgent situation, reasonable force should only be used when other behaviour management strategies have failed.

Before intervening physically a member of staff will seek to deploy other behaviour strategies. Where these have failed, the member of staff will, wherever practicable, tell the pupil who is misbehaving to stop, and what will happen if he/she does not. The member of staff will continue attempting to communicate with the pupil throughout the incident and will make it clear that physical contact or restraint will stop as soon as it ceases to be necessary. A calm and measured approach to a situation is needed and staff should never give the impression that they have lost their temper, or are acting out of anger or frustration, or to punish the pupil.

The behaviour of the vast majority of pupils in a school will never require any form of physical intervention. However, a small number of pupils may require some form of physical intervention by staff. In order to minimise the risk of incidents escalating unnecessarily, the school should carry out a risk assessment. If the school becomes aware that a pupil is likely to behave in a disruptive way that may require reasonable force, it should plan how to respond if the situation arises. Such planning will address:

- Consulting the parents to ensure that they are clear about the specific action the school might need to take.
- Briefing staff to ensure they know exactly what action they should be taking.
- Managing the pupil, for example, reactive strategies to de-escalate a conflict.
- Ensuring additional support can be summoned wherever possible.

These strategies should help to ensure that any force used is the minimum necessary to achieve the desired outcome.

Sometimes a member of staff will not intervene in an incident without help (unless it is an emergency), for example when dealing with an older pupil, or a physically large pupil, or more than one pupil, or if the teacher believes he/she may be at risk of injury. In those circumstances the member of staff will remove other pupils who might be at risk, and summon assistance from a colleague or colleagues, or where necessary, telephone the police. The member of staff will inform the pupil(s) that he/she has sent for help. Until assistance arrives the member of staff will continue to attempt to defuse the situation orally and try to prevent the incident from escalating.

### **What might be regarded as constituting reasonable force?**

Physical intervention can take a number of forms. It might involve staff:

- Physically interposing between pupils;
- Blocking a pupil's path;
- Holding;
- Pushing;
- Pulling;
- Leading a pupil by the arm;
- Shepherding a pupil away by placing a hand in the centre of the back; or
- (In extreme circumstances) using more restrictive holds

In exceptional circumstances, where there is an immediate risk of injury, a member of staff may need to take any necessary action that is consistent with the concept of "reasonable force", for example, to prevent a young pupil running off a pavement onto a busy road, or to prevent a pupil hitting someone, or throwing something.

However, staff should never act in a way that might reasonably be expected to cause injury, for example by:

- holding around the neck;
- any hold that might restrict breathing;
- kicking, slapping or punching or using any implement on a pupil;
- throwing any object at a pupil;
- forcing limbs against joints;
- tripping up a pupil;
- holding or pulling by the hair;
- holding the pupil face down on the ground; Staff should also avoid touching or holding a pupil in any way that might be considered indecent.

### **Is physical contact with pupils appropriate in other circumstances?**

Our Code of Conduct for staff makes it clear that, although physical contact with pupils should generally be avoided, there can be occasions when physical contact with a pupil may be proper or necessary. For example, some physical contact may be necessary to demonstrate exercises or techniques during PE lessons, sports coaching, music or

technology and design, or if a member of staff has to give first aid. Young children and children with special educational needs may also need staff to provide physical prompts or help. Touching may also be appropriate where a pupil is in distress and needs comforting. Teachers should use their own professional judgement when they feel a pupil needs this kind of support. Guidance on these issues can be found in the Code of Conduct.

### **Should incidents where reasonable force is used be recorded?**

We will keep a detailed, contemporaneous, written report of any occasion (except minor or trivial incidents) where reasonable force is used. This may help prevent any misunderstanding or misrepresentation of the incident, and it will be helpful should there be a complaint. The school will keep an up-to-date record of all such incidents, in an incident book. Immediately following any such incident the member of staff concerned should tell the Principal, Miss Morrow or in her absence the DT, Mrs Wells and provide a short written factual report as soon as possible afterwards. That report should include -

- The name(s) of the pupil(s) involved, and when and where the incident took place;
- The names of any other staff or pupils who witnessed the incident;
- The reason that force was necessary (eg to prevent injury to the pupil, another pupil or a member of staff);
- Briefly, how the incident began and progressed, including details of the pupil's behaviour, what was said by each of the parties, the steps taken to defuse or calm the situation, the degree of force used, how that was applied, and for how long;
- The pupil's response, and the outcome of the incident;
- Details of any obvious or apparent injury suffered by the pupil, or any other person, and of any damage to property.

The Chairman of the Board of Governors and the Principal will review the entries in the incident book annually.

In-service training and guidance will be provided for all staff who are authorised to use reasonable force by the Safeguarding Team.

This policy will be reviewed in the light of any guidance issued by the EA and DENI.