



WELLINGTON COLLEGE BELFAST

Use of Reasonable Force / Safe Handling Policy

Context

- our dual responsibility – providing safe and secure environment for the entire school community (students and staff). promoting and sustaining appropriate behaviour.
- taking account of the United Nations Convention on the Rights of the Child (Article 12); International 1989 (UK 1991).
- taking account of the Education (NI) Order 1998 (Article 3) which requires Boards of Governors to ensure that policies are designed to promote good behaviour and discipline on the part of the students;
- taking account of the Education (NI) Order 1998 (Article 4) which clarifies the powers of members of staff of a grant-aided school regarding the use of reasonable force;
- taking account of the Education and Libraries (NI) Order 2003 (Articles 17 & 19) which imposes a duty on Boards of Governors to safeguard and promote the welfare of students; and
- taking account of the Human Rights Act 1998 which provides for the right to education.

This policy and our procedure have been developed in line with guidance from:

- The Department of Education NI circular 1999/9;
- DE document “Towards a Model Policy in Schools on the Use of Reasonable Force” August 2002;
- Pastoral Care in Schools: Promoting Positive Behaviour (2001);
- Pastoral Care in Schools – Child Protection: Code of Conduct for Staff (1999/10) paragraphs 69 to 72;
- DE Circular 2003/13 Welfare and Protection of Pupils; and
- Regional Policy Framework on the use of Reasonable Force / Safe Handling (May 2004).

Principles

Wellington College 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 have the right to work in a safe and secure environment.

These principles underpin the College ethos and culture.

Purposes

The following purposes underpin the College's policy and practice to:

- create a learning environment in which young people and adults feel safe
- protect every person in the school community from harm
- protect all students against any form of physical intervention, which is unnecessary, inappropriate, excessive or harmful; and
- develop and implement guidance for staff (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 force might be applied

Legislative Framework

This policy has been formulated with due consideration to the following legislation:

- Children (NI) Order 1995 – duty to protect and child protection responsibilities fulfilling responsibility;
- UN Convention on the Rights of the Child 1989 (Articles 12, 16 and 19); UK 1991;
- Education (NI) Order 1998 (Part II Article 4(1));
- Human Rights Act 1998 – Articles 3 and 5 of the European Convention on Human Rights
- Health and Safety at Work Act (NI) Order 1978;
- Education and Libraries (NI) Order 2003 – Articles 17, 18, 19.

Links with other policies

This policy is one of the overall pastoral policies and dovetails into the College's existing Positive Behaviour policy,

Anti-bullying policy, Child Protection policy, SEN policy, Health and Safety policy and Complaints policy.

It is also linked to the Learning and Teaching policy and Curriculum policy.

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 himself); or
- 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 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 College will consider:

- Planned intervention in which staff employ, where necessary, pre-arranged strategies based upon a risk assessment and recorded within the student's education plan; risk assessment; and
- Emergency or unplanned use of force/intervention, which occurs in response to unforeseen events, e.g. student fights.

Practices

Preventative Strategies

The College 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) are detailed in the College's Positive Behaviour policy especially defusing and de-escalating conflict/confrontation or aggression.

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 student or a small number of pupils are known to exhibit disturbing or distressing behaviour (EBD).

Risk assessment will be considered only for those students where there is a foreseeable risk and enables the school to plan and train accordingly.

Risk assessment will be considered from two perspectives (a) environmental risk assessment or (b) individual risk

assessment. This should form part of the student's education plan. (Appendix 1 and Appendix 2)

Procedures

Support Structures

The following procedures have been agreed by the staff and adopted by the Board of Governors. Parents and students will be informed of the school's procedures and support structures within the overall Pastoral Care Policy.

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 students, e.g. teachers, classroom assistants, supervisory assistants. The principal will confirm with all staff those who are authorised to be in charge of students at any given time.

Procedures

There may be circumstances when a member of staff may have to decide between making an intervention / using reasonable force by placing him / herself in a dangerous situation or standing back and thereby allowing colleagues or students to face a potential danger. There will always be an element of personal judgement in these decisions and there is the possibility of someone being injured. However, it is reasonable to expect a member of staff to engage in some risk where there is evidence of danger to others and intervention has a good chance of being effective.

