WEXHAM COURT PRIMARY SCHOOL

Use of Reasonable Force Policy

2023 - 2026

Date Approved:	**Summer 2023**
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Approved By:	**Full Governing Body & Head Teacher**

WEXHAM COURT PRIMARY SCHOOL

USE OF REASONABLE FORCE POLICY

Preparing every child to become a successful individual in an ever evolving world.

Build belonging   **Strive for excellence**   **Do the right thing**

EQUALITY STATEMENT

At Wexham Court Primary School we are proud of the diversity of our students and staff and are committed to promoting a positive and inclusive culture in which all are valued and supported to fulfil their potential irrespective of their age, disability, race, religion, beliefs, sex or sexual orientation. We acknowledge that we are all influenced by implicit bias, or the stereotypes that unconsciously affect our decisions and that this can negatively impact traditionally marginalised and disenfranchised students. In all areas of our school, we strive to understand and appreciate all aspects of diversity, equality and inclusion and proactively adapt our school policies and procedures accordingly.

Written by Wexham Court staff and pupils

This policy should be read in conjunction with the Education and Inspections Act 2006 section 93 and The Apprenticeship, Skills, Children and Learning Act 2009 section 246 and the DFE non-statutory advice Use of Reasonable Force: Advice for Headteachers, Staff and Governing Bodies (July 2013), DFE guidance: Behaviour in Schools (July 2022) and with reference to the school's Behaviour Policy. In addition, new DFE advice issued entitled "Searching screening and confiscation at school" (July 2022).

INTRODUCTION

At Wexham Court Primary School we aim to offer a welcoming, secure and safe environment in which our children will flourish. At all times our first and paramount consideration is the welfare of the children in our care. Wexham Court is a calm and nurturing place, the use of force is unlikely, however we accept that on some occasions this may be required. Some, but not all reasons to use force may be:

- The prevention of a criminal offence (including behaving in a way that would be an offence if the pupil were not under the age of criminal responsibility).

- Searching for prohibited items (see Appendix 1 for a list of prohibited items). Only the Head Teacher, or a member of staff authorised by the Head Teacher can carry out a search.

- To prevent a pupil causing injury or damage to themselves or others, whether by accident, rough behaviour or by misuse of materials or objects.

- To prevent a pupil from causing damage to property (including the pupil's own property).

- Engaging in any behaviour prejudicial to maintaining good order and discipline in line with our Behaviour Policy.

Force **cannot** be used to search for items banned under the school rules. In such cases *"school staff have the power to search a pupil for any item if the pupil agrees. The member of staff should ensure the pupil understands the reason for*

the search and how it will be conducted so that their agreement is informed" (DfE Guidance: Searching, Screening and Confiscation Advice for Schools, July 2022)

The use of light force to guide or direct a child with needs, will be recorded in a Positive Handling Plan (PHP) and is not considered a use of force; this may include caring Cs or guiding a child to help them complete a task etc

DEFINITIONS

What is reasonable force?

- The term 'reasonable force' covers the broad range of actions that involve a degree of physical contact with pupils.

- Force is usually used either to aid, control or restrain. This can range from guiding a pupil to safety by the arm through to more extreme circumstances such as breaking up a fight or where a student needs to be restrained to prevent violence or injury.

- 'Reasonable in the circumstances' means using no more force than is needed.

Force as a means of control

Control can mean either:

- Passive physical contact (for example, standing between pupils, blocking a pupil's path).

- Active physical contact (for example, taking a pupil by the arm or hand, or ushering a pupil away by placing a hand in the centre of the back).

Force as a means of restraint

Restraint means to hold back physically or to bring a pupil under control. This usually means physically preventing a pupil from continuing what they are doing after having been told to stop. The circumstances are generally more extreme than control situations, for example, when pupils are involved in a fight.

Force as a means of aid

Force as a means of aid would be used to support pupil learning, encourage, guide or comfort a pupil. This would include for example physical support to access learning such as helping pupils with balance, holding hands to guide a pupil, when comforting a distressed pupil or to give first aid.

OBJECTIVES AND TARGETS

The objectives of this policy include:

- Maintaining the safety of pupils and staff.

- Preventing serious breaches of school discipline.

- Preventing serious damage to property.

- Preventing criminal offences (or if under the age of criminal responsibility, from committing what would be a criminal act for an older pupil).

STAFF AUTHORISED TO USE FORCE

The headteacher and all members of the teaching staff have the statutory power to use 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 of pupils such as unpaid volunteers or parents accompanying student on a school organised visit*" (DfE Guidance: Use of reasonable force – Advice for headteachers, staff and governing bodies).

This policy requires all staff and volunteers who are not fully trained in Team Teach, to seek the assistance of another trained member of staff, where physical intervention is required, unless there is a very clear and very immediate risk of serious injury if they do not intervene.

Trained staff will only use force when the potential consequences of not intervening are likely to be sufficiently serious to justify considering use of force.

Wherever possible these judgements will take account of the particular characteristic of the pupil, including age, SEN or disability.

