

# A St. Michael's CE (VA) Junior School Policy



## USE OF FORCE TO CONTROL OR RESTRAIN POLICY

Reviewed by Pupil & Curriculum:	Autumn 2015
Ratified by Pupil & Curriculum:	Autumn 2015
To be reviewed	Autumn 2017

## **Rationale:**

At St Michael's we believe that good behaviour and discipline are essential to successful teaching and learning. This policy is guidance to staff, and should be read in conjunction to our Behaviour Policy. It is important to have high expectations of behaviour from all our pupils. Our management of behaviour should preserve and enhance the self esteem of our pupils. The purpose of this policy is to outline guidance and advice on physical contact and intervention for all staff who have contact with children, at all times where children are involved in school activities whether on or off the school premises.

## **Aims & Objectives:**

It is a primary aim of our school that every member of the school community feels valued and respected, and that each person is treated fairly and well. We are a caring community, whose values are built on Christian values that reflect mutual trust and respect for all as reflected in our school mission statement. Our school behaviour policy is therefore designed to support the way in which all members of the school can live, work and play together in a supportive way. It aims to promote an environment where everyone feels happy, safe and secure.

Our school approach to discipline is a positive one but all staff members have a legal power to use reasonable force (section 93 of the Education and Inspections Act 2006) to prevent pupils committing a criminal offence, injuring themselves or others, or damaging property; and to maintain good order and discipline amongst pupils. It is agreed that the use of force as '**a last resort**'. Our school uses the guidance found in the DFE guidance: *The use of force to control or restrain pupils* (2010). Our policy supports the school community in aiming to allow everyone to work together in an effective and considerate way.

Our school is inclusive and takes into account the needs of all individuals in the learning community. It is essential that everyone is safe and secure so that our **three basic rights** can be achieved:

- The right to feel and be safe.
- The right to learn.
- The right to be treated with respect.

## **Definitions:**

The use of '**reasonable force**' is used primarily in two ways in our school- to control pupils and to restrain pupils.

- Control can mean either passive physical contact (standing between pupils or blocking a pupil's path) or physical contact (leading a pupil by the hand or arm, or ushering a pupil away by placing a hand in the centre of the back).

- Restraint is when members of staff physically prevent a pupil from continuing what they are doing after they have been told to stop. The use of restraint is only used in extreme circumstances, for example, when two pupils are fighting or if a pupil puts themselves or others in immediate danger.

The term 'reasonable force' is the minimum force necessary to prevent a pupil from physically harming themselves or others or seriously damaging property. The manner of the force used attempts to preserve the dignity of all concerned and is a last resort.

Some examples of situations where reasonable force might be used are:

- To prevent a pupil from attacking a member of staff, or another pupil, or to stop a fight between two or more pupils;
- To prevent a pupil causing deliberate damage to property;
- To prevent a pupil causing injury or damage by accident, by rough play, or by misuse of dangerous materials or objects;
- To ensure that a pupil leaves a classroom where the pupil persistently refuses to follow an instruction to do so;
- To prevent a pupil behaving in a way that seriously disrupts a lesson, or;
- To prevent a pupil behaving in a way that seriously disrupts a school sporting event or visit.
- To prevent a pupil from running from school and putting themselves in a dangerous situation.

### **Prevention of the use of force:**

Steps to avoid situations where force is required are outlined in our Behaviour Policy and must be demonstrated by the adult. Physical restraint should always be the last resort.

Staff have a responsibility to ensure the safety and security of their pupils. They are in a particular position of trust (in loco parentis).

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

Staff should keep calm and not give the impression that they are acting out of anger or frustration.

The following should be applied in all cases:

- Staff should delay if at all possible
- An 'on the spot' risk assessment for each occasion that you feel reasonable force or restraint may be necessary should be made.
- Action should take place for the good of the child, a member of staff or another pupil.
- Assure the restraint is not a punishment.
- Consider the environment, medical circumstances and clothing
- Never use other children as a restraint.

- Restraint or reasonable force should be witnessed by another adult.
- An immediate account of the incident and the steps taken to prevent and deal with a situation must be made to the Headteacher or Deputy in his absence.

### **Physical intervention:**

Physical intervention can take the form of:

- Physically interposing between pupils;
- Blocking a pupil's path;
- Holding as per restraint training;
- Shepherding a pupil by placing a hand in the centre of the back
- Holding in order to direct a pupil to a safe area.

The law does not allow the use of force to include:

- Holding around the neck;
- Any hold that might restrict breathing;
- Kicking, slapping or punching;
- Forcing limbs against joints;
- Tripping;
- Holding by the hair;
- Holding the pupils face down on the ground.

Staff must always avoid touching or holding a pupil in a way that might be considered indecent.

### **Roles & Responsibilities:**

Our school recognised that from September 2010 it is the responsibility of our Governing Body to ensure that a procedure is in place for recording each significant incident in which a member of staff uses force on a pupil, and for reporting these incidents to the parents as soon as practically possible after the incident by a Senior member of staff. [See Appendix for reporting sheet.] Once completed, such forms are filed with the Headteacher.

