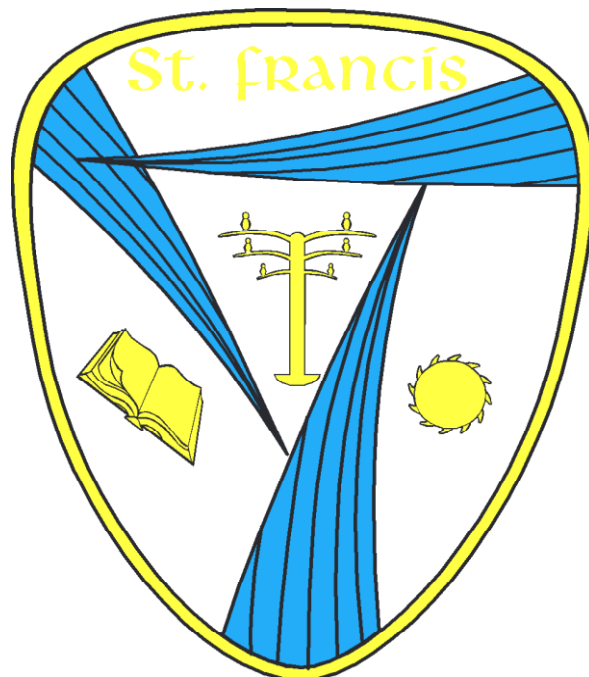


St Francis' P.S./ Bunscoil Naomh Proinsias

Safeguarding/ Use of reasonable force Policy



St. Francis' P.S. and Bunscoil Naomh Proinsias

Policy for Safe Handling & the Use of Reasonable Force with Children

1) Rationale and context:

The purpose of St. Francis' Primary School and Bunscoil Naomh Proinsias is to:

- Provide a safe and secure environment for the entire school community (pupils and staff)
- promote and sustain appropriate behaviour;

In fulfilling this we are additionally:

- taking account of the United Nations Convention on the Rights of the Child (Article 12); International 1989 (UK 1991)
- taking account of the Education (NI) Order 1998 (Article 3) which requires Boards of Governors to ensure that policies are designed to promote good behaviour and discipline on the part of the pupils;
- taking account of the Education (NI) Order 1998 (Article 4) which clarifies the powers of members of staff of a grant-aided school regarding the use of reasonable force;
- taking account of the Education and Libraries (NI) Order 2003 (Articles 17 + 19) which imposes a duty on Boards of Governors to safeguard and promote the welfare of pupils; and
- taking account of the Human Rights Act 1998 which provides for the right to education.

This policy and our procedures have been developed in line with guidance from:

- DE document ‘Safeguarding and Child Protection in schools- a guide for schools’ DE 2017/04;
- DE document ‘Towards a Model Policy in Schools on the Use of Reasonable Force’ August 2002;
- Department of Education Circular 1999/9
- Pastoral Care in Schools: Promoting Positive Behaviour (2001);
- Pastoral Care in Schools - Child Protection: Code of Conduct for Staff (1999/10) paragraphs 69 to 72; and
- DE Circular 2003/13 Welfare and Protection of Pupils.

2) Principles:

St. Francis’ PS and Bunscoil Naomh Proinsias believe that:

- Each child has the right to be educated in a safe and secure environment where each child’s moral, intellectual, personal, social and emotional development is promoted.
- Parents and carers are informed and reassured that their children are being educated in a safe, caring and respectful atmosphere.
- All staff have the right to work in a safe and secure environment.

These principles underpin our school ethos and culture.

3) Purposes

The following purposes underpin St. Francis' PS and Bunscoil Naomh Proinsias policy and practices to:

- create a learning environment in which young people and adults feel safe;
- protect every person in the school community from harm;
- protect all pupils against any form of physical intervention, which is unnecessary, inappropriate, excessive or harmful; and
- develop and implement guidance for staff (teaching and non-teaching) so that they are clear about the circumstances in which they might use reasonable force to restrain pupils and how such force might be applied.