Staff should not, however, put themselves in personal danger merely to safeguard property.

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:**

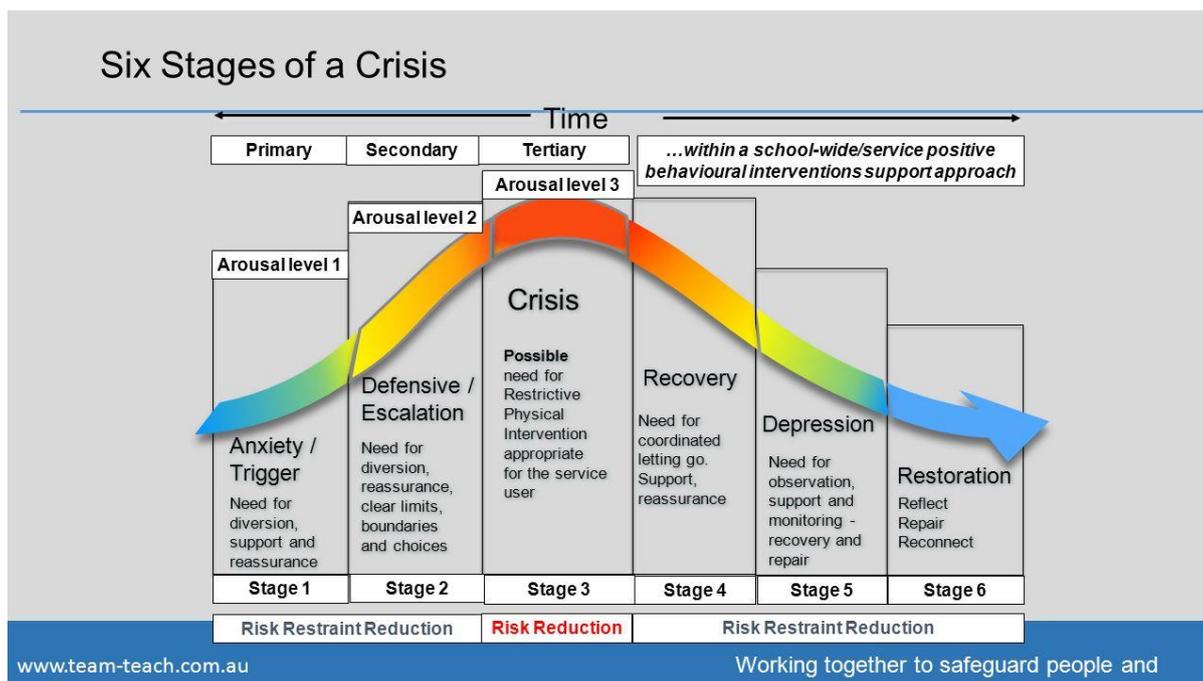
- action is necessary in self-defence or because there is imminent risk of injury to another student or person;
- there is a developing risk of injury to another student or person, or significant damage to property;
- a student is behaving in a way that is compromising good order and discipline.

Examples that fall into the above categories are:

- a student attacks a member of staff, or another pupil;
- 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 her/himself or others;
- a student absconds from a class or tries to leave school (Note: this will only apply if a student could be at risk if not kept in the classroom or at school);
- a student persistently refuses to obey an order to leave a classroom;
- a student is behaving in a way that is seriously disrupting a lesson.

Emotional states of people exhibiting aggression

Students whose behaviour requires reasonable force will be in a state of emotional deregulation. Reasonable force will usually occur during a time of crisis for a student as indicated in the diagram below. The need for reasonable force will occur in stage 3 – ‘crisis’ where a student could cause harm to themselves or others.



Forms of Reasonable Force

When other behaviour management strategies have failed – it should be the minimum intervention or force that should reasonably be employed depending on the **age, sex, physical strength, size, understanding, medical condition and any special needs of the student** 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 students and be in accordance with the school’s agreed strategies and the following procedures.

Guidance

The forms of reasonable force the school will use will depend on the individual circumstances and are:

- tell the student to stop the inappropriate behaviour;
- ask the student to behave appropriately, clearly stating the desired behaviour;
- tell the student that physical intervention will take place if inappropriate behaviour continues;
- during the incident repeatedly reassure the student and tell him/her that physical contact will stop as soon as he/she is ready to behave appropriately;
- if the teacher, classroom assistant or supervisory assistant feels at risk, e.g. from a large or older group of students, send for the nearest staff support.

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 student in any way that might be considered indecent.

The use of reasonable force is only to be employed in exceptional circumstances or an emergency where a student appears to be unable to exercise self-control of emotions and whose behaviour is presenting a threat to himself/herself or others. 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.

Record Keeping

All incidents involving the use of reasonable force must be recorded in the school's agreed pro-forma "Record / Report of the Use of Reasonable Force". The Principal will keep an up-to-date record of all such incidents. Immediately following any incident, the member of staff concerned must inform the Principal and provide the contemporaneous written record / report. (Appendix 3 Incident Record Form).

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.

The student's view should also be recorded as soon as possible, preferable on the same day.

Student views recorded as appropriate to sector, age, etc.

Post-Incident Management

The use of physical intervention can be upsetting to all concerned therefore, it is important to ensure that staff and students are given emotional support and where required basic first-aid treatment.

Immediate action should be taken to ensure that medical help is accessed for any injuries that require more than basic first-aid. All injuries should be reported and recorded in accordance with the school's procedures – parents / carers must be informed and allowed an opportunity to discuss.

Where it is clear that the teacher / member or staff concerned needs further support, advice or training, the Principal should take prompt action to ensure it is provided.

- The PWA will check for injuries or provide first-aid or arrange for medical aid.
- Staff and children will be provided with support after incidents.

Contacting parents/carers

Parents / carers should be contacted as soon as possible and the incident explained to them. This must also be recorded in the “Record / 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

In an incident occurs in Wellington College 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) / carer(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 Circular 1999/10, Pastoral Care in Schools – Child Protection.

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

Training and Development

All staff will have regular awareness raising 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.

Risk Assessment

A small number of students may exhibit disturbed or distressing behaviour which may require some form of physical intervention by staff. To minimise the risk of incidents escalating unnecessarily due to lack of foresight, planning and training, schools should carry out a risk assessment from two perspectives:

- environmental risk assessment; and
- individual risk assessment.

Environmental Risk Assessment

- Identify situations or location where there are increased risks of incidents happening.
- Analysis of past incidents to identify medium to high risk locations.
- Staff and students consulted.
- Individual student consulted.
- Decide the appropriate types and level of supervision.
- Principal and SMT to make recommendations to Board of Governors on type and level of supervision to minimise risk.
- Implement plan.
- Review plan.

Individual Risk Assessment

Where a school is aware that a pupil is likely to behave in a disruptive way that may require the use of reasonable force / safe handling, the school should plan its response by:

- consulting the student, as appropriate;
- consulting the parents – specific action the school may need to take;
- briefing staff – what action they should be taking (may require training or guidance);
- managing the student – e.g. reactive strategies to de-escalate a conflict;
- ensuring that additional support can be summoned wherever possible;
- implementing plan and review; and
- reviewing plan.

Risk reduction

Risk reduction should include:

- proactive measures to support the child effectively and prevent difficulties emerging;
- early interventions to help the child in difficult situations and avert problems; and
- planned measure to manage the child and other safely, when unavoidable difficulties arise.



Appendix 2

RISK ASSESSMENT PROFORMA

Name of Student: _____ DOB: _____ Age: _____

SEN Register Code of Practice Stage: _____

Support to Date: _____

Education Plan: _____

Risk Assessment Completed by Member of Staff: _____

Date: _____

Signed: _____ Date: _____ (Principal)

Consultation has been carried out Please tick as appropriate
with the student
with other students
with the parent/carer
with staff

Types of Behaviour Causing Concern: Level of Risk, Frequency, People to whom Behaviour Exhibited.

