



Reasonable Force and Safe Handling Policy

Policy Date: _____

Signature of Principal: _____

Signature of Chairperson of Board of Governors: _____

Review Date: _____

Rationale

Our dual responsibility is to provide safe and secure environment for the entire school community, pupils and staff. Promote and sustain appropriate behaviour.

Take account of the United Nations Convention on the Rights of the Child (Article 12); International 1989 (UK 1991).

Take 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.

Take 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.

Take 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.

Take 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 The Department of Education NI circular 1999/9, DE document “Towards a Model Policy in Schools on the Use of Reasonable Force August 2002, 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.

Principles

Gortin P.S. believes 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 ethos and culture.

Purposes

The following purposes underpin Gortin P.S. 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
- 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.

Mission Statement

The Board of Governors and staff of Gortin P.S. set out a vision to create an emotionally and physically safe, caring and supportive environment in which learning and teaching can take place! All will work towards developing the academic, personal, aesthetic, social and spiritual potential of each child. Central to the creation of this environment is a commitment to Christian values.

We aim to help pupils feel a sense of worth and dignity and will encourage them to assume respect and responsibility for themselves and others. We will provide opportunities for children to experience achievement and success.

The pastoral dimension will permeate all school activities. We wish our school to be a community where pupils, teachers, parents and support staff enjoy a sense of belonging and have an important and valued part to play.

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 11 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 2003 – Articles 17.18.19

Links with other Policies

This policy is one of the overall pastoral policies and dovetails into the school's existing discipline policy, anti-bullying policy, child protection policy, special needs policy, and health and safety policy.

It also takes account of the staff development and welfare policy.

Teaching, learning and assessment policy and curricular policies.

Definition of Reasonable Force

The Education (NI) Order 1998 (part 11 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: -

- Committing any offence
- Causing personal injury to, or damage to the property of, any person, including the pupil himself
- 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.

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 schools behaviour management policy especially – defusing and de-escalating conflict/confrontation or aggression.

Risk Assessment

Risk assessment is one of our preventative strategies to minimise the risk of an accident 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 enable 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. This should form part of the pupil's education plan. (Appendix 1 and Appendix 2)

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.

Roles and Responsibilities

Any member of staff who is authorised by the principal to have lawful control or charge of pupils, e.g. teachers, classroom assistants, supervisory assistants, can use reasonable force/safe handling. The principal will confirm with all staff those who are authorised to be in charge of pupils at any given time.

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 judgement 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. A teacher can use reasonable force/safe handling or other authorised person(s) on the school premises or when authorised elsewhere e.g. supervision of pupils in bus queues, a field trip, on other authorised out school activities such as a sporting event or educational trip.

Reasonable force should be limited to emergency situation 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 personal 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 a corridor or on a stairway in which they might cause an accident likely to injure themselves 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

Schools should stipulate procedures for summoning additional support, e.g. reliable pupil in this policy for action and inform relevant staff.

The use of reasonable force/safe handling should involve a calm and measured approach at all times appropriate to the particular pupil and be in accordance with the schools agreed strategies and the following procedures.

- Tell the pupil to stop the inappropriate behaviour
- Ask the pupil to behave appropriately, clearly stating the desired behaviour
- Tell the pupil that physical intervention will take place if inappropriate behaviour continues
- During the incident repeatedly reassure the pupil and tell him/her that physical contact will stop as soon as he/she is ready to behave appropriately
- If the teacher, classroom assistant or supervisory assistant feels at risk, e.g. from a large or older group of pupils, send for the nearest staff support.

The forms of reasonable force the school will use will depend on the individual circumstances and are

- Separating pupils who are fighting, by taking hold of pupils arm and pulling apart
- Blocking a pupil's path by standing in front of pupil
- Hold the child by the hand/wrist
- When greater degree of restraint necessary hold child by both upper arms. A calm and reassuring approach will be used at all times

- Breakaway techniques (e.g. when a member of staff is grabbed by a pupil), removing a child's grip
- Leading a pupil by the arm
- Shepherding a pupil away by placing hands on the backs of elbows
- Using more restrictive hold.
- Lifting a small child

Health and Safety

When using reasonable force/physical intervention/restraint/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.

Limits on the Use of Force

The law strictly prohibits the use of force, which constitutes the giving of corporal punishment. The use of force as a punishment or to intentionally cause pain, injury or humiliation would contravene our Child Protection Policy. Staff should never act in a way that might reasonably be expected to cause injury, for e.g. by

- Holding around the neck
- Any hold that might restrict breathing
- Kicking, slapping or punching or using any implement
- Forcing limbs against joints
- Tripping
- 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

The use of reasonable force is only to be employed in exceptional circumstances or an emergency where a pupil appears to be unable to exercise self-control of emotions and whose behaviour is presenting a threat to himself/herself or others. A member of staff should not intervene in an incident without help if there is a risk that he/she may be injured or may endanger his/her life.