St. Francis' Primary School - Mission Statement

In our school we are all friends who play, work and learn together so that St. Francis' will be a memorable stepping stone through life's journey.

Bunscoil Naomh Proinsias- físráiteas

“Ar scoil is cairde muid uilig a bhíonn ag súgradh, ag obair agus ag foghlaim le chéile sa dóigh is go mbeidh Bunscoil Naomh Proinsias ina chlochán suntasach i rith turas an tsaoil.”

4) Legislative Framework

This policy has been formulated with due consideration to the following legislation:

- Children (NI) Order 1995 - duty to protect and child protection responsibilities/ fulfilling responsibility;

- UN Convention On The Rights Of The Child 1989 - (Articles 12, 16 and 19); UK 1991;
- Education (NI) Order 1998 (Part II Article 4(1));
- Human Rights Act 1998 - Articles 3 and 5 of the European Convention on Human Rights;
- Health and Safety at Work Act (NI) Order 1978;
- Education and Libraries (NI) Order 2003 - Articles 17, 18, 19.

5) Links with other policies

- This policy is one of a suite of policies and dovetails into the school's existing promoting positive behaviour policy, anti-bullying policy, child protection policy, special needs policy and health and safety policy.

6) Definition of Reasonable Force

The Education (NI) Order 1998 (part II Article 4 (1)) states:

“A member of the staff of a grant-aided school may use, in relation to any pupil at the school, such force as is reasonable in the circumstances for the purpose of preventing the pupil from doing (or continuing to do) any of the following, namely:

- committing any offence;
- causing personal injury to, or damage to the property of, any person (including the pupil himself); or
- engaging in any behaviour prejudicial to the maintenance of good order and discipline at the school or among any of its pupils, whether that behaviour occurs during a teaching session or otherwise.”

Based on this legal framework, the working definition of “reasonable force” is the minimum force necessary to prevent a pupil from physically harming him/herself or others or seriously damaging property, but used in a manner which attempts to preserve the dignity of all concerned.

7) Practices

Preventative Strategies

The school actively promotes positive behaviour management strategies thus reducing the need for the use of any form of physical intervention, except in emergency situations.

Preventative strategies for inappropriate behaviour(s) are detailed in our school’s promoting positive behaviour policy.

Risk Assessment

Risk assessment is one of our preventative strategies to minimise the risk of an incident escalating unnecessarily and will be a normal practice for our school where a pupil or a small number of pupils are known to exhibit disturbing or distressing behaviour (EBD). **Risk assessment will be considered only for those pupils where there is a foreseeable risk and enables the school to plan and train accordingly.** Risk assessment will be considered from two perspectives (a) environmental risk assessment or (b) individual risk assessment. This should form part of the pupil’s education plan. (Appendix 1 and Appendix 2)

8) Procedures - Support Structures

The following procedures have been agreed by the staff and adopted by the board of Governors. Parents and pupils will be informed of the school’s procedures and support structures within the overall **Pastoral Care Policy**.

9) Roles and Responsibilities

Reasonable force/safe handling can be used by any member of staff who is authorised by the principal to have lawful control or charge of pupils. This authorisation includes teachers, classroom assistants, supervisory assistants.

10) Procedures

There may be circumstances when a member of staff may have to decide between making an intervention/using reasonable force by placing him/herself in a dangerous situation or standing back and thereby allowing colleagues or pupils to face a potential danger. There will always be an element of personal judgment in these decisions and there is the possibility of someone being injured. However, it is reasonable to expect a member of staff to engage in some risk where there is evidence of danger to others and intervention has a good chance of being effective.

Staff should not, however, put themselves in personal danger merely to safeguard property.

