

Parkway Primary School

Use of Reasonable Force Policy



May 2025

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Equality statement

We have carefully considered and analysed the impact of this policy on equality and the possible implications for pupils with protected characteristics, as part of our commitment to meet the Public Sector Equality Duty (PSED) requirement to have due regard to the need to eliminate discrimination, advance equality of opportunity and foster good relations.

Relationship to Other Policies

This policy should be read in conjunction with

- Child Protection Policy
- Behaviour for Learning Policy.
- Intimate Care Policy

Introduction

Good professional relationships between staff and children are vital to ensure good order in school. It is recognised that the majority of children at Parkway Primary School respond positively to the discipline practised by the staff and follow the Behaviour for Learning Policy. This ensures the well-being and safety of all children and staff. It is also acknowledged that in **exceptional circumstances** there are children with challenging behaviour that can necessitate staff to act in situations where the use of positive handling may be required to prevent injury to themselves, staff and children, damage to property, or the breakdown of a safe and enjoyable learning environment. The aim of positive handling is not punishment or control but to support safe learning for everyone. The policy has been written to support all staff who come into contact with children and for volunteers working within the school to explain the school's arrangements for positive handling. The policy is available to parents on request and on the school website.

Underpinning Values

Everyone at Parkway Primary School has the right to:

- treated with respect and dignity
- feel safe, secure and cared for
- learn and work in a safe environment
- be protected from harm, violence, assault and acts of verbal abuse

Staff have a responsibility to follow this policy and to seek alternative strategies wherever possible in order to prevent the need for physical intervention. Reasonable force will only be used as a last resort when all other behaviour management/ de-escalation strategies have failed or when children, staff or property are at risk.

Unless an unplanned emergency, positive handling should only be carried out by Team Teach trained staff using appropriate procedures and relating to the child's Additional Support Plan. (ASP)

In the case of an unplanned emergency restrictive physical intervention may become necessary when a child or young person behaves in an unexpected way, the child or young person may not have an ASP and trained staff may not be on hand. The duty of care still remains if appropriately trained staff are not on hand to assist the child or young person. The response must be reasonable, proportionate and necessary and use the minimum amount of force necessary to prevent injury and maintain safety.

The law and reasonable force

The use of all forms of physical intervention and physical contact are governed by the criminal and civil law. The unwarranted or inappropriate use of force may constitute an assault. In addition, it may infringe the human rights of a child.

Section 93 of the Education and Inspections Act 2006 (which replaces section 550A of the DfES Circular 10/98) enables school staff to use such force as is reasonable in the circumstances to prevent a child from doing, or continuing to do, any of the following:

- committing any offence
- causing personal injury to, or damage to the property of, any person including the child
- prejudicing the maintenance of good order and discipline at the school or among any children receiving education at the school, whether during a teaching session or otherwise

It is always unlawful to use force as a punishment.

Physical Intervention should only be used as a last resort and if it is absolutely necessary. The best interests of the child must always be the paramount consideration. Other strategies to calm/defuse the situation should always be employed first.

What is a reasonable force?

(DfE: Use of reasonable force. July 2013)

1. The term 'reasonable force' covers the broad range of actions used by most teachers at some point in their career that involve a degree of physical contact with children.
2. Force is usually used either to control or restrain. This can range from guiding a child to safety by the arm through to more extreme circumstances such as breaking up a fight or where a student needs to be restrained to prevent violence or injury.
3. 'Reasonable in the circumstances' means using no more force than is needed.
4. As mentioned above, schools generally use force to control children and to restrain them. Control means either passive physical contact, such as standing between children or blocking a child's path, or active physical contact such as leading a child by the arm out of a classroom.
5. Restraint means to hold back physically or to bring a child under control. It is typically used in more extreme circumstances, for example when two children are fighting and refuse to separate without physical intervention.
6. School staff should always try to avoid acting in a way that might cause injury, but in extreme cases it may not always be possible to avoid injuring the child.

Who can use reasonable force?

All members of Parkway Primary 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 teacher has temporarily put in charge of children such as unpaid volunteers or parents accompanying students on a school organised visit.

