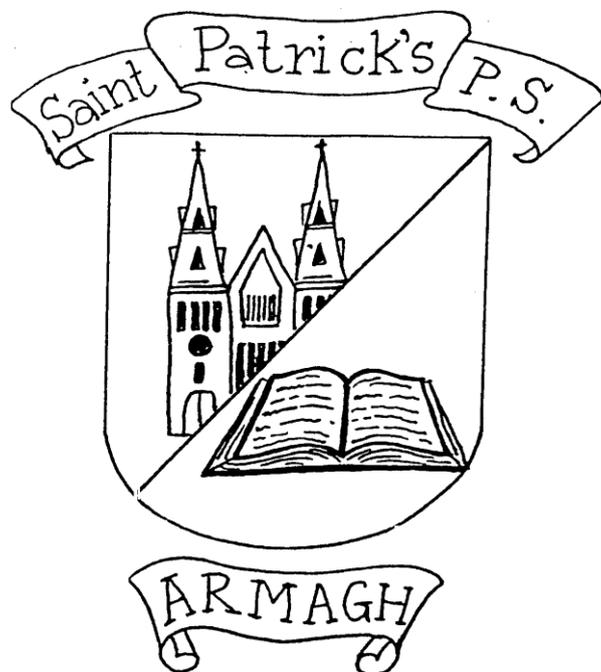


St. Patrick's Primary School



A POLICY ON THE USE OF REASONABLE FORCE/SAFE HANDLING

2015-16

ST. PATRICK'S PRIMARY SCHOOL

Use of Reasonable Force/Safe Handling Policy

Rationale

It is our responsibility to provide a safe and secure environment for the entire school community (pupils and staff) and to promote and sustain appropriate behaviour.

The policy and our procedures for use of reasonable force/safe handling have been prepared for the support of all teaching and support staff. This policy and our procedures have been developed in line with guidance from:

Pastoral Care in schools: Promoting Positive Behaviour (2001)

Pastoral Care in schools – Child Protection: Code of Conduct for Staff (1999/10)

Department of Education document “Towards a Model Policy in Schools on the Use of Reasonable Force” August 2002

The Department of Education NI circular 1999/9

Department of Education Circular 2003/13 Welfare and Protection of Pupils

Legislative Framework

This policy has been formulated with due consideration to the following legislation:

- Children (Northern Ireland) Order 1995 – duty to protect and child protection responsibilities/fulfilling responsibility
- Education (Northern Ireland) Order 1998 (Part II Article 4 (1))
- Human Rights Act 1998 – Articles 3 and 5 of the European Convention on Human Rights
- Health and Safety at Work Act (Northern Ireland) Order 1978
- Education (Northern Ireland) Order 2003

Purposes

The following purposes underpin the school's policy and practices:

- To create a learning environment in which young people and adults 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: and
- To develop and implement guidance for staff (teaching and non-teaching) so that they are clear about the circumstances in which they might use reasonable force to restrain pupils and how such force might be applied

Definition of Reasonable Force

The Education (Northern Ireland) Order 1998 (part II Article 4(1)) states:

“A member of the staff of a grant-aided school may use, in relation to any pupil at the school, such force as is reasonable in the circumstances for the purpose of preventing the pupil from doing (or continuing to do) any of the following, namely:”

- Committing any offence
- Causing personal injury to, or damage to the property of, any person (including the pupil himself); or
- Engaging in any behaviour prejudicial to the maintenance of good order and discipline at the school or among any of its pupils, whether that behaviour occurs during a teaching session or otherwise.

Based on this legal framework, the working definition of “reasonable force” is:

“The minimum force necessary to prevent a pupil from physically harming herself or others or seriously damaging property but used in a manner to preserve the dignity of all concerned.”

We need to consider:

- Planned intervention in which staff employ, where necessary, pre-arranged strategies based upon a risk assessment and recorded
- Emergency or unplanned use of force/intervention, which occurs in response to unforeseen events e.g. pupil fights

Practices:

Preventative Strategies:

This school actively promotes positive behaviour management strategies thus reducing the need for the use of any form of physical intervention, except in an emergency situation.

Preventative strategies for inappropriate behaviour(s) are detailed in our school’s Promoting Positive Behaviour Policy on defusing conflict/confrontation or aggression.

