



Great Marlow School

Excellence • Compassion • Integrity

Physical Intervention and Use of Reasonable Force

Recommended by the Leadership Team:	December 2023
Approved by Trustees' Policies Sub Committee:	December 2023
Ratified by Trustee Board:	December 2023
Review Due:	Autumn Term 2024

Indicate as appropriate:

There **has been** a change to the previous policy

Physical Intervention and Use of Reasonable Force Policy

Introduction

This policy has been written in accordance with the vision of the school to provide 'a high quality learning environment that inspires students, staff and the community to be compassionate, successful and resilient contributors to a better society', alongside the school's core values of 'excellence, compassion and integrity'.

Great Marlow School fully recognises the responsibility it has under section 157 of the Education Act 2002 to have arrangements in place to safeguard and promote the welfare of children.

This policy is a whole school policy and applies to all students. Care and consideration will be given to the age of the child when following the guidance in this policy.

This policy has been written using advice taken from Use of Reasonable Force, Advice for Headteachers, staff and Governing Bodies DfE 2013.

The school acknowledges its legal duty to make reasonable adjustments for disabled children and children with special educational needs (SEND). Equality Act 2010, SEN and Disability Code of Practice 0-25 years 2015.

For the Purposes of this Policy Document:

Reasonable force is defined as using no more force than is needed in the circumstances. The use of force is reasonable if it is proportionate to the consequences it is intended to prevent. This means the degree of force used should be no more than is needed to achieve the desired result.

Physical restraint is defined as the positive application of force in order to protect/prevent a student from causing injury to themselves or others or seriously damaging property. It is necessary in more extreme cases, for example to stop a physical fight.

Injury means 'significant injury'; this would include actual or grievous bodily harm, physical or sexual abuse, risking the lives of, or injury to, themselves or others, by wilful or reckless behaviour, and self-poisoning.

Who can use Reasonable Force?

- All members of school staff have a legal power to use reasonable force.
- This power applies to any member of staff at the school.
- It can also apply to people whom the Head has temporarily put in charge of students such as unpaid volunteers or parents accompanying students on a school organised visit.

The decision on whether or not to physically intervene is down to the professional judgement of the staff member concerned and should always depend on the individual circumstances.

When can Reasonable Force be used?

Reasonable force can be used:

- to prevent students from hurting themselves or others, from damaging property, from committing an offence, or from causing disorder;
- to control students or to restrain them;
- to remove disruptive children from the classroom where they have refused to follow an instruction to do so;
- to prevent a student behaving in a way that disrupts a school event or a school trip or visit;
- to prevent a student leaving the classroom where allowing the student to leave would risk their safety or lead to behaviour that disrupts the behaviour of others;
- to prevent a student from attacking a member of staff or another student, or to stop a fight in the playground;
- to restrain a student at risk of harming themselves through physical outbursts.

When can Reasonable Force NOT be used?

Reasonable force can never be used as a form of punishment.

Guidelines for the Use of Physical Restraint

Professional judgement should be used in circumstances where the use of physical restraint and reasonable force is needed.

- Staff should not hesitate to act in an emergency provided they follow the guidelines in this policy.
- Staff should always satisfy themselves that the action they take would be considered justifiable by a wider audience of professional colleagues.
- In any application of physical restraint, the minimum reasonable force should be used to calm down the situation.
- Help should be summoned from colleagues; students should never be involved in restraint.

What to do in circumstances when the use of physical restraint and reasonable force is needed.

- Approach the student calmly but firmly.
- Where possible, the consequences of refusing to stop the behaviour should be explained and it should be communicated to the student that physical contact or restraint will stop as soon as it ceases to be necessary.
- A calm and measured approach is required by staff throughout.

Method of Restraint

The method of restraint employed must use the minimum force for the minimum time and must observe the following:

Restraint must not:

- Involve hurting the student
- Involve deliberately inflicting pain on the student
- Restrict the student's breathing

- Involve contact with sexually sensitive areas
- Involve locking the student in a room

During any incident the person restraining should:

- Offer verbal reassurance to the student
- Cause the minimum level of restriction of movement
- Reduce the danger of any accidental injury
- Cease the restraint if there are any signs of physical distress in the student such as sudden change in colour, difficulty breathing or vomiting

Physical restraint can be:

- Partial – restricting and preventing particular movements
- Total – as in the case of immobilisation

Physical intervention can take several forms and may involve staff:

- Physically interposing between students
- Blocking a student's path
- Holding
- Pushing
- Pulling
- Leading a student by the hand or arm
- Shepherding a student away by placing a hand in the centre of the back or in extreme circumstances
- using more restrictive holds

Do:

- Summon help immediately. A student can be sent to get another adult.
- Ensure a free passage of air through airways
- Be aware of any feelings of anger
- Continue to talk to the student in a calm way
- Provide a soft surface if possible
- Be aware of any accessories worn by you or the student that could cause injury
- Monitor the student's respiration, circulation and state of consciousness

Don't:

- Try to manage on your own
- Stop talking, even if the student does not reply
- Straddle the student
- Push their arms up their back
- Touch the student near the throat or head
- Put pressure on joints or on arterial pressure points (inside of upper arm, groin, neck)
- Use facedown holds.

Recording Incidents

- Minor or everyday use of reasonable force does not need to be recorded. For example, guiding a student or students in a busy corridor with an open hand on the back or arm to maintain the flow of people on one direction or to ease the congestion.
- All more serious incidents involving the use of physical restraint must be reported to **the Headteacher and/or either of the Deputy Headteachers' as soon as possible after the incident.** These must be recorded on the Record of the Use of Physical Restraint.

Telling parents when force has been used on their child

- Staff need to use their professional judgement on whether to inform a parent, depending on the seriousness of the incident.
- In a serious incident where a member of staff has had to physically intervene with or restrain a student, the parent will be informed on the day and the conversation must be followed up in writing to the parent.

What happens if a student or parent complains when force is used on them?

- 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.
- If an allegation of abuse is made against a member of staff, the procedures set out in the Safeguarding and Child Protection Policy will be followed.

Physical contact with students in other circumstances

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

- To demonstrate exercises or techniques during certain lessons which include but not limited to Science, Physical Education lessons or in extra-curricular sporting activities.
- In Design Technology lesson or clubs.
- Giving first aid.
- Young children and students with SEN can need staff to provide physical prompts or help.
- When a student is in distress and needs comforting.
- When a student is being congratulated or praised.
- To demonstrate how to use a musical instrument.

Staff should use their own professional judgement to decide if a student needs this kind of support.

Some children find touching particularly unwelcome; for example, children sensitive to physical contact because of their cultural background or because they have been abused.

Physical contact with students becomes increasingly open to question as students get older.

Staff should bear in mind that even innocent and well-intentioned physical contact can, sometimes, be misconstrued.

APPENDIX 1

Great Marlow School

USE OF REASONABLE FORCE INCIDENT REPORT FORM

Name(s) of student(s) involved:

Name(s) of adult(s) involved:

Summary of the incident:

Date and time:

Place:

Circumstances leading to incident:

Specific details of restraint:

Further action:

Names of any students who witnessed the incident:

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Reasons the force was necessary: e.g. to prevent injury to a student:

How the incident began and progressed, including details of the student's behaviour, what was said, steps taken to diffuse the situation, the degree of force used, how it was applied and for how long. The student's response and the outcome of the incident.

Details of any injury suffered by the student, another student, or a member of staff and any damage to property.

Signature(s) of teacher(s) involved:

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Date:

Headteacher: Date: