

## Use of Reasonable Force Policy

### RATIONALE

The school aim is to create a safe and secure environment for both pupils and staff where children are enabled to achieve their full potential and where everyone is treated with respect and dignity.

### DEFINITION

Based on the Education (NI) Order 1998 (Part 2 Article 4(1), the working definition of 'reasonable force' is **the minimum or least force necessary to prevent a pupil from physically harming him/herself or others or damaging property, but used in a manner which attempts to preserve the dignity of all concerned.** The use of reasonable force will always depend on the circumstances of the case and staff should take the following into consideration.

- Whether it is reasonable to use force, and the degree of force that could reasonably be employed, given the age, sex, physical strength, size, understanding, medical conditions and any special educational needs of the pupil;
- The use of force can be regarded as reasonable only if the circumstances of the particular incident warrant it. (See 5a). The use of any degree of force is unlawful if the particular circumstances do not warrant the use of physical force. Therefore physical force could not be justified to prevent a pupil from committing a trivial misdemeanour, or in a situation that clearly could be resolved without force;
- The degree of force employed should be in proportion to the circumstances of the incident and the seriousness of the behaviour or the consequences it is intended to prevent. Any force used should always be the minimum needed to defuse the situation.

### AIMS

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

### RISK ASSESSMENT

The behaviour of the vast majority of pupils in a school will never require any form of physical intervention, however, a small number of pupils may exhibit disturbed, or distressing behaviour, which may require some form of physical intervention by staff. In order to minimise the risk of incidents escalating unnecessarily due to lack of foresight,

planning and training, the school should carry out a risk assessment under two headings:

- (a) Environmental Risk Assessment;
- (b) Individual Risk Assessment

A risk assessment form is given in Appendix 1

### **(a) Environmental Risk Assessment**

- The school will carry out a risk analysis within the school to identify those situations or locations where there is an increased risk of incidents happening and decide the appropriate type and level of supervision. This will include corridors, stairs, back doors and locker areas. Subject departments such as Technology and Science will also need formal risk assessments built into lesson plans.
- An analysis should be made of all past incidents in the school to identify medium to high risk locations. Staff and pupil opinion should also be canvassed to augment this information.
- On the basis of the analysis, the Principal and Senior Management Team should make recommendations to the Board of Governors on the type and level of supervision which will be required to minimise risks.
- Environmental risk assessment at whole school level will be carried out by the Health and Safety Officer.
- Departmental risk assessments will be carried out by the Heads of Department

### **(b) Individual Risk Assessment**

When the school becomes aware that a pupil is likely to behave in a disruptive way that may require the use of reasonable force, we will plan how to respond if the situation arises. Such planning will address:

- **Consulting the parents** to ensure that they are clear about the specific action the school might need to take;
- **Briefing staff** to ensure they know exactly what action they should be taking. This may identify a need for training or guidance.
- **Managing the pupil**, for example, reactive strategies to de-escalate a conflict;
- **Ensuring that additional support** can be summoned wherever possible

## **USE AND FORMS OF REASONABLE FORCE**

### **a) When might it be appropriate to use reasonable force?**

Reasonable force should be limited to emergency situations and used only as a last resort in situations where:

- 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 to herself or others 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 he/she might cause an accident likely to injure him/herself or others;

- If a pupil tries to leave school without permission or a pupil absconds from a class to leave school (NB this will only apply if a pupil could be at risk if not kept in the classroom or at school)<sup>1</sup>

### **b) What is permissible?**

Physical intervention in these circumstances may take several forms, eg:

- Physically interposing between pupils;
- Blocking a pupil's path
- Holding;
- Leading a pupil by the hand or arm;
- Shepherding a pupil away by placing a hand in the centre of the back; or
- Using more restrictive holds (in extreme circumstances)
- In circumstances where pupil absconds, the school will inform the parent or carer.

### **c) What is forbidden by law?**

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, such as the examples below, (which are not exhaustive) should not be permitted under any circumstances:

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

When used, physical intervention should avert danger by preventing or deflecting a pupil's action or perhaps by removing a physical object which could be used to harm him/herself or others. It should, at all times, be carefully applied and may be eased by degrees as the pupil calms down in response to the physical contact. The child should be advised throughout that physical intervention will ease when he/she calms down.