Record Keeping

All incidents involving the use of reasonable force must be recorded in the schools agreed pro-forma "**Record/Report Of The Use Of Reasonable Force**". The principal will keep an accurate up-to-date record of all such incidents. Immediately following any incident the member of staff concerned must inform the principal or a senior member of staff and provide the contemporaneous written record/report. (Appendix 3 Incident Record Form).

The Chairperson of the Board of Governors and the Principal will review **annually** the entries in the incident book. Records of incidents will be kept until the date of the child's twenty-first birthday. In the event of the young person being over 18 when they leave school, records should be kept for 3 years after their date of leaving. Confidentiality and the young person's right to privacy will need to be ensured.

The pupil's views should also be recorded as soon as possible, preferably on the same day. Ref Appendix 3 Specimen Incident Record Form.

Post-Incident Management

The use of physical intervention can be upsetting to all concerned, therefore it is important to ensure that staff and pupils are given emotional support and where required first-aid treatment.

Immediate action will be taken to ensure that medical help is accessed for any injuries that require more than basic first-aid. All injuries will be reported and recorded in accordance with the school's procedures – parents/carers must be informed and allowed an opportunity to discuss.

Where it is clear that the teacher/member of staff concerned needs further support, advice or training, the principal should take prompt action to ensure it is provided. Schools will need to clarify the following within their policy:

- Principal/First Aid trained teacher will check for injuries or provide first-aid or arrange for medical aid
- Principal will provide staff and children with support after incidents

Contacting Parents

Parents/carers should be contacted as soon as possible and the incident explained to them. This must also be recorded in the "Record/Report of the use of Reasonable Force" as defined in the school policy. Any complaint from a parent will be dealt with within the school's complaints policy/procedures as detailed below.

Complaints

If an incident occurs in Gortin P.S. involving the use of reasonable force/restraint by a teacher, the procedures governing such incidents should be followed. This will include informing the parents/guardians of the child as outlined above.

In the event of a subsequent complaint made against a member of staff either by or on behalf of the child, this will be dealt with in accordance with the School's Complaints Policy/Procedure and in accordance with the Circular 1999/10, Pastoral Care in Schools – Child Protection.

Staff who themselves are subject to physical violence or assault should be supported, as appropriate, in taking any necessary action against an assailant.

Designated Teacher

Mrs Iris Wallace is the designated teacher and will have special responsibility for providing guidance to other staff on the use of reasonable force/safe handling and for implementing and supporting the schools procedures.

Training and Development

All staff will have regular awareness raising of issues relating to the use of reasonable force/safe handling, procedures and practices relating to behaviour management and child protection policy and procedures. All staff will receive appropriate training and development, in line with the school's staff development policy, in the use of preventative strategies and approaches for managing difficult situations when they may arise. Training will be provided by accredited trainers or by principal/designated teacher.

Policy Development and Guidance

Consultation

Key stakeholders must be consulted on the policy – (Education & Libraries Order (NI) 2003). These must include:

- Children and young people
- Parents and carers
- All staff
- Board of Governors

Appendix 1

Risk Assessment

A small number of pupils may exhibit disturbed or distressing behaviour, which may require some form of physical intervention by staff. To minimise the risk of incidents escalating unnecessarily due to lack of foresight, planning and training, schools should carry out a risk assessment from two perspectives:

- Environmental risk assessment
- Individual risk assessment

Environmental Risk Assessment

- Identify situation or locations where there is increased risks of incidents happening
- Analysis of past incidents to identify medium to high risk locations
- Staff and pupils consulted
- Individual pupil consulted
- Decide the appropriate type and level of supervision
- Principal and SMT to make recommendations to Board of Governors on type and level of supervision to minimise risk

- Implement plan
- Review plan

Individual Risk Assessment

Where a school is aware that pupil is likely to behave in a disruptive way that may require the use of reasonable force/safe handling, the school should plan its response by:

- Consulting the pupil, as appropriate
- Consulting the parents – specific action the school may need to take
- Briefing staff – what action they should be taking (may require training or guidance)
- Managing the pupil – e.g. reactive strategies to de-escalate a conflict
- Ensuring that additional support can be summoned wherever possible
- Implementing plan and review
- Reviewing plan

Risk Reduction

- Proactive measures to support the child effectively and prevent difficulties emerging
- Early interventions to help the child in difficult situation and avert problems
- Planned measures to manage the child and others safely, when unavoidable difficulties arise