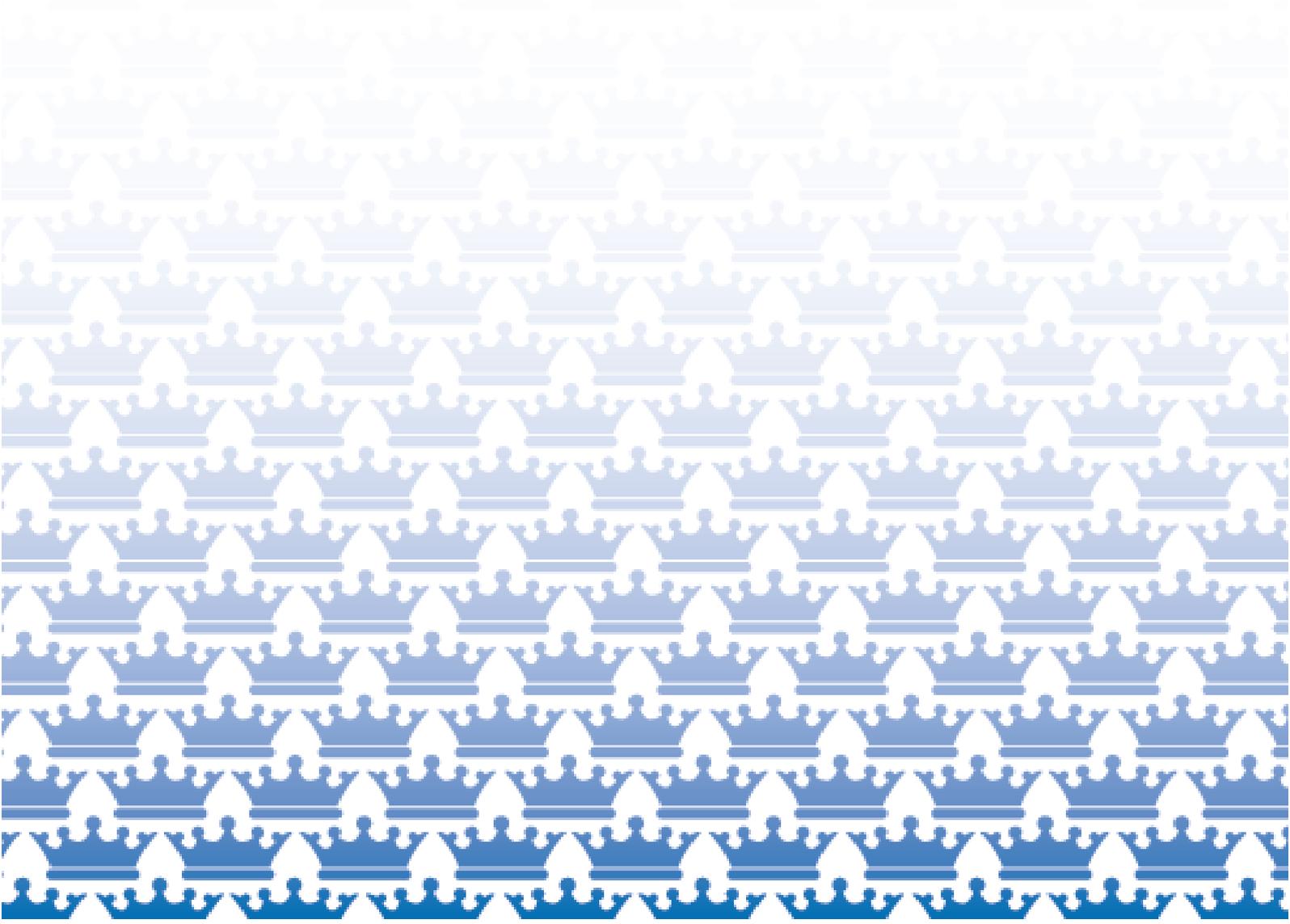




Kingsway Park  
HIGH SCHOOL

# Reasonable Force Policy

Issue Date: January 2022  
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## **Reasonable Force Policy**