When can reasonable force be used?

Interventions rely on the members of staff to make a judgement based on their knowledge of the child and circumstances. The use of force is likely to be legally defensible when it is required to prevent:

- self-harming
- injury to other children or staff
- damage to property
- an offence being committed
- any behaviour prejudicial to the maintenance of good order and discipline within the school or among any of its children. This could include noise or behaviour which renders other unable to concentrate or is causing other children to become distressed, for example:
 - Constant screaming/ shouting
 - Being aggressive or abusive towards other children
 - Disrupting an entire lesson/session and distressing other children
 - Detrimental to health and safety guidelines
 - Where the behaviour will cause a great amount of distress to themselves or others

At Parkway we always try to use positive reinforcement and de-escalation strategies.

Government Advice Informing This Policy

Behaviour and discipline in schools: Advice for Headteachers and school staff (January 2016)

The use of withdrawal rooms:

Schools can adopt a policy which allows disruptive children to be placed in an area away from other children for a limited period, in what are often referred to as withdrawal room. If a school uses withdrawal rooms as a disciplinary penalty this should be made clear in their behaviour policy.

The school must also ensure the health and safety of children and any requirements in relation to safeguarding and child welfare. Children should never be locked in a withdrawal room and be able to leave at any time. Ideally someone should be in the room with them. Schools should also allow children time to eat or use the toilet.

Parkway Primary School satisfies these requirements; the use of calm rooms is included in our Behaviour Policy and their use is only acceptable as a last resort to maintain safety of the distressed and aggressive children and others and when included in the child's Additional Support Plan, approved by the parent/s or carer/s. Frequency and duration of their use is monitored by the staff responsible for behaviour.

Minimising the need to use force

We use a holistic behaviour approach. The following strategies are used to prevent the use of physical intervention:

- following the Behaviour for Learning Policy
- helping children to avoid situations which are known to provoke anxiety and subsequent challenging behaviour
- creating opportunities for children to engage in meaningful activities which include opportunities for choice and a sense of achievement
- ensuring that children are taking an active part in learning
- developing, supporting and training staff in working with children with challenging behaviours (Including Team Teach Training)
- consulting other professionals and parents/carers about the best methods and strategies for intervention and de-escalation

The scale and nature of any use of reasonable force must be appropriate to both the behaviour of the individual to be managed and the nature of the harm they may cause. These judgements have to be made at the time, taking account of all the circumstances.

Good practice must always be concerned with assessing and minimising risk to children, staff and others and pre-planning responses, where possible.

Additional Support Plans (ASP)

We consistently strive to create a calm environment that minimises the risk of incidents arising that might require the use of physical intervention.

Through the PSHE curriculum, pupils learn about feelings and managing conflict. The ethos further promotes independence, choice and inclusion. Children are given maximum opportunity for personal growth and emotional well-being.

Children with challenging behaviours will have an additional support plan in place designed to modify and/ or eliminate the behaviours. This plan will be drawn up between the Class Teacher and parent(s)/ carer(s) and, where appropriate, with the support of the Inclusion Manager/SENCo, Learning Mentor and Assistant Head teachers. These plans are intended to support the child to begin to self-manage their own behaviours. The strategies and techniques used will be individual to each child and situation. ASPs are shared with parents/carers and all those working with the child. These may include an additional positive handling plan which is used to guide staff how to approach and deal with an individual if they were to need Physical Intervention.

(See Appendix A)

Recording and Reporting Incidents

Challenging Behaviour must be recorded on CPOMS and monitored even if physical intervention is not used. Staff need to use this information to spot patterns and triggers and help reduce the behaviour.