Risk Assessment:

Risk assessment is a strategy to prevent the risk of an incident escalating unnecessarily. It is normal practice where a pupil or a small number of pupils are known to exhibit disturbing or distressing behaviour.

In order for staff to plan accordingly, risk assessment will be considered only for those pupils who constitute a risk.

Risk assessment will be considered from two perspectives (a) environmental risk assessment and (b) individual risk assessment.

Roles and Responsibilities:

Reasonable force/safe handling can be used by any member of staff who is authorised by the principal to have lawful control or charge of pupils, e.g. teachers, classroom assistants, supervisory assistants.

Procedures

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 potential danger.

There will always be an element of personal judgement in these decisions. However, it is reasonable to expect a member of staff to engage in some risk where there is evidence of danger 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, or 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 compromises order and discipline.

Forms of Reasonable Force:

When other behaviour management strategies have failed, staff should send a reliable pupil for assistance and use the minimum intervention depending on the age, sex, physical strength, size, medical condition and any special needs of the pupil.

It should be used in a way that preserves the dignity and respect of all concerned. A calm and measured approach should be taken at all times.

It should be appropriate to the particular pupil and be in accordance with the school's agreed strategies and the following procedure which must be adhered to at all times:

- Tell the pupil to stop the inappropriate behaviour;
- Ask the pupil to behave appropriately, clearly stating the desired behaviour;
- Tell the pupil that physical intervention will take place if inappropriate behaviour continues;
- Intervene in a measured way.

If the teacher, classroom assistant or supervisory assistant feels at risk he/she should seek support from the nearest staff member.

Possible forms of reasonable force used by the school will depend on individual circumstances and may include:

- Separating pupils who are fighting, or who are about to fight;
- Blocking a pupil's path;
- Holding a blazer or bag;
- Breakaway techniques (e.g. when a member of staff is grabbed by a pupil);
- Leading a pupil by the arm;
- Shepherding a pupil away by placing hands on the backs of elbows.

Health and Safety:

When using reasonable force/physical intervention/restraint/safe handling, the pupil's health and safety must always be considered.

Physical interventions should involve the minimum amount of force necessary to resolve the situation and calm the pupil.

Limits on the Use of Force:

The law strictly prohibits the use of force which constitutes corporal punishment. The use of force as a punishment or to intentionally cause pain, injury or humiliation contravenes our Child Protection Policy. Staff should never act in a way that might reasonably be expected to cause injury, for example by:

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

Staff should also avoid touching or holding a pupil in any way that might be considered indecent

Record Keeping

All incidents involving the use of reasonable force must be recorded. The School (Principal) will keep an accurate up-to-date record of all such incidents.

Immediately following any incident the member of staff concerned must inform the Principal or a senior member of staff and provide a written record/report.

The chairperson of the Board of Governors and the Principal will review annually the entries in the incident book. 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 pupil's view should also be recorded as soon as possible, preferably on the same day.

Contacting parents:

Parents/carers should be contacted as soon as possible and the incident explained to them (with an interpreter if necessary). This must also be recorded. Any complaint from a parent will be dealt with according to the school's complaint policy/procedure as detailed below.

Complaints:

If an incident occurs in school involving the use of reasonable force/restraint by a teacher, the procedures governing such incidents should be followed. This will include informing the parent(s)/guardian(s) of the child as outlined above.

Any subsequent complaints made against a member of staff will be dealt with in accordance with the school's Complaints Policy/Procedure and in accordance with the Circular 1999/10, Pastoral Care in Schools – Child Protection revised 2017/24 Safeguarding & Child Protection in Schools.

Staff who themselves are subject to physical violence or assault will be supported, as appropriate, in taking any necessary action against an assailant.

The use of reasonable force is only to be employed in exceptional circumstances or in an emergency where a pupil appears to be unable to exercise self-control and whose behaviour is presenting a threat to himself/herself or others.

A member of staff should not intervene in an incident without help if there is a risk that he/she may be injured or may endanger his/her life.

Monitoring and Evaluating :

The Safeguarding Team will update this Policy and procedures in the light of any further guidance and legislation as necessary and review it annually. The Board of Governors will also monitor.

On-going evaluation will ensure the effectiveness of the Policy.

Date Policy Reviewed: _____

Signed:

_____ (Principal)

_____ (Chair of Board of Governors)