This policy was produced using;

**‘Physical Contact – Care, Comfort and Restraint’ by Bernard Allen (2015)**

**‘Team Teach Workbook 2015**

**‘The Use of Force to Control and Restrain Pupils’ DfE 2013**

**‘Rochdale’s ‘Care and Control’ guidance for schools’**

### **1 The Rationale**

At Kingsway Park High School, we aim to create a safe environment where students are encouraged to take responsibility for their own behaviour. Kingsway has a detailed behaviour for learning policy, and the vast majority of our students behave well and follow the rules. A tiny minority sometimes find it difficult to control their behaviour and may lose control. In such situations and as a last resort, physical intervention may be required.

The staff of Kingsway need to know how to safely and confidently manage inappropriate and dangerous behaviour. They have to be clear about;

- Options that are open to them when all the normal systems have failed.
- What to do when there is a clear emergency situation and talking calmly to someone who is in danger is irrelevant.

Staff need to be free of undue worries about the risks of legal action against them if they use appropriate physical interventions.

Staff have the legal power to use reasonable force, and lawful use of this power will provide a defence to any related criminal prosecution or other legal action. Senior Leaders at Kingsway will support staff in the lawful use of this power and will not automatically suspend a member of staff who has been accused of using excessive force.

Kingsway parents/carers need to know that their child, and those who are teaching them, are safe and not open to disruptive influences or danger. They also need to know that they will be properly informed if their child is the subject of physical intervention. The school is always available to answer to any parental queries about its reasonable force policy.

## 2 What is reasonable force?

Reasonable force means using no more force than is necessary. Kingsway Park will only use force to **control** students and **restrain** them. **Control** means either passive contact such as standing between students or blocking a student's path, or active physical contact such as leading a student by the arm from a classroom.

**Restrain** means to hold back physically or bring a student under control. For example, if used on two students who refuse to stop fighting.

Kingsway staff will always try to avoid using reasonable force and it will only be used as a last resort. The vast majority of crisis situations can be dealt with through calm, dignified and skilled intervention. (The use of non-confrontational approaches and the use of non - threatening body language are vital).

If reasonable force is required, only the minimum force will be used to resolve the situation safely. How we respond to a developing situation will always be through consideration of the personal circumstances and age of the young person involved.

### 2.1 De-escalation techniques

Except in cases where there is immediate danger, we would normally try resolving a situation through de-escalation. This could include the CALM technique;

C – Communication – Positive stance, manner, posture, gestures, and facial expression. Use the student's name and emphasise you are here to help and will listen.

A – Awareness and Assessment – Read the student's behaviour record – what might happen. Does the student have a positive handling plan.

L – Listening and Learning – Give time and space – give the student a way out.

M - Making Safe – Make the immediate environment safe – check objects and try to do a visual risk assessment of potential dangers of the surroundings you are in.

Staff may also try;

1. Calmly re-stating the rules and expectations.
2. Removing other students from the incident who may be at risk through being an audience.
3. Encouraging the student to withdraw to a safer and calmer environment.
4. Calling another adult for support or to take over.

## 2.2 Space and Stance.

If you are between nose and elbow length from the student, this is called INTIMATE space and can be dangerous. You are probably too close.

If you are between elbow and fingertip length from the student, this is PERSONAL space, and you are in a dangerous area re kicking etc.

If you are outside fingertip space from the student, this is SOCIAL space – this may be too far away to convey a personal message. Distances regarding appropriate space will vary in each situation according to various factors including the individual concerned, the situation, gender, culture, emotional state, size, relationship etc.

## 3 Who may use reasonable force and when.

The law allows all members of school staff to have the legal power to use reasonable force. It can also apply to people whom the Headteacher has temporarily put in charge of students, such as unpaid volunteers.

Reasonable force can be used to:

- a) Stop a student committing a criminal offence (including behaving in a way that would be an offence if the student were not under the age of criminal responsibility)
- b) Prevent a student injuring themselves, others or staff (including fights)
- c) Prevent damage to property including the student's own property.
- d) Remove a student from a classroom when they have refused to do so.
- e) Prevent a student significantly disrupting a school event or trip.
- f) Stop a student leaving a classroom if there is a concern they could hurt or disrupt others.
- g) Keep a pupil safe when at risk of harming themselves through physical outbursts.

If more than minor physical intervention is judged to be necessary, the teacher or adult can call for help by alerting Main Reception, or the staff on duty. If possible, staff should:

- Send for the assistance of a qualified Team Teach teacher. Two support assistants working together without a teacher should only be used as an extreme last resort.
- Remove other students from the scene if possible.
- Continue to talk calmly to the student explaining what will happen, and under what circumstances the physical intervention will cease (but not in a threatening way)
- Use the minimum force necessary and cease the intervention as soon as it is judged safe.

### 3.1 What is positive handling? (TEAM TEACH)

Reasonable force is not defined legally in isolation. It must be justified as appropriate by the circumstances. We use only the minimum force that is needed to restore safety or appropriate behaviour. We take account of the age, understanding and gender of the student. An uncaring attitude is likely to provoke students. The TEAM TEACH approach advocates:

- At least two members of staff
- Minimum force and time
- Maximum care and control
- Reasonable force used as a last resort after the use of behaviour management strategies

Acceptable forms of intervention in this school include all stipulated on the TEAM TEACH foundation course. (Friendly hold, single elbow, double elbow, figure of four, the wrap, etc) which allow:

- Leading or guiding a student by the hand or arm or shepherding them with a hand in the centre of the back.
- Holding a student who has lost control until they are calm and safe.
- Physically moving between and separating two students.
- Blocking a student's path.
- Preventing immediate risk of injury, so any necessary action that is consistent with the concept of 'reasonable force' – for example to prevent a student running into a busy road or hitting or hurting someone.
- The use of more restrictive holds in extreme circumstances.

It is also acceptable for doors to be locked to ensure student safety, as long as a member of staff is always with the student in such circumstances (care needs to be taken here regarding Health and Safety Fire Regulations). Staff may move, defend themselves, lead, restrain or block someone as long as they are considering their own safety as well as that of others, especially the child being restrained.

It is unacceptable and likely to be illegal for staff to use any physical intervention designed to cause pain or injury including:

- Any form of corporal punishment, slapping, punching or kicking.
- Holding by the neck or collar, or otherwise restricting the ability to breath.
- Holding by the hair or an ear.
- Twisting or forcing limbs against a joint.
- Tripping up a student or holding an arm out at neck or head height to stop them.
- Holding a student face down on the ground or sitting on them.
- Shutting or locking a student in a room, except in extreme situations whilst summoning support.

Staff should also avoid touching or holding a student in a way that might be considered indecent. The dignity of students is vital, and we need to foster their self-respect.

NB – In exceptional circumstances, it may be necessary to use physical intervention on intruders from outside the school community. (Again, use de-escalation techniques first) The police may need to be called in extreme situations.

A list of staff that are trained in Team Teach will always be available in Main Reception.

### **3.2 After the use of reasonable force.**

Following a significant incident of physical intervention, where a student has resisted or challenged, and force has been used, the teacher or adult involved should immediately inform the Headteacher. The school acknowledges that such events are stressful for both students and staff, and both parties will need time to recover, with the chance of debriefing and resolving the situation. They should be given reassurance and guidance as well as time to sort themselves out both physically and emotionally. Time should be taken to support the staff to reflect on the incident in a non-blaming, supportive, and caring manner.

If the incident is significant, the immediate priority is to ensure support for everyone involved and that the incident is reported to the relevant parties. It may be beneficial to discuss the incident with LADO to ensure that the recording and reporting procedures are followed correctly.

### **3.3 Recording Incidents**

A record should be made as soon as possible after the incident when all parties involved are emotionally ready to do so. All accounts of the same incident should be taken, including those of the student/students involved where possible. Best practice demonstrates that this should be a description of the behaviour and action taken. There should be no emotive or judgmental language.