Reasonable force/safe handling can be used by a teacher or other authorised person(s) on the school premises or when authorised elsewhere eg, supervision of pupils in bus queues, a field trip, on other authorised out of school activities such as a sporting event or educational trip. Reasonable force should be limited to emergency situations and used only as a last resort when all other behaviour management strategies have been exhausted and where:

- action is necessary in self-defence or because there is imminent risk of injury to another pupil or person;
- there is a developing risk of injury to another pupil or person, or significant damage to property;

- a pupil is behaving in a way that is compromising good order and discipline.

Examples that fall into the above 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 which s/he might cause an accident likely to injure her/himself or others;
- a pupil absconds from a class or tries to leave school (Note: this will only apply if a pupil could be at risk if not kept in the classroom or at school);
- 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.

11) Definition of Safe Handling and Reasonable Force

The use of reasonable force is only lawful if the circumstances warrant it. The degree of force used will be the minimum appropriate to the seriousness of the behaviour or incident that it is intended to prevent. It will be employed calmly and in a professional manner. This might include:

- physically separating pupils;
- blocking a pupil's path;
- holding;
- leading a pupil by the hand or arm;
- shepherding a pupil with a hand on the back or shoulder;
- or
- (in extreme circumstances) using more restrictive holds.

When using reasonable force, physical intervention or restraint or safe handling, the pupil's health and safety must always be considered and monitored.

Physical interventions should involve the minimum amount of force necessary to resolve the situation and calm the pupil.

12) **Forms of Safe Handling for our Nursery and FS classes**

Our Nursery staff, early years staff and staff attached to SEN pupils displaying EBD behaviours will be involved in activities that require safe handling on a regular basis for educational, therapeutic, health and safety purposes. This might include:

- teaching a child to hold an adults arm appropriately whilst walking down a corridor or a staircase; or on a visit outside school;
- reacting instinctively to a situation by holding or restraining a child who is running onto a busy road;
- physically prompting a young child as part of an educational or behaviour programme; or
- assisting a child with toileting.

13) **Unacceptable and Unreasonable Force**

The following uses of force will always be considered unreasonable and therefore will not be used in St. Francis' Primary School:

- holding around the neck;
- any hold that might restrict breathing
- kicking, slapping, poking or punching;
- forcing limbs against joints;
- tripping;

- holding by the hair; and
- holding the pupil face down on the ground.

14) Anticipating the Use of Reasonable Force

Having completed both an individual risk assessment and an environmental risk assessment the situation will continue to be monitored. All staff will be encouraged to report concerns relating to routines, individuals and situations that have the potential to lead to incidents requiring the use of reasonable force.

Teachers and supervisory assistants will only exercise the use of reasonable force in extreme circumstances. In an emergency any member of staff will have the authority to use reasonable force.

If it is considered likely that a pupil will be sufficiently disruptive to require the regular use of reasonable force (whether for medical, special needs or another reason), the parents/carers will be consulted and an appropriate action plan agreed and reviewed regularly. With the agreement of a parent, completion of form RF1 would only be required following incidents not accounted for within the action plan.

15) Recording the Use of Reasonable Force

Any occasion where force is used will be recorded in full: the name/s of the pupil/s involved and the time and place of the incident; the names of any witnesses; the reasons for the use of force; an account of what happened including pupil response and the outcome of the incident; the details of any damage or injury. These will be entered on form RF1 (see Appendix 1) which will then be copied to relevant parties.

Appendix 1:

Incident Requiring the Use of Reasonable Force

RF1

Pupil:		Class:
		Date:
		Time:

Member/s of staff who employed reasonable force:

Names of adult witnesses:
Status:

Reasons for the use of reasonable force

To ensure safety † To preserve order † To prevent
destruction †

Account of incident (include description of incident, reasonable force. Pupil response, outcome)

(continue overleaf if necessary)

Details of injury and/or damage:

Details of any measures introduced following the incident:

Signatures of staff involved:

Principal's Signature:

Copies to: parent/carer †

child's file †

RF file †

Chairman of BOG: †

staff involved †