Behaviour	Very Likely	Likely	Quite Possible	Possible	Unlikely	Frequency H – Hourly D – Daily W – Weekly M – Monthly T – Termly
Disruption:						
Vandalism						
Bullying						
Fighting						
Violent and Aggressive						

Angry Outbursts						
Impulsive Dangerous Behaviour						
Self Harms						
Medically Related Behaviour						
Threatening and Abusive						
Other (please specify)						
People to whom behaviour is most likely exhibited						
Classroom Teacher						
Subject Specific Teacher (please specify)						
Classroom Assistant						
Technician						
Ancillary Staff (lunchtime supervisors, caretakers)						
Member of SMT						
Male Staff						
Female Staff						
Other Students in Class						
Other Students in School						
Male Students						
Female Students						
Younger/Older Students						
Disruption:						
Vandalism						
Bullying						
Fighting						
Violent and Aggressive						
Angry Outbursts						

Environments and Times of Greatest Risk – Flash Points / Hot Spots

Location and Time of Behaviours	Disruption	Vandalism	Bullying	Fighting	Violent & Aggressive	Angry Outburst	Impulsive, Dangerous Behaviour	Self Harms	Medically related Behaviour	Threatening & Abusive	Other (please specify)
Behaviour During Lessons											
Behaviour in Practical Lessons (please specify)											
Behaviour Going Between Lessons											
Behaviour in Library											
Behaviour in Canteen / Lunch											

Behaviour at Break Times											
Behaviour in Playground / Lunchtime											
Behaviour on Educational Trips											
Behaviour Off-Site Disapplied Programmes											
Behaviour in PE / Games Hall											
Behaviour on School / Public Transport Bus											

Risk Evaluation

Level of Likelihood x Frequency = Risk

Very Likely 5 x Hourly (5) = 25 greatest

Likely 4 x Daily (4) = 16

Quite Possible 3 x Weekly (3) = 9

Possible 2 x Monthly (2) = 4

Unlikely 1 x Termly (1) = 1 lowest

Likelihoods

Very likely 5

Likely 4

Quite Possible 3

Possible 2

Unlikely 1

Frequency

Hourly 5

Daily 4

Weekly 3

Monthly 2

Termly 1

This numerical evaluation of risk is not an absolute but simply affords a student’s predisposition and risk frequency to be compared.

Risk Factors Score	Risk
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25	Very High
15-20	High
8 – 12	Medium
6 – 10	Low

Drawn up by:		Date:			
Name of student:		Date:			
Agreed by:		(Principal)	Date:		
Presented to the Board of Governors:		(Date)	Date:		
To be reviewed:		(Date)	Date:		
Signed:		(Parent)	Date:		
Behaviour	Risk Factor	Existing precautions /support /supervision linked to IEP	Additional precautions /support /supervision /strategies	Action by whom	Action by when

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**Appendix 3
Incident Record Form**

Basic Data

Date of Incident: _____

Name of School: _____ Year Group: _____

Events Leading up to the Incident

Where did the incident start? _____

What was happening at the time? _____

Describe the Event that occurred.

When did the incident occur? Day: _____ Time: _____

Where did the incident occur?

What action did you take to try to de-escalate the situation before using restraint? _____

What behaviour was the child presenting that warranted restraint / physical intervention?

(please circle the appropriate box)	At risk of significant damage to property
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At risk of injury to self or others	
Compromising good order and discipline	At risk of committing a criminal offence

What do you believe would have happened if there had been no physical intervention?

How was the student held?

How long did the student need to be held?

Was anybody injured? **YES / NO** If yes, please give details. _____

Name of member of staff who verbally check pupil for injury after the hold: _____

Has the student been physically restrained before? **YES / NO**

Implications for Future Planning

Does the student have an individual behaviour programme / education plan? **YES / NO**

Do changes need to be made to any of the following? (Please tick appropriate box)

The environment e.g. organisation, curriculum	Targets for teaching new skills
Reinforcement strategies	Defusing and calming strategies
Other	Please specify:

Do other agencies need to be involved in the future? **YES / NO**

If yes, please specify who and with what aim? _____

Follow Up Action

Medical intervention was needed? **YES / NO**

Has PWA been informed? **YES / NO**

Please specify other recording procedures:		
Accident Book Recorded	Accident Form	Child Protection
Parent/Carer informed by:	Telephone	Direct Contact

Form completed by _____

Post held _____

Principal's signature _____

Date _____

A copy should be sent to the chairperson of the Board of Governors.