All incidents are recorded on CPOMS and an account will be uploaded to the student's file. All reports of physical intervention are seen by the Head teacher or a member of senior leadership.

If a member of staff is injured through the intervention, then they will be required to complete the online accident incident form belonging to the LA, to comply with RIDDOR 2013 (Reporting of injuries, diseases and dangerous occurrences regulations).

All parties should keep a copy of the report. Forms are accessible on the Rochdale Schools Intranet under the 'Safety and Insurance' section.

The Head teacher will keep their Governing Board informed about physical interventions in their termly report including methods of quality assurance of the use of physical interventions.

**Incident sheets** - A full written account of the incident will be made by the member of staff concerned and recorded on the appropriate incident sheet.

**Appendix 1**- If reasonable force used by staff trained in Team Teach.

**Appendix 2** - If reasonable force used by member of staff not trained in Team Teach.

The report will contain the key details needed regarding the incident, including details of any injury to any person, or damage to property. An unfortunate consequence of physical intervention is that the student may suffer minor injury to prevent a major injury. First Aid should be given in such a situation.

The sheet must be signed and dated by the member of staff and countersigned, if possible, by another member of staff who was at the incident.

Time should also be spent after the incident to: -

- Discuss the incident with the student. The aim is for the student to learn from the incident so that Positive Handling is not needed in the future. Monitor the student carefully for 90 minutes after the incident to check their emotional wellbeing.
- Interview staff involved and any other witnesses.
- Inform the student's parents/carers and social worker if relevant (letter and phone call) (**See Appendix 3**)
- Record any disagreements expressed by the student or adults about the event.
- Take any appropriate further action, liaising with LEA, Governors or Unions as appropriate, and acting within the LEA's Child Procedures.

### **3.4 Involvement of Parent and Carers**

Schools do not require parental consent to use force on a student, and parents/carers do not have to be given copies of the incident reports as a matter of routine. However, at Kingsway Park we will always inform parents/carers about serious incidents involving the use of force.

If a complaint is received from a parent/carer regarding the use of physical intervention, Kingsway Park will follow the Allegations and Management process and then seek advice from the LADO if appropriate.

A copy of the Kingsway Park complaint's procedure is available on the school website.

### **3.5 Planning for Physical Intervention**

In certain cases, a Positive Handling Plan will be created for a student (**Appendix 4**). This would happen when there is a foreseeable risk that a student's behaviour could require physical intervention. For example:

- A student where information has been received (Primary transition, Managed Move information, SEN etc.) which suggests reasonable force may need to be used.
- A student who has had to be previously restrained.

This planning includes helping students to avoid provoking situations and guiding them to find ways forward to minimise their frustration. It will help us to manage potential difficulties if we spot them early. The student's Positive Handling Plan would: -

- Involve the parents/carers and student to gain their views and to ensure that they are clear about what specific action the school might need to take.
- Manage the student (e.g. Discussing the best strategies to de-escalate a conflict for the student, what type of holds are to be used):
- Identify key staff who will know exactly what action should be taken in a situation. Any member of staff who may have to use a physical intervention should always be fully briefed about the student in question. It is best if they are well known to the student.

### 3.6 Risk Assessment

Risk assessment and management is the process that helps staff and others to consider risk issues, to act reasonably, and to learn from what happens in everyday practice.

Challenging behaviours are often foreseeable, even though it may be difficult to predict exactly when they will occur, or the degree of challenge they will pose. Planning for situations (Positive Handling Plan), assessing ongoing situations, and reviewing positive handling incidents are all key aspects of the Risk Assessment at Kingsway Park.

## 4 Training

Kingsway Park are clear that training of staff is vital in this area if we are to adopt best practice and maintain a record of safe management. We will make provision in the training budget to develop behaviour management in the school. Training and refreshers will be available when needed in restraining techniques, e.g. TEAM TEACH. After any incident Kingsway Park will evaluate the incident and amend aspects of the policy or individual student plan if required.

