

# Our Lady's & St Mochua's PS

## Use of Reasonable Force and Safe Handling Policy

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today...

## THE USE OF REASONABLE FORCE/SAFE HANDLING

### **Context**

Within our overall pastoral policies the school has a dual responsibility: Providing safe and secure environment for the entire school Community and Promoting and sustaining appropriate behaviour.

This duty of care requires us to take reasonable steps to ensure the welfare of all is safeguarded and safety preserved. This policy dovetails into all other pastoral policies, teaching, learning and assessment policies and curriculum policies.

### **Background**

This policy and our procedures have been developed in the context of a legal framework and taking into account:

- United Nations Convention on the Rights of the Child (Article 12); International 1989 (UK 1991)
- Safe Guarding and Child Protection in Schools DE Circular 2017/04
- Education (NI) Order 2006
- Education and Libraries (NI) Order 2003 (Articles 17, 19)
- Human Rights Act 1998
- The Department of Education NI Circular 1999/9;
- DE document "Regional Policy Framework on the Use of Reasonable Force" May 2004;
- Pastoral Care in Schools: Promoting Positive Behaviour (2001);
- DE Circular 2003/13 Welfare and Protection of Pupils.

### **Aims**

Our Lady's & St Mochua's Primary School believes that:

- Each child 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.
- All staff has the right to work in a safe and secure environment.

These principles underpin our school ethos and culture.

## **Objectives**

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

- Create a learning environment in which young people and adults feel safe
- Protect every person in the school community from harm
- Protect all pupils against any form of physical intervention, which is unnecessary, inappropriate, excessive or harmful
- Develop and implement guidance for staff 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 (NI) 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 him/herself)
- 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 him/herself or others or seriously damaging property, but used in a manner which attempts to preserve the dignity of all concerned.

## **Preventative Strategies**

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

Preventative strategies for inappropriate behaviour(s) for defusing and deescalating conflict/confrontation or aggression may include the following, though this is not an exhaustive list:

- Awareness of body language
- Verbal skills - tone, pace and volume of speech

- Create choice points by offering help
- Help protocols - encourage confidence in offering and accepting help praise
- Remind of rules, rights and responsibilities
- Offer clear choices and consequences
- Avoid confrontation - deal with situation at a calmer time
- Remain calm and constructive
- Clear, simple directions

### **Risk Assessment**

Risk Assessment is one of our preventative strategies to minimise the risk of an incident escalating unnecessarily and will be a normal practice for our school where a pupil or a small number of pupils are known to exhibit disturbing or distressing behaviour (EBD). Risk assessment will be considered only for those pupils where there is a foreseeable risk and enables the school to plan and train accordingly. Risk assessment will be considered from two perspectives:

1. Environmental risk assessment
2. Individual risk assessment.

The Risk Assessment Proformas will be used to record this. This will form part of the pupil's education plan. Staff will refer to the guidance in the 'Regional Policy Framework on the use of Reasonable Force/Safe Handling' to determine the risk factors.

### **Risk Reduction**

Risk Reduction should include:

- Proactive measures to support the child effectively and prevent difficulties emerging including early interventions to help the child in difficult situations and avert problems
- Planned measures to manage the child and others safely when unavoidable difficulties arise

### **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 - for example: teachers, classroom assistants, supervisors and other professional staff who may engage with children for various reasons.

## **Procedures**

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, a field trip, on 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 or to the child himself;
- 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 is compromising good order and discipline.

Examples that fall into the above categories are: (this is not an exhaustive list)

- A pupil attacks a member of staff, or another pupil
- Pupils are fighting
- A pupil 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 pupil is running in a corridor or on a stairway in which s/he might cause an accident likely to injure her/himself or others
- A pupil absconds from a class or tries to leave school (Note: this will only apply if a pupil could be at risk if not kept in the classroom or at school)
- A pupil persistently refuses to obey an order to leave a classroom
- A pupil is behaving in a way that is seriously disrupting a lesson

## **Forms of Reasonable Force**

When other behaviour management strategies have failed - minimum intervention or force should reasonably be employed depending on the age, sex, physical strength, size, understanding, medical condition and any special needs of the pupil and used in a way that preserves the dignity and respect of all concerned. The use of reasonable force/safe handling should involve a calm and measured approach at all times appropriate to the particular pupil and be in accordance with the school's agreed strategies. The forms of reasonable force the school will use will depend on the individual circumstances.

### **Limits on the Use of Force**

The law 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, humiliation or pain. 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.

### **Forms of Safe Handling**

Our staff will be involved in activities that require safe handling on a regular basis for educational, therapeutic, health and safety purposes.

The forms of safe handling the school will use will depend on the individual circumstances and are:

- Teaching a child to hold an adult's arm appropriately whilst walking down a corridor or a staircase, or on a visit outside school.
- Reacting instinctively to a situation by holding or restraining a child who is running onto a busy road
- Physically prompting a young child as part of an educational or behaviour programme
- Assisting a child with toilet

### **Health and Safety**

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

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

### **Record Keeping**

Incidents involving the use of reasonable force must be recorded in the school's agreed pro-forma "Incident/Report Form of the Use of Reasonable Force". The Principal will keep an accurate up-to-date record of all such incidents.

Following an incident the member of staff concerned must inform the Principal or a senior member of staff and provide the written report.

(Incident /Report Form on the Use of Reasonable Force)

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.

### **Following Physical Intervention**

The staff and pupils will have the opportunity to access support to enable them to reflect upon and build relationships.

### **Contacting Parents**

Parents/carers should be contacted as soon as possible and the incident explained to them. This must also be recorded in the "Incident Report of the Use of Reasonable Force" as defined in the school policy. Any complaint from a parent will be dealt with within the school's complaints policy/procedures as detailed below.

### **Complaints**

If an incident occurs in Our Lady's & St Mochua's PS 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.

In the event of a subsequent complaint made against a member of staff either by or on behalf of the child, this will be dealt with in accordance with the School's Complaints Policy/Procedure and in accordance with the School's Child Protection Procedures.

### **Designated Teachers**

The Designated Teacher for the Use of Reasonable Force/Safe Handling is the Principal. The Deputy Designated Teacher for the Use of Reasonable Force/Safe Handling is the Vice Principal.

The Designated Teacher will have special responsibility for providing guidance to other staff on the use of reasonable force/safe handling and for implementing and supporting the school's procedures.

### **Training and Development**

All staff will have regular awareness raising workshops of issues relating to the use of reasonable force/safe handling, procedures and practices relating to behaviour management and child protection policy and procedures. All staff will receive appropriate training and development, in

line with the school's staff development policy, in the use of preventative strategies and approaches for managing difficult situations when they may arise. Training will be provided by accredited trainers and the Principal.

The School will seek professional guidance and support from the Southern Education and Library Board Behaviour Support Teams on a range of behavioural support, including the use of reasonable force/safe handling - prevention and intervention strategies.

## **PROCEDURES FOR MONITORING & REVIEWING**

The Use of Reasonable Force and Safe Handling Policy will be monitored and reviewed annually.

**A consultation process took place with all stakeholders during the school year 2017-18.**

Signed:

Gary Farrell (School Principal)

Brian Rafferty (Chairman of the School Board of Governors)

Date: