

Shimna Integrated College

Reasonable Force Policy

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1. Context

1.1 The purpose of our college is to create a safe and secure environment where all students are enabled to achieve their full potential and to be educated with respect and dignity. The college's policy on the use of reasonable force will enable staff to achieve this purpose.

1.2 No matter how skilfully and sensitively students are managed, a small minority will occasionally engage in aggressive behaviour, which threatens the safety of other students and staff. The college has a pastoral responsibility towards its students and will, therefore, take all reasonable steps to ensure that their welfare is safeguarded and that their safety is preserved.

1.3 Article 4 of the Education (Northern Ireland) Order 1998 clarifies the powers of members of staff of a grant-aided college regarding the use of reasonable force. (see paragraph 4.1 of the Order)

2. Principles

Shimna College believes that:

- each student has the right to be educated in a safe and secure environment where each child's moral, intellectual, personal, social and emotional development is promoted;
- parents and carers are informed and reassured that their children are being educated in a safe, caring and respectful atmosphere; and that
- all staff have the right to work in a safe and secure environment.

3. Aims

The following aims underpin the college's policy and practices:

- to create a learning environment in which young people and adults feel safe;
- to protect every person in the college community from harm;
- to protect all students against any form of physical intervention, which is unnecessary, inappropriate, excessive or harmful; and
- to put in place guidance for staff, both teaching and non-teaching, so that they are clear about the circumstances in which they might use reasonable force to restrain students and how such reasonable force might be applied.

4. Risk Assessment

4.1 The behaviour of the vast majority of students in our college will never require any form of physical intervention. However, a small number of students may exhibit disturbed, or distressing behaviour, which may require some form of physical intervention by staff. In order to minimise the risk of incidents escalating unnecessarily, the college will carry out a risk assessment under two headings:

- Environmental Risk Assessment; and
- Individual Risk Assessment.

4.2 Environmental Risk Assessment

Teachers responsible for outings and residential trips will carry out a risk analysis within the college to identify those situations or locations where there is an increased risk of incidents happening and decide the appropriate type and level of supervision.

An analysis will be made of all past incidents in the college to identify medium to high risk locations. Staff and student opinion will also be canvassed to augment this information.

On the basis of the analysis, the Principal and the Planning Team will make recommendations to the Board of Governors on the type and level of supervision which will be required to minimise risks.

4.3 Individual Risk Assessment

If the college becomes aware that a student is likely to behave in a disruptive way that may require the use of reasonable force, it should plan how to respond if the situation arises. Such planning will address:

- **consulting the parents** to ensure that they are clear about the specific action the college might need to take;
- **briefing staff** to ensure they know exactly what action they should be taking. This may identify a need for training or guidance;
- **managing the student**, for example, reactive strategies to de-escalate a conflict; and
- **ensuring** that **additional support** can be summoned wherever possible.

5. Definition Of Reasonable Force

5.1 The Education (NI) Order 1998 (Part II Article 4 (1)) states:

'A member of the staff of a grant-aided college may use, in relation to any student at the college, such force as is reasonable in the circumstances for the purpose of preventing the student from doing any of the following, namely:

- committing any offence;
- causing personal injury to, or damage to the property of, any person (including the student himself); or
- engaging in any behaviour prejudicial to the maintenance of good order and discipline at the college or among any of its students, whether that behaviour occurs during a teaching session or otherwise.'

5.2 Based on this legal framework, the working definition of ***'reasonable force'*** is ***the minimum force necessary to prevent a student from physically harming him/herself or others or seriously damaging property, but used in a manner which attempts to preserve the dignity of all concerned'***. The use of reasonable force will always depend on the circumstances of the case and staff should take the following into consideration:

- whether it is reasonable to use force, and the degree of force that could reasonably be employed, given the age, sex, physical strength, size, understanding, medical conditions and any special educational needs of the student;
- the use of force can be regarded as reasonable only if the circumstances of the particular incident warrant it. The use of any degree of force is unlawful if the particular circumstances do not warrant the use of physical force. Therefore physical force could not be justified to prevent a student from committing a trivial misdemeanour, or in a situation that clearly could be resolved without force; and
- the degree of force employed should be in proportion to the circumstances of the incident and the seriousness of the behaviour or the consequences it is intended to prevent. Any force used should always be the minimum needed to defuse the situation.