## 5 Who needs to know about the policy?

Everyone connected with the school should know of the existence of the policy and feel free to study it in detail if they wish or need to do so. However, not everyone needs to know about specific incidents. The chart below sets out the information.

Who should be informed	About the policy	About a specific incident
Governors	Governors to approve	Next Governors Meeting after the incident
Parents	Kingsway Park website	Only incidents relating to their own child - verbal – same day  Follow up letter within 3 days ( <b>Appendix 3</b> )
Staff	Kingsway Park website Staff induction	About any incidents involving students they may have charge of

Students	Through personal development time	Student/students involved and those who witness incidents
LEA and Health and Safety Team	LEA made aware through Janet Lloyd	All incidents logged on CPOMS if information needed
Staff Union Reps	Kingsway Park website	Informed by members if needed

## 6 Complaints

All complaints about the use of force will be investigated thoroughly, speedily and appropriately. 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 – it will provide a defence to any criminal prosecution or other civil or public law action.

We hope that by adopting this policy, and keeping parents well informed, we will avoid the need for complaints. Any disputes that do arise about the use of force by a member of staff will be dealt with in accordance with the “Dealing with allegations of abuse against teachers and non- teaching staff” produced by the Department for Education in 2012.

Complaints about this policy should be directed to the Chair of Kingsway Park Governors.

**Appendix 1**

**Kingsway Park High School – Use of Reasonable Force by Team Teach staff**

Name of Student		Date of Birth	Tutor Group
Date and Time of incident		Person recording the intervention	
Location of incident			
Staff members involved			Job Title
Other witnesses to intervention			
De-escalation techniques used: NB number in order used			
Verbal advice <input type="checkbox"/>	Humour <input type="checkbox"/>	Space given <input type="checkbox"/>	Step away <input type="checkbox"/>
Other student removed <input type="checkbox"/>	Time out <input type="checkbox"/>	Verbal support <input type="checkbox"/>	Reassurance <input type="checkbox"/>
Direction given <input type="checkbox"/>	Calm Talking <input type="checkbox"/>	Alternative offered <input type="checkbox"/>	Distraction <input type="checkbox"/>
Planned ignoring <input type="checkbox"/>	Contingent touch <input type="checkbox"/>	Adult transfer <input type="checkbox"/>	Consequence reminder <input type="checkbox"/>
Other		Time out offered	
Response to de-escalation			
Reason for intervention (please tick)			
Immediate danger to self <input type="checkbox"/>		Potential damage to property <input type="checkbox"/>	
Disruption to immediate environment/peers <input type="checkbox"/>		Threat of absconding <input type="checkbox"/>	
Fighting <input type="checkbox"/>		Immediate danger to peers/staff <input type="checkbox"/>	
Assault/attempted assault <input type="checkbox"/>		Threats verbal/physical <input type="checkbox"/>	
Other			
What happened prior to the intervention?			

Technique used in intervention (Team Teach Techniques) NB number in order used			
Guide □	Cradle Hug □	T Wrap □	Single elbow □
Double elbow □	Friendly Hold □	Hold to chair □	Bite/Grab □

Position □	Standing □	Sitting □	Ground □
Did the position change? □□If so, to what position?			
Is this intervention an agreed strategy linked to the behaviour management plan? Yes/No			
Details of incident			
Duration of incident Hrs. Mins		Duration of physical intervention Mins	
Medical intervention:			
Breathing monitored during incident Yes/No		Circulation monitored during incident Yes/No	
Injuries to young person Yes/No		Injuries to staff Yes/No	
If yes, describe injury		If yes, describe injury	
Entry in accident book Yes/No		Entry in accident book Yes/No	
Injured party seen by (circle) F/AiderGP		Injured party seen by (circle) F/AiderGP	
Action taken after incident			
Incident report completed Yes/No			
If yes, who supervised report?			
Any additional measures imposed			

