

# ARDSTRAW JUBILEE PRIMARY SCHOOL



## SAFE HANDLING AND THE USE OF REASONABLE FORCE POLICY

Date Approved by Board of Governors: 18<sup>th</sup> March 2021

Policy Review Date: March 2022

This policy should be read and understood in close association with the Behaviour Policy, Anti-Bullying Policy, Safeguarding and Child Protection Policy, Special Educational Needs Policy, Health and Safety Policy and Complaints Policy.

### **Background**

This policy and our procedures have been developed in the context of a legal framework and taking into account:

- United Nations Convention on the Rights of the Child (Article 12); International 1989 (UK 1991)
- Education (NI) Order 2006
- Education and Libraries (NI) Order 2003 (Articles 17, 19)
- Human Rights Act 1998
- The Department of Education NI Circular 1999/9;
- DE document "Regional Policy Framework on the Use of Reasonable Force" May 2004;
- 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.

### **Rationale**

Ardstraw Jubilee Primary School aims to deliver a broad and balanced education for each of its pupils. The paramount responsibility of every person connected with the school is the safety and welfare of its children. Through a sense of order and a sense of purpose the care and education of our children are made more effective.

It is within this context that safe handling and the use of reasonable force may, on occasion, be necessary. Accountability for the use of reasonable force/restraint will lie within the aims which we have made clear for such circumstances.

### **Aims in Relation to Safe handling and the Use of Reasonable Force**

1. To protect every person in the school community from harm.
2. To create a learning environment in which children and adults feel safe.
3. To protect all pupils against any form of physical intervention, that is unnecessary, inappropriate, excessive or harmful.
4. To provide both teaching and non-teaching staff with guidance relating to circumstances in which reasonable force might be used and how such reasonable force might be applied.
5. To maintain a clear detailed record of when and why reasonable force has to be applied.

### **Reasonable Force as a Possible Necessity**

The Department of Education Circular 1999/9 quotes Article 4 of the Education (Northern Ireland) Order 1998. On any occasion where a member of staff has responsibility for a pupil (in school or outside the premises) this order permits the member of staff to use '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/herself)
- 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.

At Ardstraw Jubilee Primary School the use of reasonable force with children will always be as a last resort or in an emergency where it is possible that significant harm will occur if action is not taken immediately. **It will never be used as a punishment.**

### **Situations where reasonable force might be necessary include:**

- a pupil attacking another pupil or a member of staff
- to stop pupils fighting
- a pupil causing, or likely to cause damage or injury by rough play, accident, wilful action or misuse of dangerous materials and items
- a pupil running in a corridor where there is a risk of an accident
- a pupil trying to leave school
- a pupil defying repeated instructions to leave or enter a classroom
- a pupil seriously disrupting a lesson

### **Definition of Safe Handling and Reasonable Force**

The use of reasonable force is only lawful if 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
- (in extreme circumstances) using more restrictive holds

### **Unacceptable and Unreasonable Force**

The following uses of force will always be considered unreasonable and therefore will not be used in Ardstraw Jubilee Primary School:

- holding around the neck
- any hold that might restrict breathing
- kicking, slapping or punching
- forcing limbs against joints
- tripping
- holding by the hair or ear
- holding the pupil face down on the ground

### **Preventative Strategies**

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

Preventative strategies for inappropriate behaviour(s) for defusing and deescalating conflict/confrontation or aggression may include the following, though this is not an exhaustive list:

- Awareness of body language
- Para verbal skills - tone, pace and volume of speech
- Create choice points by offering help
- Help protocols - encourage confidence in offering and accepting help praise
- Remind of rules, rights and responsibilities
- Clear choices and consequences
- Avoid confrontation - deal with situation at a calmer time
- Remain calm and constructive
- Clear, simple directions

### **Risk Assessment**

Risk assessment is one of our preventative strategies to minimise the risk of an incident escalating unnecessarily and will be 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. See appendix 2.

## **Insurance**

Schools in all sectors would be advised to clarify with their employing authority that all staff and any other adult authorised by the principal to supervise pupils are adequately covered by insurance and have followed the school's policy and practice.

## **Anticipating the Use of Reasonable Force**

Having completed both an individual risk assessment and or an environmental risk assessment for the purposes of pupil safety and promoting positive behaviour, 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. In particular, all members of staff have been briefed on the necessity for monitoring risk in their own teaching environment.

If it is considered likely that a pupil will be sufficiently disruptive to require the use of reasonable force (whether for medical, special needs or another reason), the parents/guardians will be consulted and an appropriate action plan agreed.

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.**

## **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 e.g., 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.

Here at AJPS we use a red card or reliable pupil to summon additional adult support. If an individual pupil is identified as likely to behave in a disruptive/inappropriate way (in line with an individual pupil risk assessment and individual behaviour plan) that may require reasonable force/safe handling, the principal and class teacher will need to draw up an individual plan for action and inform relevant staff.

### **Record Keeping**

Incidents involving the use of reasonable force must be recorded in the school's agreed pro-forma "Reasonable Force Report Form" by the individual who uses the reasonable force, see appendix 1. The Principal will hold an accurate up-to-date record of all such incidents. The Chairperson of the Board of Governors and the Principal will review annually any incidents that occur.

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 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 basic first-aid treatment.

Immediate action should be taken to ensure that medical help is accessed for any injuries that require more than basic first-aid. All injuries should 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.

### **Contacting Parents**

Parents/Guardians 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 complaint policy/procedures.