6. Use And Forms Of Reasonable Force

6.1 When might it be appropriate to use reasonable force?

Reasonable force should be limited to emergency situations and used only as a last resort in situations where:

- a student attacks a member of staff, or another student;
- students are fighting;
- a student is causing, or at risk of causing, injury or damage by accident, by rough play, or by misuse of dangerous materials, substances or objects;
- a student is running in a corridor or on a stairway in which he/she might cause an accident likely to injure him/herself or others;
- a student absconds from a class to leave college. This will only apply if a student could be at risk if not kept in the classroom or at college. In circumstances where a student absconds, the college will make every reasonable effort to inform the parent/guardian.

6.2 Physical intervention in these circumstances may take several forms, eg:

- physically interposing between students;
- blocking a student's path;
- holding;
- leading a student by the hand or arm;
- shepherding a student away by placing a hand in the centre of the back; or
- using more restrictive holds in extreme circumstances.

6.3 The law strictly prohibits the use of force, which constitutes the giving of corporal punishment. The use of force as a punishment or to intentionally cause pain, injury or humiliation, such as the examples below, (which are not exhaustive) should not be permitted under any circumstances:

- holding around the neck;
- any hold that might restrict breathing;
- kicking, slapping or punching;
- forcing limbs against joints;
- tripping;
- holding by the hair; and
- holding the student face down on the ground.

6.4 Physical intervention will only be used to avert danger by preventing or deflecting a student's action or perhaps by removing a physical object which could be used to harm him/herself or others. It will, at all times, be carefully applied and may be eased by degrees as the student calms down in response to the physical contact. The student should be advised throughout that physical intervention will cease when he/she calms down.

6.5 The use of reasonable force will only be used in exceptional circumstances if a student appears to be unable to exercise self-control of emotions and behaviour and is presenting a threat to him/herself or others. The use of reasonable force should involve a calm and measured approach at all times and be in accordance with agreed strategies and action steps (see Appendix 1).

6.6 There may be times when members of staff should not intervene in an incident without help unless it is an emergency (see Appendix 2).

It should be noted that members of staff are not required to use reasonable force; they do, however, have a responsibility to take other appropriate action (e.g. send for help) to deal with an exceptional situation.

7. Roles And Responsibilities

7.1 The college will endeavour to ensure that all staff know and understand their roles and responsibilities in relation to the management of students.

7.2 Legislation allows 'members of staff' to use 'reasonable force' and defines a member of staff as 'any teacher who works at the college and any person who, with the authority of the Principal, has lawful control or charge of students at the college'. The Principal will confirm with all members of staff whether or not they meet the terms of this definition. The Principal will also ensure that all staff and any other adult authorised by the Principal to supervise students are adequately covered by insurance and have followed the college's policy and practice.

7.3 Staff will be kept informed of planning in relation to individual students who are considered likely to pose serious behavioural problems.

7.4 The college SENCO will keep staff informed about students with special educational needs who may require special attention with regard to their physical management. Staff will consult with the SENCO regarding any concerns which they have about the physical management of students with special educational needs.

7.5 Line management and lines of reporting with regard to the use of reasonable force are the same as those for pastoral care/child protection.

7.6 Parents will be provided with a copy of the college's written policy on the use of reasonable force, which could be an integral part of the college's policy for promoting positive behaviour.

8. Record Keeping

8.1 All incidents involving the use of reasonable force will be recorded in a detailed, contemporaneous written report in accordance with college procedures. The college will keep an up-to-date record of all such incidents (see Appendix 3). Immediately following any such incident the member of staff concerned should inform the Principal or a senior member of staff and provide a written report.

