

# Elkesley Primary and Nursery School



## Physical Intervention Policy - (Use of Reasonable Force) – Team Teach

Compiled by	Mr C Marsh	May 2023
Agreed by	Staff	May 2023
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## **Objectives**

Here at Elkesley Primary and Nursery School we aim to provide a safe, caring and friendly environment for all our pupils to allow them to learn effectively, improve their life chances and help them maximise their potential.

We take the safety of our pupils and staff very seriously. We believe that all pupils and staff have the right to be and feel safe whilst at school or on a school-run activity.

This policy should be read in conjunction with our behaviour, discipline, child protection (and the broader safeguarding agenda) policies.

## **Staff Authorised to Use Reasonable Force**

Under Section 93 of the Education and Inspection Act (2006) and subsequent guidance published by the DfE in January 2016 entitled 'Behaviour and Discipline in Schools – Guidance for Head Teachers and Staff' the head teacher of our school is empowered to authorise those members of his/her staff to use reasonable force.

Here at Elkesley Primary and Nursery School, the head teacher has empowered the following members of staff to use reasonable force:

- Teachers and any member of staff who has control or charge of pupils in a given lesson or circumstance have permanent authorisation.
- Teaching assistants have permanent authorisation if a circumstance should arise in which immediate action should be taken.
- Other members of staff such as site management and administrative teams also have the power to use reasonable force if a circumstance should arise in which immediate action should be taken.

## **Minimising the Need to Use Reasonable Force**

Before using physical intervention we take effective action to reduce risk by:

- Showing care and concern by acknowledging dysregulated behaviour and requesting alternatives using negotiating and reasoning.
- Giving clear directions for pupils to stop
- Reminding them about rules and likely outcomes
- Removing an audience or taking vulnerable pupils to a safe place
- Making the environment safer by moving furniture and removing objects which could be used as weapons
- Using positive guidance to escort pupils to somewhere less pressured
- Ensuring that colleagues know what is happening and requesting help.

## **Deciding Whether to Use Reasonable Force**

Under English law, members of staff are empowered to use reasonable force to prevent a pupil from or stop them continuing:

- committing any offence;
- causing personal injury to, or damage to the property of, any person (including the pupil himself); or,

- prejudicing the maintenance of good order and discipline at the school or among any pupils receiving education at the school, whether during a teaching session or otherwise.

As a school we are firmly committed to creating a calm and safe environment which minimises the risk of incidents arising that might require the use of reasonable force. We use a curriculum which endeavours to explore and strengthen emotional responses to situations. We will only use force as a last resort and strongly believe in de-escalating any incidents as they arise to prevent them from reaching a crisis point. Staff will be skilled in promoting and rewarding positive behaviour and will utilise various appropriate techniques in the management of a class environment.

All members of staff will make decisions about when, how and why to use reasonable force. To help staff in making decisions about using reasonable force the following considerations may be useful:

- whether the consequences of not intervening would have seriously endangered the wellbeing of a person;
- whether the consequences of not intervening would have caused serious and significant damage to property;
- whether the chance of achieving the desired outcome in a nonphysical way was low;
- the age, size, gender, developmental maturity of the persons involved.

Staff are also expected to remember that physical intervention is only one option and for behaviours involving extreme levels of risk it may be more appropriate to gain support from other agencies, including the police.

Staff will only use reasonable force when the risks involved in doing so are outweighed by the risks involved by **not** using force.

### **Risk Assessment:**

Risk assessments are required for pupils who exhibit extreme challenging behaviour. Responsible staff should think ahead to anticipate triggers and reactions. When considering a pupil's : behaviour, staff will think about the following questions:

- Can we anticipate a Health and Safety risk related to this pupil's behaviour?
- Have we got all the information we need to conduct a risk assessment?
- Have we provided a written plan as a result?
- What further steps can we take to prevent dangerous behaviour from developing?

All pupils who have been identified as presenting a risk should have an individual risk assessment. The plan details any strategies which have been found to be effective for that individual, along with any particular responses which are not recommended. Any particular physical techniques which have been found to be effective should be named, along with any alerts to any which have proved to be ineffective or which caused problems in the past. These plans should be considered along with the child's EHCP/SEND need and any other planning document relevant to the pupil. They should take account of age, gender, level of physical, emotional and cognitive development, special needs and social context.

Staff will be kept informed and have a duty to inform others about the plans around specific pupils who can present risks to themselves and others. This may include information about SEN, personal circumstance and temporary upset.

## **Using Reasonable Force**

Physical restraint will only be used when there is no realistic alternative. We expect staff to conduct a risk assessment and choose the safest alternative. It also means that we expect staff to consider all alternatives to physical intervention which may be effective. The paramount consideration is that the action is taken in the interest of the child and that it reduces rather than increases risk. Any response to extreme behaviour should be reasonable and proportionate.

Physical restraint must only be in accordance with the following:

- The child should be in immediate danger of harming itself or another person or in danger of seriously damaging property.
- The member of staff should have good grounds for believing there is an imminent risk or danger.
- Only the minimum force necessary to prevent injury or damage should be applied.
- Every effort should be made to secure the presence of other staff before physical intervention. These staff can act as assistants or witnesses.
- Once safe, restraint should be relaxed to allow the child to regain self-control.
- Restraint should be an act of care and control, not punishment.
- Physical restraint should not usually be used purely to force compliance with staff instructions when there is no immediate danger present to people and property.
- The restraint should be discussed with the child, if appropriate, and the parents at the earliest opportunity.
- In addition, whilst or before intervention, staff should speak calmly as a way of reassurance e.g. I am doing this to keep you safe.

## **Team Teach Training CPD**

The Team Teach system is recognised by the Local Authority and accredited through BILD – British Institute of Learning Disabilities. The headteacher and deputy headteacher have completed the course led by qualified trainers.

Staff who receive this training will be certified Team Teach and will be expected to complete a refresher courses will be undertaken every two years.

Although any member of staff may be required to physically intervene with a pupil who is endangering themselves or others, trained individuals, accredited staff, should take over as soon as possible.

These courses provide participants with an insight into recent legislation and guidance that could impact on policy and practice, as well as a range of physical and non-physical strategies to help manage the risks posed by children and young people's behaviour.

## **Recording and Reporting Incidents**

All incidences will be reported via MyConcern.

The record must be made as soon as practicable after the incident.

Records are important in providing evidence of defensible decision-making in case of a subsequent complaint or investigation. Staff may find it helpful to seek the advice of a senior colleague or a representative of their trade union when compiling a report.

Where a staff member has been injured, Elkesley Primary and Nursery School will use the Nottinghamshire County Council electronic health and safety recording system 'Well-Worker'. This system enables members of staff to report, using a standardised format, any significant

incident where force has been used, or any incident where violence to staff has occurred or been threatened. Staff can access well worker via Schools Portal.

The governing body will ensure that a procedure is in place, and is followed by staff, for recording and reporting, significant incidents where a member of staff has used reasonable force on a pupil.

### **Post-incident support**

Following the use of physical intervention staff and pupils will be supported, the immediate physical needs of all parties will be met and staff will ensure that positive relationships are maintained.

### **Complaints and allegations**

We will also make clear to pupils that they have a right, and are able, to question/complain about the use of reasonable force. We will ensure that mechanisms are in place for pupils, parents, carers and staff to voice the opinions, comments or concerns.

For further information, please see our complains procedure/policy.

### **Monitoring and review**

This policy will be monitored regularly and reviewed by the governing body at least annually or as required.

The Head Teacher is responsible for the implementation of this policy and Louise Douglas-Koch is the Link Governor, who also has responsibility in this area.