### **Complaints**

If an incident occurs in AJPS involving the use of reasonable force/restraint by a teacher or member of staff, 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/Procedures 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.

### **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 (Education Authority - Behaviour Support Team).

### **Consultation**

This policy was drafted with consultation from the key stakeholders.

- Children and young people
- Parents and guardians
- Staff and
- Board of Governors

### **Review**

This policy has been written and agreed in response to the Department of Education Circular 1999/9 and updated in light of guidance materials issued by DENI 2004. It will be reviewed annually in relation to ongoing individual and environmental risk analysis, advice and training. It will be available to parents as appropriate.

## Appendix 1

### AJPS Incident Requiring the Use of Reasonable Force (RF1)

Pupil: \_\_\_\_\_ Class: \_\_\_\_\_

Staff involved in use of restraint: \_\_\_\_\_ Role: \_\_\_\_\_

#### Events Leading Up to the Incident

Where did it start? \_\_\_\_\_

\_\_\_\_\_

What was happening? \_\_\_\_\_

\_\_\_\_\_

#### Describe the event that occurred

When did it occur? Date \_\_\_\_\_ Time \_\_\_\_\_

Location \_\_\_\_\_

What action was taken to try to de-escalate the situation before using restraint?

\_\_\_\_\_

\_\_\_\_\_

What behaviour was the child presenting that warranted restraint/physical intervention (Please tick appropriate box)

At risk of injury to self or others  At risk of significant damage to property

Compromising good order and discipline  At risk of committing a criminal offence

What do you believe would have happened if there had been no physical intervention?

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

How was the pupil held? \_\_\_\_\_

How long did the pupil need to be held? \_\_\_\_\_

Was anyone injured? YES/NO



If yes, please give details \_\_\_\_\_

Name of member of staff who verbally checked pupil for injury after the hold

\_\_\_\_\_

Has the pupil been physically restrained before? YES/NO

**Implications for Future Planning**

Does this pupil have an individual behaviour programme/education plan? YES/NO

Do changes need to be made to any of the following? (Please tick appropriate box)

The environment e.g. organisation, curriculum  Targets for teaching new skills

Reinforcement strategies  Defusing and calming strategies

Other. Please specify \_\_\_\_\_

Do other agencies need to be involved in the future? YES/NO If yes, please specify who and with what aim \_\_\_\_\_

\_\_\_\_\_

**Follow Up Actions**

Medical intervention was needed - YES/NO

Please specify other recording procedures:

Accident form

Child Protection Record

Parent/Guardian informed by telephone

Letter

Direct contact


Form completed by \_\_\_\_\_ Position \_\_\_\_\_

Principal's signature \_\_\_\_\_ Date \_\_\_\_\_

**A copy should be sent to the chairperson of the Board of Governors.**

## Appendix 2

### 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; and • individual risk assessment.

### Environmental Risk Assessment

- Identify situations 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 a 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

Risk reduction should include:

- proactive measures to support the child effectively and prevent difficulties emerging;
  - early interventions to help the child in difficult situations and avert problems; and
  - planned measures to manage the child and others safely, when unavoidable difficulties arise.

Ardstraw Jubilee Primary School

**Risk Assessment Proforma**

Name of Pupil: \_\_\_\_\_ DOB: \_\_\_\_\_ Class: \_\_\_\_\_

SEN Register Code of Practice Stage: \_\_\_\_\_

Support to date:

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Education Plan: \_\_\_\_\_

Risk assessment completed by \_\_\_\_\_

Date: \_\_\_\_\_

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

(Principal)

Consultation has been carried out:

Please tick as appropriate

With the pupil	
With other pupils	
With the Parents/Guardian	
With other staff	

Types of behaviour causing concern: level of risk, frequency, people to whom behaviour exhibited.

Behaviour	Very likely	Likely	Quite Possible	Possible	Unlikely	Frequency H - hourly D -daily W- weekly M - monthly T- termly
Disruptive						
Vandalism						
Bullying						
Fighting						
Violent aggressive						
Angry outbursts						
Impulsive dangerous behaviour						
Self- harm						
Medically related behaviour						
Threatening and abusive						
Other - specify						
<b>People to whom behaviour is most likely exhibited</b>						
Class teacher						
Classroom Assistant						
Ancillary staff						
Member of SMT						
Male Staff						
Female staff						
Younger/Older pupils						
Ethnic minority pupils						
<b>Environments and times of greatest risk - flash points</b>						
Classroom						
toilets						
corridors						
Dining hall						
PE						
Play ground						


### Risk Evaluation

<u>Level of Likelihood</u>	x	<u>Frequency</u>	=	<u>Risk</u>
Very Likely 5	x	Hourly (5)	=	25 greatest
Likely 4	x	Daily (4)	=	16
Quite Possible 3	x	Weekly (3)	=	9
Possible 2	x	Monthly (2)	=	4
Unlikely 1	x	Termly (1)	=	1 lowest

<u>Likelihoods</u>	<u>Frequency</u>
Very likely 5	Hourly 5
Likely 4	Daily 4
Quite Possible 3	Weekly 3
Possible 2	Monthly 2
Unlikely 1	Termly 1

**This numerical evaluation of risk is not an absolute but simply affords a pupil's predisposition and risk frequency to be compared.**

### RISK FACTORS

Score	Risk
25	Very high
16 - 20	High
11 - 15	Medium
6 -10	Low
1 -5	Very low