8.2 Parents/guardians will be contacted as soon as possible and the incident explained to them. This action will also be recorded as detailed in procedures (see Appendix 3).

8.3 Staff will keep their own copy of any written report.

9 Health & Safety

9.1 When using reasonable force/physical intervention/restraint/safe handling, the student's health and safety will always be considered and monitored.

9.2 Limits on the use of force

The law strictly prohibits the use of force, which constitutes the giving of corporal punishment. The use of force as a punishment or to intentionally cause pain, injury or humiliation would contravene 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;
- 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 student face down on the ground.

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

10. Complaints

10.1 If an incident occurs in college involving the use of reasonable force by a teacher, parent(s)/guardian(s) of the student will be informed.

10.2 In the event of a subsequent complaint against a member of staff either by or on behalf of the student, this should be dealt with in accordance with the college's complaints procedures. A dispute about the use of force by a member of staff might lead to an investigation either under disciplinary procedures, or by the police and Social Services Department under child protection procedures.

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

11. Training And Development

Although it is anticipated that incidences involving the use of reasonable force or physical intervention will be infrequent, all staff will be made aware of the issues relating to the use of reasonable force and physical intervention as well as procedures and practices relating to college discipline and child protection procedures. As part of the college's staff development policy, all staff will receive appropriate training in the use of preventative strategies and approaches for managing difficult situations when they arise.

The Board of Governors agrees with, and fully supports the contents and implementation of this policy.

Appendix 1

Preventative Strategies

All teachers need to be aware of strategies and techniques for dealing with difficult students and steps, which they can take to defuse and calm a situation. The strategies listed below as examples will be influenced by the age of the student(s) and the context in which they are applied.

1. Move calmly and confidently;
2. Make simple, clear statements;
3. Intervene early;
4. Try to maintain eye contact;
5. If necessary summon help before the problem escalates; and
6. If possible, remove audience from the immediate location.

Action Steps

1. Tell the pupil who is misbehaving to stop and tell him/her the possible consequences of failure to do so.
2. If possible, summon another adult.
3. Continue to communicate with the pupil throughout the incident.
4. Make it clear that physical intervention will cease as soon as it is no longer necessary.
5. Appropriate follow-up action should be taken, which may include:
 - providing medical support;
 - providing respite for those involved; and
 - accessing external advice/support.

A calm and measured approach to a situation is needed and staff should never give the impression that they have lost their temper or are acting out of anger or frustration when handling a problem.

Appendix 2

Intervention Guidelines

There are situations where staff should not intervene without help. Assistance should be sought when dealing, for example, with:

- an older pupil;
- a physically large pupil;
- more than one pupil;
- when the teacher believes that he/she may be at risk of injury.

In those circumstances where the member of staff has decided that it is not appropriate to restrain the pupil without help, he/she should:

- remove other pupils who might be at risk;
- summon assistance from colleagues;
- where necessary, contact the police;
- inform the pupil(s) that help will be arriving; and
- continue to attempt to defuse the situation orally, and try to prevent the incident from escalating.

The Board of Governors agrees with, and fully supports the contents and implementation of this policy.

Appendix 3

RECORD OF THE USE OF REASONABLE FORCE

Date of incident:

Time of Incident:

Pupil Name:

Date of Birth:

Member(s) of staff involved:

Adult witness(es) to incident:

Pupil witnesses to incident:

Outline of event leading to incident, including place where incident occurred, description of pupil's behaviour and steps taken to defuse the situation other than physical intervention:

Outline of incident including reason for use of reasonable force, how it was applied and for how long:

Measures taken following the incident (eg respite for pupil(s), support for teacher(s):

Description of any injury(ies) sustained by anyone, any subsequent treatment and any damage to property:

Date parent/carer informed of incident:

Time:

By whom informed:

Outline of parent/carer response:

Signature of staff completing report:

Date:

Signature of Teacher-in-charge:

Date:

Signature of Principal:

Date:

Brief description of any subsequent inquiry/complaint or action: