



DAWN HOUSE SCHOOL – STAFF HANDBOOK	
Policy Title: Physical contact, intervention and use of force	
Section: P	Policy No: P.4
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Name of Originator: JMc/CB/DW	Designation: DSL/BfL team members

This policy should be read in conjunction with:

Education and Inspections Act 2006 section 93: Power of members of staff to use force www.legislation.gov.uk.

Use of reasonable force: Advice for Headteachers, staff and governing bodies https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/444051/Use_of_reasonable_force_advice_Reviewed_July_2015.pdf.

Positive environments where children can flourish https://www.gov.uk/government/publications/positive-environments-where-children-can-flourish?utm_source=90d01f3c-2a3f-4206-bec2-0e291ba7d446&utm_medium=email&utm_campaign=govuk-notifications&utm_content=immediate

What is reasonable force?

- The term ‘reasonable force’ covers the broad range of actions used by most teachers at some point in their career that involve a degree of physical contact with pupils.
- Force is usually used either to 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.
- As mentioned above, schools generally use force to control pupils and to restrain them. Control means either passive physical contact, such as standing between pupils or by blocking a pupil’s path, or active physical contact, such as leading a pupil by the arm out of a classroom.
- Restraint means to hold back physically or to manage a pupil. It is typically used in more extreme circumstances, for example when two pupils are fighting and refuse to separate without physical intervention.

- School staff should always try to avoid acting in a way that might cause injury, but in extreme cases it may not always be possible to avoid injuring the pupil. (*Use of reasonable force, July 2015*)

See also: Intimate Care Policy.

The Team Teach approach to managing behaviour has been agreed and adopted as our central system. All staff are provided with regular training and should adhere to its principles and practice. Physical interventions are only a small part of a broader range of the positive handling strategies to address the needs of those whose behaviour presents as a challenge. Any physical interventions used should be 'reasonable, proportionate and necessary'. Our aim is to reduce the use of physical interventions by influencing attitudes, skills and knowledge.

There are many situations in school where staff come into physical contact with pupils. These situations may be classified as a continuum of physical intervention. This ranges from least contact, for example hand on hand to guide or, a Team Teach 'Friendly Hold' used as a contingent touch, through to greatest contact, for example physical restraint, when a pupil unable to manage their own behaviour.

Note: If physical intervention is to be used as a low level supportive contingent touch on a regular basis, it must be written into the pupil's Positive Intervention Plan which has to be signed by the pupil's parents and the Principal. This **MUST** be done before the physical intervention is routinely used. However, the parents should be made aware that school do not require parental consent to use force on a student in serious incidents. The impact of this must be reviewed on a regular basis. All Team Teach physical intervention must be logged in the normal way.

When can reasonable force be used?

- Reasonable force can be used to prevent pupils from hurting themselves or others, from damaging property, or from causing disorder.
- In a school, force is used for two main purposes – to manage pupils or to restrain them.
- The decision on whether or not to physically intervene is down to the professional judgment of the staff member concerned and should always depend on the individual circumstances.
- The following list is not exhaustive but provides some examples of situations where reasonable force can and cannot be used.

Where it is necessary to use physical contact, intervention or use of force, in order to modify a pupil's behaviour to prevent them from endangering themselves, other people or school property, clear guidelines and procedures are necessary.

Due to the nature of the special needs catered for at Dawn House School, staff are aware of their legal duty to make reasonable adjustments. However, we recognise that it is sometimes necessary to use physical intervention or use of force in order to ensure the safety of all. It is essential to plan for incidents which might involve actions.

- We have a clear behaviour management policy which aims to enable us to teach pupils how to behave appropriately and how to learn how to control their own behaviour.
- Pupils are clear about which behaviours are unacceptable and what will happen if their behaviour remains unacceptable.
- We inform parents/carers of unacceptable behaviour and the action that we will take in the event of unacceptable behaviour.
- Staff are trained and guided to manage the behaviour of the pupils.
- Additional support can be requested, if necessary.

DfE guidance makes clear that all school staff have a legal right to use reasonable force and that their duty of care will include physical intervention to keep a child or other children safe. At Dawn House, **all child facing** staff are trained in the Team Teach approach and may use 'REASONABLE FORCE' when de-escalation (the 95%) has failed to prevent a pupil from doing or continuing in:

- Hurting themselves or others.
- Causing significant damage to property.
- Causing serious disruption to the maintenance of good order and discipline in school.

Schools can use reasonable force to:

- Remove disruptive children from the classroom where they have refused to follow an instruction to do so.
- Prevent a pupil behaving in a way that disrupts a school event or a school trip or visit.
- Prevent a pupil leaving the classroom where allowing the pupil to leave would risk their safety or lead to behaviour that disrupts the behaviour of others.
- Prevent a pupil from attacking a member of staff or another pupil, or to stop a fight in the playground.
- Restrain a pupil at risk of harming themselves through physical outbursts.

This applies when a member of staff is at school or has control of pupils during an off-site activity. The Team Teach approach has been selected to support our work in school. All Dawn House School staff **on an ICAN contract** who have pupil responsibility are trained through the 12 hour basic course within their first term of employment.

As far as possible, it is preferred that only Dawn House staff who are qualified Team Teach Practitioners (i.e. following a 12 hour course) are called upon use physical interventions.