## **ROLES AND RESPONSIBILITIES**

- The school should endeavour to ensure that all staff know and understand their roles and responsibilities in relation to the management of pupils including teachers, support staff and parents supporting in the classroom.
- 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 Principal, has lawful control or charge of pupils at the school'. The Principal will confirm with all members of staff whether or not they meet the terms of this definition.<sup>2</sup>

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<sup>1</sup> In circumstances where a pupil absconds, the school should make every reasonable effort to inform the parent/carer

<sup>2</sup> This is intended to clarify who can use reasonable force, and in what circumstances. However, in an emergency, if it is likely that a pupil will sustain an injury or injure another pupil or adult, any member of staff can intervene and use reasonable force, to protect a pupil, other staff or defend themselves.

- Governors, staff, parents and pupils will be involved in the development of this policy and will be involved in review. New staff will be given a copy of the policy and a senior member of staff will advise on its implementation.
- Staff will be kept informed of planning in relation to individual pupils who are considered likely to pose serious behavioural problems.
- The school SENCO will keep staff informed about pupils with special educational needs who may require special attention with regard to their physical management. Staff will consult with the SENCO regarding any concerns which they have about the physical management of pupils with special educational needs.
- Line management and lines of reporting with regard to the use of reasonable force are the same as those for pastoral care/child protection. Form teachers, other staff report to pupils' Head of Year, or designated teacher or any member of SLT by completing incident report form (Appendix 2)
- Parents will be provided with a copy of this policy on the use of reasonable force as part of the school's policy for promoting positive behaviour.

## **RECORD KEEPING**

- All incidents involving the use of reasonable force will be recorded in a detailed, written report in accordance with school procedures. The school will keep an up-to-date record of all such incidents. Immediately following any such incident the member of staff concerned will inform the Principal or a senior member of staff and provide a written report as soon as possible.
- Parents/carers will be contacted as soon as possible and the incident explained to them. This action will also be recorded as detailed on the incident report form using agreed format (AP3). Witness statements should also be recorded and kept.
- Staff will keep their own copy of any written report.
- Records will be kept for 5 years

## **COMPLAINTS**

- If an incident occurs in school involving the use of reasonable force by a teacher, the procedures governing such incidents will be followed. This will include informing the parent(s)/guardian(s) of the child using agreed format.
- 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 procedures. A dispute about the use of force by a member of staff might lead to an investigation either under disciplinary procedures, or by the police and Social Services Department under child protection procedures.
- Staff who themselves are subject to physical violence or assault will be supported, as appropriate, in taking any necessary action against an assailant if the staff member wishes to pursue the matter.

## **TRAINING AND DEVELOPMENT**

All staff will be made aware of the issues relating to the use of reasonable force and physical intervention as well as procedures and practices relating to our school's discipline and child protection procedures. As part of the school's training and development policy, all staff will receive appropriate training in the use of preventative strategies and approaches for managing difficult situations when they arise. Training will also be provided for risk assessment.

## APPENDIX 1

### PREVENTATIVE STRATEGIES

All teachers need to be aware of strategies and techniques for dealing with difficult pupils and steps, which they can take to defuse and calm a situation. The strategies listed below as examples will be influenced by the age of the pupil(s) and the context in which they are applied.

- Move calmly and confidently;
- Make simple, clear statements;
- Intervene early;
- Try to maintain eye contact;
- If necessary summon help before the problem escalates; and
- If possible, remove audience from the immediate location.

### ACTION STEPS

- Tell the pupils who is misbehaving to stop and tell him/her the possible consequences of failure to do so.
- If possible, summon another adult.
- Continue to communicate with the pupil throughout the incident.
- Make it clear that physical intervention will cease as soon as it is no longer necessary.
- Appropriate follow-up action should be taken, which may include:
  - Providing medical support;
  - Providing respite for those involved; and
  - Accessing external advice/support.

A calm and measured approach to a situation is needed and staff should never give the impression that they have lost their temper or are acting out of anger or frustration when handling a problem.

**INTERVENTION GUIDELINES**

There are situations where staff should not intervene without help. Assistance should be sought when dealing, for example, with:

- An older pupil;
- A physically large pupil;
- More than one pupil;
- When the teacher believes that he/she may be at risk of injury.

In those circumstances where the member of staff has decided that it is not appropriate to restrain the pupil without help, he/she should:

- Remove other pupils who might be at risk;
- Summon assistance from colleagues;
- Where necessary, contact the police;
- Inform the pupil(s) that help will be arriving; and
- Continue to attempt to defuse the situation orally, and try to prevent the incident from escalating.