Our school makes individual risk assessments for pupils with Special Educational Needs and/ or a disability associated with extreme behaviour.

Legislation allows members of staff to use 'reasonable force' and defines a member of staff as any teacher who works at the school and any person who, with the authority of the Headteacher, has lawful control or charge of pupils at the school'.

At our school some teaching and support staff are trained in the use of force if it is appropriate, however staff should not put themselves at risk. They would not be failing in their duty of care by not using force to prevent an injury, if doing so threatened their own safety.

Staff at our school know that it is unlawful to use force as a punishment.

New staff will be given a copy of the policy as part of their induction.

Staff will be made aware of individual pupils who are considered likely to pose serious behavioural problems or violence by the Pastoral Care Manager or class teacher.

### **Policy Statement:**

At St Michael's CE Junior School our approach to behaviour and discipline is summed up through the three rights and these inter-related policies:-

- Behaviour & Discipline Policy policy.
- Guidelines on Use of Force to Control or Restrain Policy.
- Anti-bullying Policy

The rationale and the aims and objectives of all of these policies are related and as such the policies are not applied in isolation. Each of these policies also link to **DFES Circular 00368-2010 "Section 93 of the Education Act 1996, The use of force to control or restrain Pupils"**

These policies have been drawn up following discussion between all members of staff, the Governing Body and members of the LA Behaviour Support Team. Parents have been consulted. Members of staff have also taken part in training on the use of positive handling strategies for children displaying severe behaviour difficulties. All staff are familiar with the policy and adhere to it, frequent reviews take place and amendments are made as and when required to ensure the needs of all are fully met.

The Governing Body reviews this policy every two years. They may however, review it earlier than this, if the government introduces new regulations, or if they receive recommendations on how the policy might be improved.

Who will be responsible for monitoring?      Headteacher & Governing Body.

Appendix

**St Michael's CE Junior School**  
**Behaviour Incident Recording Sheet (confidential)**

<i>This form should be completed and</i>	<i>Handed directly to the Head teacher</i>
<b>Date:</b>	<b>Time:</b>
<b>Location:</b>	
<b>Adults involved:</b>	<b>Children involved:</b>
<b>Type of incident:</b>	
<i>Racial remarks</i>	<i>Damage to property</i>
<i>Sexual behaviour</i>	<i>Behaviour that endangers others</i>
<i>Bullying (verbal or physical)</i>	<i>Offensive language (persistent)</i>
<b>Details of incident:</b>	
<b>Initial action taken:</b> <i>(misbehaviour prompt card used)?</i>	
<b>Initial action taken by:</b> <b>Name:</b> <b>Signature:</b>	
<b>Follow up action required:</b>	
<b>Follow up action to be completed</b> <b>by:</b> <b>Name:</b> <b>Signature:</b>	
<b>Any other relevant information:</b>	

Appendix 3b

**St Michael's CE Junior School  
Behaviour Incident Recording Sheet (confidential)**

<i>This form should be completed and</i>	<i>handed directly to the Head teacher</i>
<b>Date:</b> <i>23<sup>rd</sup> September</i>	<b>Time:</b> <i>12.40pm</i>
<b>Location:</b> <i>Playground</i>	
<b>Adults involved:</b> <i>Mrs Long and Miss Short</i>	<b>Children involved:</b> <i>Darren Smith, Tim White and Lucy Green</i>
<b>Type of incident:</b>	
<i>Racial remarks ✓</i>	<i>Damage to property ✓</i>
<i>Sexual behaviour</i>	<i>Behaviour that endangers others ✓</i>
<i>Bullying (verbal or physical)</i>	<i>Offensive language (persistent)</i>
<b>Details of incident:</b>	
<i>I saw Darren and Tim arguing. As I approached them I heard Darren call Tim a 'stupid fat paki'. Tim tried to hit Darren but Darren ran off.</i>	
<i>Tim was very cross and pushed the netball post to the floor, breaking off the basket and banging Lucy's arm as it fell.</i>	
<b>Initial action taken:</b> (misbehaviour prompt card used)?	
<i>I called Miss Short over who applied First Aid to Lucy. Tim was still too cross to talk to so I sent one of the girls to the staff room to get a teacher.</i>	<i>Miss Smiley took Tim inside. I called Darren over and asked him questions from the prompt card. He was full of remorse and knew he was in trouble for using a racist remark. I sent him to the Head.</i>
<b>Initial action taken by:</b>	
<b>Name:</b> <i>Vera Long</i>	
<b>Signature:</b> <i>V Long</i>	
<b>Follow up action required:</b>	
<i>After Tim had calmed down, I asked questions from misbehaviour card. I telephoned both sets of parents who agreed to meet after school.</i>	<i>Checked accident report record. Lucy has bruise on her arm – CI teacher to inform mum after school Remove netball post until it can be cemented in place. Racial remarks recorded in file</i>
<b>Follow up action to be completed by:</b>	
<b>Name:</b> <i>Betty Head</i>	
<b>Signature:</b> <i>BHead</i>	
<b>Any other relevant information:</b>	

happened?  
•What were  
your  
thoughts at

Box 4

## Consequences of misbehaviour