Young Person's Comment			
Time:	Date:	Staff signature	Date:
Young person's signature			

Notifications & Signatures	
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Staff signatures:	Date:
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Headteacher	
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Parent	
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EWO/Police/Social Worker/Other	
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**Appendix 2**

**Kingsway Park High School - Use of Reasonable Force by a member of staff**

Details of student or students on whom force was used by a member of staff (Name, Class)	
Date, time and location of incident	
Details of other students involved (directly or as witnesses) including whether any of the students involved were vulnerable for ALN, disability, medical or social reasons	
Description of incident by the staff involved including any attempts to de-escalate and warnings given that force might be used	
Reason for using force and description of force used	
Any injury suffered by staff or student and any first aid and/or medical attention required	
Reasons for making a record of the incident	
Follow up, including post-incident support and any disciplinary action against pupils	
Any information about the incident shared with staff not involved in it and external agencies	
When and how those with parental responsibility were informed about the incident and any views they have expressed	
Has any complaint been lodged – YES / NO	
Report compiled by: Name and role: Signature:	Report Countersigned by: Name and role Signature:

### Appendix 3

#### Example of parent Letter

Dear .....,

Unfortunately, ..... had to be physically controlled today in order to prevent him/her from causing injury to himself/herself/others. .... was struggling to regulate his emotions following an incident. **Details of incident needed.** This was reason that the handling took place.

Our intervention procedures comply with the law (Education Act 1996 Section 550A). The incident has been logged and filed. It was checked that your child was not hurt and your child was seen by a First Aider to make sure all was ok.

This was distressing both for your child and the teacher involved. If we have not already done so, you will be contacted at home or by telephone as soon as possible.

Please contact me if you wish to discuss the incident further.

Yours sincerely

Headteacher

Assistant Headteacher for Inclusion

### Appendix 4

#### Personal Handling Plan

Name:

Date of PHP Plan:

Review Date:

**ENVIRONMENTS AND TRIGGERS**

Describe the situations which have led to a dangerous situation in the past

<b>RISK:</b> <i>Tick the level of the potential risk:</i>	<b>Low</b>		<b>Medium</b>		<b>High</b>	
<b>Tick and/or describe precisely what might happen</b>						
<b>Slap</b>		<b>Punch</b>		<b>Bite</b>		<b>Spit</b>
<b>Kick</b>		<b>Hair grab</b>		<b>Neck grab</b>		<b>Clothing grab</b>
<b>Body holds</b>		<b>Arm grab</b>		<b>Weapons</b>		<b>Missiles</b>
<b>Other</b>						

**PREVENTION**

Describe any changes to routines, personnel or environment which might reduce the risk of this happening:

**DIVERSION AND DISTRACTIONS**

Describe interests, words, objects etc. which may divert attention from an escalating crisis:

**DE-ESCALATION**

Describe any strategies which have worked in the past or should be avoided:

	<b>TRY</b>	<b>AVOID</b>
Verbal advice and support		
Firm clear directions		
Negotiation		
Limited choices		
Distraction		
Reassurance		
Planned ignoring		
Contingent touch		
C.A.L.M. talking & stance		
Take-up time		
Withdrawal offered		
Withdrawal directed		
Transfer adult		
Reminders about consequences		
Humour		

**PHYSICAL INTERVENTION**

Describe any strategies which have worked in the past or should be avoided:

	<b>TRY</b>	<b>AVOID</b>
Help hug		
Cradle hug		

Standing wrap		
Sitting wrap		
Standing double elbow		
Half shield		
Sitting double elbow (single person)		
Standing single elbow (two person)		
Sitting single elbow (two person)		
Figure of four (two person)		
OTHER:		

**POSITIVE LISTENING AND DEBRIEF**

Describe any strategies which have worked in the past or should be avoided: *E.G. Head Teacher's office*

**RECORDING AND NOTIFICATIONS REQUIRED**

Parents / Carers		Social Worker		Educational Psychologist	
Behaviour Support Service		Virtual School		Others	