Before taking steps to use force, all members of staff will tell the pupil to stop misbehaving and what will happen if they do not. The member of staff will communicate in a calm and measured manner throughout the incident. Staff should always attempt to maintain the dignity of the pupil both during and after the use of force; and ensure that they remove as far as possible, anyone who is not essential to the control of the situation.

TRAINING

Staff will receive training in the use of reasonable force from reputable training agencies such as Team Teach. They will be informed about:

- 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).

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

- Types of force that could be used to restrain, for example:

- Standing between pupils or blocking a pupil's path.

- Leading a pupil by the hand or arm.

- Ushering a pupil away by placing a hand in the centre of the back.

- Using appropriate restricting holds in more extreme circumstances.

There are some types of force that are unacceptable because they present an unacceptable risk. These are:

- The 'seated double embrace' which involves two members of staff forcing a person into a sitting position and leaning them forward, while a third monitors breathing.

- The 'double basket-hold' which involves holding a person's arms across their chest.

- The 'nose distraction technique' which involves a sharp upward jab under the nose.

Staff will also be 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.

POSITIVE BEHAVIOUR MANAGEMENT PROCESS

As a school, we aim to create an environment that minimises the need to use force by:

- Reinforcing and modelling our vision values and behaviour code.

- Creating a calm environment that minimises the risk of incidents arising, that might require the use of force.

- The class teacher using the behaviour policy to resolve conflict.

- Using the Jigsaw PSHE programme to teach pupils how to manage conflict and strong feelings.

- Referring pupils for interventions such as ELSA where necessary to teach them techniques for managing their emotions.

- De-escalating incidents if they do arise.

- Providing mental health support.

- Only using force when the risks involved in doing so are outweighed by the risks involved in not using force; this could happen at any point in this process.

- Risk assessments - the risk assessment should look at whether a pupil is identified as presenting a risk, in which case they should have a Positive Handling Plan (PHP). A PHP must be completed for pupils who may require reasonable force to support learning, such as guides.

- The PHP details any strategies which have been found to be effective for that individual, along with any particular responses which are not recommended. If particular physical techniques have been found to be effective they should be named, along with alerts to any which have proven ineffective.

- PHPs should be considered alongside any other planning documents which relate to the pupil. They should take account of age, gender, level of physical, emotional and intellectual development, special need and social context. Staff working with pupils who have these plans should be familiar with them and use the preferred supportive and intervention strategies and the preferred handling strategies in the plan.

Process following an incident

Immediately after an incident where the use of force is necessary (whether planned or unplanned) the following should happen:

- The form at Appendix 2 should be completed and given to a member of SLT or the Headteacher (see section on Recording Incidents)

- If the incident is a significant one it should be reported to parents/carers, unless informing them is likely to cause significant harm to the pupil, in which case the incident should be reported to the LA and their advice sought (please see sections on recording and reporting incidents for further details).

- Parents will be given the opportunity to discuss the incident.

- Afterwards arrangements will be made for supporting staff and pupils involved in the incident, including meeting immediate physical needs and rebuilding relationships, to ensure that lessons are learned from the incident.

Where there is the need for daily intervention to guide and support pupils this will be mentioned in their risk assessment and PHP, but will not be reported on.

RECORDING INCIDENTS

Where force is used to physically restrain a pupil, it is important that there is a detailed, contemporaneous, written report of the incident. The incident form at Appendix 2 should be used and will be completed as soon as possible after any significant incident has occurred.

A significant incident is one where:

- Substantial force has been used.

- A restraint technique has been used.

- A child is very distressed (though clearly not over-reacting) and is becoming violent or unsafe in their behaviour.

- Unreasonable force has been used.

All injuries to staff or pupils will be recorded in accordance with the school's health and safety and first aid policies. Where the injury is to a staff member, it will be recorded on an accident, incident, near miss reporting form, held by the site manager. Where the injury is to a child, it will be recorded in the accident reporting book, which is stored securely in the Medical Room.

In considering whether an incident needs to be recorded, the following will be taken into consideration if it was a significant use of force:

- The degree of force used.

- Any effect on the pupil or member of staff.

REPORTING INCIDENTS

Parents/carers will be informed of any recordable incident and given an opportunity to discuss the incident with a member of the senior team and in some cases an appropriate class teacher, should the senior team not be available and given a copy of this policy.

However, if it is considered that it is likely to result in significant harm to the pupil, then parents will not be informed of any recordable incident. In such cases, every significant incident should be reported in the first instance to the LA and

advice sought.   In some cases, the appropriate external agencies (for example, local authority children's services, the local children's safeguarding board, the health and safety executive, youth offending teams and the police) will be informed.

Post-Incident Support

Incidents that require the use of force, particularly restraint, can be upsetting to all concerned and may result in injuries to the pupil or staff. After incidents have subsided, it is important to ensure that staff and pupils are given emotional support and basic first aid treatment for any injuries.

MANAGING COMPLAINTS AND ALLEGATIONS

- Should there be any complaint or allegation following an incident, then the school's Managing Allegations Against Staff Policy will be followed.

