

PORTHCAWL COMPREHENSIVE SCHOOL

POLICY ON THE USE OF REASONABLE FORCE

PREAMBLE

This policy contains guidance on two powers available to schools to help manage pupils' behaviour. The powers came into force in October 2010 and are as follows:-

- **Section 1**

The use of force to control or restrain pupils, the powers of which are contained in Section 93 of the Education and Inspection Act 2006 which replaced Section 550A of the Education Act 1996 with minor changes. The guidance replaces that currently contained in Welsh Office Circular 37/98.

- **Section 2**

Screening and Searching Pupils for Weapons. New powers contained in Section 45 of the Violent Crime Reduction Act 2006.

While the majority of pupils behave well and schools are generally orderly and productive places of learning, the Welsh Government wishes to support teachers and other school staff to deal effectively with poor and disruptive behaviour whilst, at the same time, minimising the disruption to other pupils' learning and thus, possibly, their life chances.

POLICY

The key policy objectives are as follows:-

- The maintaining of the safety of pupils and staff;
- The prevention of serious breakdown of school discipline;
- The prevention of serious damage to property;
- The need to preserve the rights of learners;
- The creation of a calm environment that reduces the risk of incidents that might require the use of force;
- The deployment of social and emotional wellbeing approaches that teach pupils to manage conflict and strong feelings;
- To de-escalate incidents that arise;
- To only use force when the risks involved in doing so are outweighed by the risks of not using force;
- To produce risk assessments for particularly vulnerable learners, especially those deemed to be 'fragile'.

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PROCEDURES

The main focus will be on preventing, as far as possible, the need for the use of force on pupils by creating a calm, orderly school environment that lessens the risk or threat of violence. The use of force will be a last resort and school will always seek to minimise the possibility of force being required. However, this is not always possible but staff must be mindful of the sensitivities associated with any contact with young people.

The school will not adopt a "no contact" policy. Such a move may place a member of staff in breach of their duty of care in not preventing a pupil harming another pupil, a teacher or themselves.

All staff who would ordinarily be expected to supervise a group of learners are authorised to use force, if necessary. Teacher and Cover Supervisors will have both the experience and training in classroom management to be able to decide if force needs to be applied. Once again, the use of force will be rare and only in the most extreme of circumstances.

Deciding when to use force is a key factor. The following guidelines and examples will clarify the situation.

Staff may use force if:-

- The potential consequences of not intervening are sufficiently serious to justify considering the use of force;
- The chances of achieving the desired result by other means are low;
- The risks associated with not using force outweigh those of using force.

The following are examples of situations where reasonable force might be used:-

- To prevent a pupil from attacking a member of staff or another pupil, or to stop a fight between two or more pupils;
- To prevent a pupil causing serious, deliberate damage to property;
- To prevent a pupil causing injury or damage by accident, by rough play, or by misuse of dangerous materials or objects;
- To ensure that a pupil leaves a classroom where the pupil persistently refuses to follow an instruction to do so;
- To prevent a pupil behaving in a way that seriously disrupts a lesson;
- To prevent a pupil behaving in a way that seriously disrupts a school sporting event or school visit.

Using force should always involve the use of minimum force necessary to achieve the desired result. The use of force will not be used to prevent trivial misbehaviour. Also, the use of force is illegal as a punishment in any circumstances.

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If the use of force is deemed necessary, the following guidelines will apply:-

- Give clear oral warnings to the pupil that force may be used;
- The types of force that may be considered are:
 - Passive, physical contact resulting from standing between pupils or blocking a pupil's path;
 - Active, physical contact such as:
 - i. leading a pupil by the hand/arm;
 - ii. ushering a pupil away by placing a hand in the centre of the back;
 - iii. in the most extreme circumstances, using appropriate restrictive holds – in all cases these will have required specific training.

In all cases, it is advised not to use force until another responsible adult is present to support, observe (witness) and call for assistance.

Staff should always avoid contact with young people that may be interpreted as sexually inappropriate conduct.

PROCESSES

1. The Recording of Incidents of the Use of Force

The school will keep detailed and systematic records of every significant incident where force has been used. The report will be used to inform parents, inform future planning and provide a record for any future enquiry.

When deciding if an incident is significant and this requires recording, the following guidelines will be used. All and any incident of force being used will be recorded on a "Cause for Concern" sheet (in the first instance) and be immediately reported to the Headteacher or Deputy Headteacher.

- Did the incident cause injury/distress to the pupil or member of staff?
- Does a written record need to justify the use of force?
- Does the record help identify and analyse patterns of pupil behaviour or staff training needs?
- Were any external agencies involved, e.g. Police.

If "yes" to any of the above, a written record will be completed. The school will use the "**Use of Force to Control or Restrain Pupils: Incident Record Form**" (APPENDIX A).

In all cases, these forms will be completed by the member of staff involved in collaboration with the Headteacher/Deputy Headteacher. The incident will be recorded in the "**Use of Force Incident Record**" (APPENDIX B).

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2. The Reporting of Incidents

All incidents of force being used will be reported to the parents/carers of the learner involved.

As is deemed necessary, a report may be sent externally to:-

- i. LEA – Children’s Services
- ii. LEA – Safeguarding Office
- iii. Police
- iv. Health & Safety Executive

3. Post-Incident Support

Any incident that requires the use of force is upsetting for all concerned and the school will offer post-incident support. Any physical injuries will receive immediate treatment and pupils and staff will be offered longer term emotional support.

The letter home to parents will set out subsequent actions and associated support. It is hoped that parents will agree to and support the post-incident support measures.

An exact determination of the level of post-incident support and its precise nature will depend upon the incident and its severity.

4. Complaints and Allegations

It is acknowledged that pupil and parents have the right to make representations or to complain about a decision or action(s) taken by a school or its staff.

All and any complaint will be dealt with in accordance with the school’s published complaints procedure.

5. Monitoring and Review

The policy will be monitored and reviewed annually by the Headteacher.

Date of next review _____

Signed _____ (Headteacher)

_____ (Chair of Governing Body)

PORTHCAWL COMPREHENSIVE SCHOOL**Use of Force to Control or Restrain Pupils: Incident Record Form No.**

Details of pupil or pupils on whom force was used by a member of staff (Name, Class)	
Date, time and location of incident	
Details of other pupils involved (directly or as witnesses) including whether any of the pupils 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 pupils 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 (details should not be recorded here)?	
Report compiled by:	Report Countersigned by:
Name and role:	Name and role:
Signature:	Signature:
Date:	Date:

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