Guidelines for Events Involving Physical Intervention or Use of Force

The purpose of physical intervention or restraint is to allow the adults to regain control. It is never to punish. **Restraint that deliberately inflicts pain should not be used.**

Physical intervention or restraint should be used only when absolutely necessary. It is the last resort in managing a pupil's behaviour. Always use the minimum force necessary for the minimum time. Official guidance refers to 'reasonable force'. The use of force is reasonable if it is proportionate to the consequences it is intended to prevent. This means the degree of force should be no more than is needed to achieve the desired result. The clearest lawful justification is that the actions of the adult are reasonable, proportionate and in the best interests of the young person. Under Human Rights legislation, they should be absolutely necessary:

- When it is necessary to 'hold' a pupil, hold to restore calm; do not initiate aggression.
- In this circumstance, tell the pupil that you are keeping them safe and that they will be released when they are calm.
- Call for assistance.
- All other pupil
- s should be removed from the area.
- Use the 'help protocol' appropriately.

Physical intervention should never be used as a means to restrict a child's liberty e.g. seclusion or isolating a child within a given area. Intrusive observations of students should also never be attempted.

Following the incident:

- Ensure that the pupil is medically checked by an appropriate person. Ensure that the incident is recorded on a 'serious incident form' (see recording incidents/safeguarding concerns). If a child refuses medical intervention, this must be recorded and the appropriate action taken and also recorded (i.e. observation/monitoring).
- If the incident was witnessed by another member of staff, they must sign your recording on the incident form to endorse it. If the other member of staff prefers, they may make a separate report (and should always do so if they disagree with the initial account).
- Incidents involving physical intervention will be reported to parents/carers.

As a group of staff, we try to support one another in all aspects of managing the pupils, including behaviour. No one should feel that they are alone in managing the pupils' behaviour; we work as a team.

We recognise that any incident requiring physical intervention or use of force is distressing for both pupil and staff. Debriefing of incidents will take place to support staff and children. This may take the form of end of day briefing or a planned meeting. This will be initiated by the Behaviour for Learning team.

Following an incident involving physical intervention or use of force, if the member of staff involved feels that they need some time out, colleagues should cover in order to facilitate this.

The Principal and other members of the Senior Leadership Group are here to offer help, support and to share responsibility.

A database of incidents, across both school and care settings, is maintained and monitored by Senior Managers and other relevant staff. Analysis of incidents will identify merging patterns and trends with a particular focus on monitoring the frequency of different groups, such as primary need (disability), age, school phase, race, gender, 'looked after children' and all other groups included within the protected characteristics of the Equality Duty (2011).

Power to Search Pupils without Consent

In addition to the general power to use reasonable force described above, Headteachers and authorised staff can use such force as is reasonable, given the circumstances, to conduct a search for the following 'prohibited terms':

- Knives and weapons.
- 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.
- Radicalisation/prevent text/objects.

Force **cannot** be used to search for items banned under the school rules.

What happens if a student, parent or colleague complains or a student is injured?

- All complaints / allegations that a physical intervention was ‘unreasonable’, used undue force or injured a student must be notified to the Local Authority Designated Officer (LA DO) in line with NSCB procedures
- Similarly, the advice of the LA DO will be sought in relation to any use of force that is not conducted in line with our ‘Physical Contact’ policy or where colleagues have expressed concern that the intervention was not proportionate.
- All complaints about the use of force should be thoroughly, speedily and appropriately investigated.
- 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.
- 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 he/she has acted reasonably.
- Suspension must not be an automatic response when a member of staff has been accused of using excessive force. Schools should refer to ‘Keeping children safe in education’ (DfE 2016) and the I CAN ‘managing allegations against staff’ policy (see the ‘Further sources of information’ section below) where an allegation of using excessive force is made. This guidance makes clear that a person must not be suspended automatically, or without careful thought.
- Schools must consider carefully whether the circumstances of the case warrant a person being suspended until the allegation is resolved or whether alternative arrangements are more appropriate. Advice must be sought from the Director of Corporate Services or the HR team.
- If a decision is taken to suspend a teacher, the school should ensure that the teacher has access to a named contact who can provide support.
- I CAN’s Corporate Service’s team will always consider whether a teacher or an employee has acted within the law when reaching a decision on whether or not to take disciplinary action against the individual.
- As employers, I CAN and its schools have a duty of care towards their employees. It is important that appropriate pastoral care is provided to any member of staff who is subject to a formal allegation following a ‘use of force’ incident.

When dealing with complaints, please refer to the Managing Allegations against Staff Policy.

What about other physical contact with pupils?

It is not illegal to touch a pupil. There are occasions when physical contact, other than reasonable force, with a pupil is proper and necessary.

Examples of where touching a pupil might be proper or necessary:

- Holding the hand of the child at the front/back of the line when going to assembly or when walking together around the school.
- When comforting a distressed pupil.
- To provide intimate or personal care.
- When a pupil is being congratulated or praised.
- To demonstrate how to use a musical instrument.
- To demonstrate exercises or techniques during PE lessons or sports coaching.
- To give first aid.

Physical contact with pupils should try to avoid the following

- Use of prone hold and/or taking students to the floor or ground holds.
- Restraining students in their bedroom/on their beds.
- Holding a student for longer than is deemed to be necessary.
- Intentional use of equipment to physically restrict children with or without staff being physically present e.g. doors, seatbelts etc.

References and useful guidance

Use of reasonable force in schools (DfE 2013 amended 2015)
https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/444051/Use_of_reasonable_force_advice_Reviewed_July_2015.pdf

Keeping children safe in education (DfE 2016) – especially part 4
https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/550511/Keeping_children_safe_in_education.pdf

Guidance on physical intervention for children with additional needs
<http://www.challengingbehaviour.org.uk/learning-disability-assets/statementonrestrictivephysicalinterventionswithchildren.pdf>

I CAN Managing allegations against staff policy

I CAN Disciplinary Procedure

Dawn House Child Protection Policy