Examples of challenging behaviour:

- hitting, pushing, pinching, biting, grabbing or anything that may cause harm
- knocking over furniture or equipment and causing damage to property
- refusing to take part in lessons or activities and disturbing the learning of others
- absconding
- anything that may be a safeguarding issue (NB: will require immediate discussion with DSL or member of Safeguarding Team)

Incidents of a Serious Nature (ISN)

This is a formal request to the Assistant Head (Pastoral) or Assistant Head (Inclusion) to recommend a period of internal exclusion or for the Head Teacher to recommend a suspension or expulsion following an incident. Rarely a child will behave in a manner that is totally unacceptable as to be classed as an Incident of a Serious Nature (ISN). If this does happen in a lesson the teacher should facilitate the removal of the child from the room (or area) via the most appropriate means (either to the Assistant Head, the Phase Leader or the Learning Mentor, or by using the Emergency procedure outlined above).

The adult should record the incident via CPOMS as a matter of urgency. The Assistant Head Teacher has the responsibility of looking at the incident carefully in order to assess whether she agrees that it is in fact an ISN, in which case internal exclusion would be put into place, or whether it should be dealt with by the class teacher via the use of the diamond. The Assistant Head will pass a copy of the ISN to the Class Teacher (who will inform the parent/carer) and School Office. The Head Teacher will be informed and be kept updated about any ISN by the Assistant Head Teacher either after the event or in the weekly Senior Leadership meeting.

When physical intervention is used the incident is recorded on CPOMS. It must be filled in within 24 hours. Any member of staff or child involved in or witnessing a serious incident involving reasonable force may require additional support following the incident before resuming their duties and colleagues are encouraged to seek and offer support where it is deemed necessary.

Children will be offered the following support:

- quiet time, taking part in a calm activity with a member of staff
- access to the Learning Mentor
- de-briefing

Any injuries will be recorded in accordance with the school procedures and to the HSE when appropriate. Parents/carers will be informed of any use of reasonable force. The Assistant Head Teacher (Pastoral) and Assistant Head Teacher (Inclusion) will monitor incidents and report to the Head teacher and Governors as required.

Staff Training

The majority of staff in Oak Trees and Elm Trees are Team Teach trained so that their use of physical restraint /positive handling falls within safe and statutory guidelines.

Staff are also trained in legal requirements and general advice on managing behaviour.

Staff have a duty to inform the Senior Leadership team of any injuries which affect their ability to handle children.

Training for all staff will be made available and will be the responsibility of the AHT (Inclusion).

Parkway Primary School acknowledges that physical techniques are only a part of a whole setting approach to behaviour management.

Parents and Carers

We do not require parental consent to use reasonable force on a child.

We will speak to parents about serious incidents involving the use of reasonable force and keep records regarding any incidents where reasonable force has been used. (See Appendix B) Staff will use their professional judgement and consider the:

- child's behaviour and level of risk presented at the time of the incident;
- degree of reasonable force used;
- effect on the child or member of staff; and
- the child's age.

What happens if a pupil complains when reasonable force is used on them?

- all complaints about the use of reasonable force will 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 will be 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.
- suspension will not be an automatic response when a member of staff has been accused of using excessive force.
- we will consider carefully whether the circumstances of the case warrant a person being suspended until the allegation is resolved or whether alternative arrangements are more appropriate.
- if a decision is taken to suspend a member of staff, we will ensure that the member of staff has access to a named contact who can provide support.
- the Governing Body will always consider whether a member of staff has acted within the law when reaching a decision on whether or not to take disciplinary action against the member of staff.
- we have a duty of care towards our employees. We will provide appropriate pastoral care to any member of staff who is subject to a formal allegation following a use of reasonable force.

What about other physical contact with pupils?

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

Examples of where touching a pupil might be proper or necessary:

- holding the hand of the child at the front/back of the line when going to assembly or when walking together around the school;
- when comforting a distressed child;
- when a child is being congratulated or praised;
- to demonstrate how to use a musical instrument;
- to demonstrate exercises or techniques during PE lessons or sports coaching;
- to provide Intimate Care (See Intimate Care Policy)
- to give first aid.

Review & Implementation Dates

This policy will be reviewed as part of the Schools Policy Review cycle and will be discussed with school representatives prior to implementation.

Revision of the above Policy was completed by: Lucy Cross

Summer 2025

Next Review Date:

Summer 2026

After consultation and agreement by Parkway Staff, this Policy was adopted by the School and implemented.