# Risk Assessment Proforma

NAME OF PUPIL: \_\_\_\_\_ DOB. \_\_\_\_\_ AGE: \_\_\_\_\_

SEN REGISTER CODE OF PRACTICE STAGE: \_\_\_\_\_

SUPPORT TO-DATE: \_\_\_\_\_

EDUCATION PLAN: \_\_\_\_\_

RISK ASSESSMENT COMPLETED BY  
MEMBER OF STAFF: \_\_\_\_\_

DATE: \_\_\_\_\_

SIGNED: \_\_\_\_\_ (Principal) \_\_\_\_\_ (Date)

**Consultation has been carried out...**

Please tick ✓  
as appropriate.

with the pupil	
with other pupils	
with the parent/carer	
with staff	

**Types of Behaviour Causing Concern: Level of Risk, Frequency, People to whom Behaviour Exhibited.**

<b>BEHAVIOUR</b>	<b>VERY LIKELY</b>	<b>LIKELY</b>	<b>QUITE POSSIBLE</b>	<b>POSSIBLE</b>	<b>UNLIKELY</b>	<b>FREQUENCY H – Hourly D – Daily W – Weekly M – Monthly T – Termly</b>
<b>DISRUPTION:</b>						
Vandalism						
Bullying						
Fighting						
Violent and Aggressive						
Angry Outbursts						
Impulsive Dangerous Behaviour						
Self Harms						
Medically Related Behaviour						
Threatening and Abusive						
Other ( <i>please specify</i> )						
<b>PEOPLE TO WHOM BEHAVIOUR IS MOST LIKELY EXHIBITED</b>						
Classroom Teacher						
Subject Specific Teacher ( <i>please specify</i> )						
Classroom Assistant						
Technician						
Ancillary Staff (lunchtime supervisors, caretakers)						
Member of SMT						
Male Staff						
Female Staff						
Other Pupils in Class						
Other Pupils in School						
Male Pupils						
Female Pupils						
Younger/Older Pupils						
Ethnic Minority Pupils						





## Risk Evaluation

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

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

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

### RISK FACTORS

<b>Score</b>	<b>Risk</b>
<b>25</b>	<b>Very High</b>
<b>15-20</b>	<b>High</b>
<b>8-12</b>	<b>Medium</b>
<b>6-10</b>	<b>Low</b>
<b>1-5</b>	<b>V Low</b>

## ACTION PLAN

<b>Drawn up by</b> _____	<b>Date</b> _____
<b>Name of Pupil</b> _____	
<b>Agreed by</b> _____ <b>(Principal)</b>	<b>Date</b> _____
<b>Presented to BOG</b> _____ <b>(Date)</b>	_____
<b>To be reviewed</b> _____ <b>(Date)</b>	_____
<b>Signed</b> _____ <b>(Parent)</b>	<b>Date</b> _____

Behaviour	Risk Factor	Existing Precautions/ Support/Supervision Linked to Education Plan	Additional Precautions/ Support/ Supervision/ Strategies	Action By Whom	Action By When

**Appendix 5**

**Incident Record Form**

**Basic Data**

Date of Incident \_\_\_\_\_

Name of School: \_\_\_\_\_

Year Group: \_\_\_\_\_

Employing Authority:      ELB            CCMS            Voluntary Grammar        
   NICIE            Irish Medium     

Staff Involved in restraint: \_\_\_\_\_      Designation: \_\_\_\_\_

**Events Leading up to the Incident**

Where did the incident start? \_\_\_\_\_

What was happening at the time? \_\_\_\_\_

**Describe the Event that Occurred**

When did the incident occur?      Day: \_\_\_\_\_      Time: \_\_\_\_\_

Where did the incident occur?  
\_\_\_\_\_

What action did you take to try to de-escalate the situation before using restraint?  
\_\_\_\_\_  
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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 anybody 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 eg organisation, curriculum	<input type="checkbox"/>	Targets for teaching new skills	<input type="checkbox"/>
Reinforcement strategies	<input type="checkbox"/>	Defusing and calming strategies	<input type="checkbox"/>

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 Action**

Medical intervention was needed      YES/NO

Has school nurse/doctor been informed      YES/NO

Please specify other recording procedures:

Accident book	<input type="checkbox"/>	Accident form	<input type="checkbox"/>	Child Protection	<input type="checkbox"/>
Record					

Parent/carer informed by	Telephone	<input type="checkbox"/>	Letter	<input type="checkbox"/>
	Direct Contact	<input type="checkbox"/>		

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

Post held \_\_\_\_\_

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

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