- All complaints about the use of force should be thoroughly and appropriately investigated in a timely manner.

- When a complaint is made, the onus is on the person making the complaint to prove that his/her allegations are true – it is not for the member of staff to show that they have acted reasonably.

- Suspension will not be an automatic response when a member of staff has been accused of using excessive force.

- Where a member of staff has acted within the law; that is, they have used reasonable force in order to prevent injury, damage to property or disorder; this will provide a defence to any criminal prosecution or other civil or public law action.

MONITORING AND EVALUATION

The Senior team will evaluate any incidents and reflect upon the situation to gather new learning, or to ensure the policy was correctly applied. The head teacher will make an annual report to the governing body of the recordable incidents after which the impact of the policy will be considered and the policy changed if necessary.

REVIEWING

This policy will be reviewed every three years, or earlier if deemed necessary. Additionally, parents will be invited to comment on the policy if their child is involved in an incident involving restraint.

APPENDIX 1   - List of Prohibited Items

The school may use force to search for the following prohibited items:

Prohibited Items

- Knives

- Alcohol

- Illegal drugs

- 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.

Wexham Court Primary School
Positive handling Report

To be completed before child leaves to go home.

Date of Incident:

Time of Incident:

Names of staff/pupils concerned (include year group):

Place of Incident:

Description of Incident(including reason that safe hold was necessary):

Continue on another sheet if necessary

Action taken and by whom:

Signed/initialled by Staff Reporting:

Signed/initialled by Headteacher/SLT:

MANAGEMENT RESPONSE

Type of incident/concern:

	Racial
	Health & Safety Concern
	Behaviour/Discipline

Other notes:

APPENDIX 2 – TEMPLATE POSITIVE HANDLING PLAN

Positive Handling Plan

Name: **Date of Plan:** **Review of Plan Due:** **Version:**

Stage 0- How the child presents when settled and calm?	Stage 0- What/when does this happen?

What does the behaviour look like?

Stage 1 Anxiety Behaviours	Stage 2 Defensive Behaviours	Stage 3 Crisis Behaviours
Response (identify function of behaviour and alternative behaviours to be taught) *for example*: • To use agreed visuals and timetable with reward • Use of a timer to support child to complete learning • Minimal language • Praise	Response *for example*: • Planned ignore • Agreed phrases	Response *for example*: • Put hand up, move away • Use agreed phrases • Caring C's • Move away from the child
Stage 4 Recovery	**Stage 5** Depression	**Stage 6** Follow up

Response *for example*:	Response *for example*:	Response *for example*:

• Sensory room
• Tent
• Body sock
	• Use of social stories
	• Reinforce
	• Communicate with parent
		• Reminder of reward
		• **<u>Reward options</u>**
		   o Colouring
		   o Painting
		   o Football
		   o Friend-closed choice
		   o Helicopter
		   o Painting
		   o Playdough
		   o Trains
		   o Animal figures
		   o Ball games
		   o Sensory objects

What are common triggers?

Other key information

De-escalation skills

	Try	Avoid	Notes
Verbal advice and support	☐	☐	_____
Giving space	☐	☐	_____
Reassurance	☐	☐	_____
Help scripts	☐	☐	_____
Negotiation	☐	☐	_____
Limited Choices	☐	☐	_____
Humour	☐	☐	_____
Remind Consequences	☐	☐	_____
Planned ignoring	☐	☐	_____
Take up time	☐	☐	_____
Time-out	☐	☐	_____
Supportive touch	☐	☐	_____
Transfer adult	☐	☐	_____
Success reminded	☐	☐	_____
Simple listening	☐	☐	_____

		Try	Avoid	Notes
Acknowledgement		☐	☐	_____
Apologising		☐	☐	_____
Agreeing		☐	☐	_____
Removing audience		☐	☐	_____
Others		☐	☐	_____

Preferred method Physical intervention?

Intermediate	Try	Avoid	Notes
Friendly escort	☐	☐	_____
Single elbow	☐	☐	_____
Figure of four	☐	☐	_____
Double elbow	☐	☐	_____
Single elbow in seats	☐	☐	_____
Cradle	☐	☐	_____

Are there any factors to consider when debriefing? E.g. Communication aids, staff etc.

- Consistent visuals
- Visual timetable and finished envelope
- Consistent language – limited scripts in pinnys ' agreed phrases'
- Logistics of staffing – time tabling
- Modelling of caring c's – Team teach training required
- Return to school plan
- Phased return- with detailed time increasing
- Plan reviewed Thursday PM and plan shared with Friday PM
- Positive handling plan- shared with Dad with examples
- Having resources, learning and rewards ready.
- Timetabling

	Plan Drawn Up/Written by: All involved to sign below	Plan shared with Parents/carers:	Plan shared with Pupil:	Plan shared with others e.g. social care
Name(s)	Roseanna Orsi Lovedeep Patterson Nafisa Habib Navroop Mehat Tanya Siddiq			
Date				