

Stanstead Flying High Academy



Physical Intervention Policy 2023-2024

Issued October 2023
To be reviewed September 2024

Objectives

At Stanstead Flying High Academy, we aim to provide a safe, caring and friendly environment for all our pupils to allow them to learn effectively, improve their life chances and help them maximise their potential.

We take the safety of our pupils and staff very seriously. We believe that all pupils and staff have the right to be and feel safe whilst at school or on a school-run activity.

This policy should be read in conjunction with our behaviour, discipline, child protection (and the broader safeguarding agenda) policies.

Minimising the Need to Use Reasonable Force

As a school we are firmly committed to creating a calm and safe environment which minimises the risk of incidents arising that might require the use of reasonable force. We use the Jigsaw scheme of learning to teach our SMSC which explores and strengthens emotional responses to situations.

We will only use force as a last resort and strongly believe in de-escalating any incidents as they arise to prevent them from reaching a crisis point. Staff will be skilled in promoting and rewarding positive behaviour and will utilise various appropriate techniques in the management of a class environment.

Staff will only use reasonable force when the risks involved in doing so are outweighed by the risks involved by not using force.

Staff Authorised to Use Reasonable Force

Under Section 93 of the Education and Inspection Act (2006) the head teacher of our school is empowered to authorise those members of his /her staff who are enabled to use reasonable force.

Here at Stanstead Flying High Academy the Head teacher has empowered the following members of staff to use reasonable force:

- Teachers and Teaching Assistants and any member of staff who has control or charge of pupils in a given lesson or circumstance have permanent authorisation.
- Other members of staff such as site management and administrative teams also have the power to use reasonable force if a circumstance should arise in which immediate action should be taken and the safety of children or staff is being compromised.

Deciding Whether to Use Reasonable Force

Under English law, members of staff are empowered to use reasonable force to prevent a pupil from or stop them continuing:

- Committing any offence
- Causing personal injury to, or damage to the property of, any person (including the pupil himself); or,
- Prejudicing the maintenance of good order and discipline at the school or among any pupils receiving education at the school, whether during a teaching session or otherwise

All members of staff will make decisions about when, how and why to use reasonable force. To help staff in making decisions about using reasonable force the following considerations may be useful:

- Whether the consequences of not intervening would have seriously endangered the wellbeing of a person;
- Whether the consequences of not intervening would have caused serious and significant damage to property;
- Whether the chance of achieving the desired outcome in a non-physical way was low;
- The age, size, gender, developmental maturity of the persons involved.

Staff are also expected to remember that physical intervention is only one option and for behaviours involving extreme levels of risk it may be more appropriate to gain support from other services, including the police.

Staff will be kept informed and have a duty to inform other about plans around specific pupils who can present risks to themselves and others. This may include information about SEN, personal circumstance and temporary upset.

Using Reasonable Force

When using force members of staff should only use the minimum amount of force required in achieving the required outcome.

Staff should also use force within the context of the existing good practice in non-physical skills and techniques.

Staff should, where possible, avoid any type of intervention that is likely to injure a pupil, unless in the most extreme of circumstance where there was no viable alternative. Also staff should avoid using force unless or until another member of staff is present to support, observe or call for assistance.

Staff Training

Staff at Stanstead Flying High Academy, who have been identified as needing training in this area, will access physical intervention and CRB (controlling risky behaviour) training through the City Council co-ordinator who delivers nationally accredited courses.

These courses provide participants with an insight into recent legislation and guidance that could impact on policy and practice, as well as a range of physical and non-physical strategies to help manage the risks posed by children and young people's behaviour.

Nottingham City Council, through Education, Standards and Inclusion Services, has developed a training programme designed to help staff in schools and associated services manage the risks associated with the challenging behaviours of young people.

These training programmes will be delivered to staff via whole school inset or by accessing specialist training events. A training log and copy of certificates is kept by the Business manager and staff attend yearly updates.

Staff who receive this training will be accredited to use the physical elements of CRB training for a defined period as stated on the certificate. Staff will be expected to attend a refresher course to update their skills and renew their certificate every 12-15 months.

Recording and Reporting Incidents

The governing body will ensure that a procedure is in place, and is followed by staff, for recording and reporting, significant incidents where a member of staff has used force on a pupil. The record must be made as soon as practicable after the incident.

- All incidents will be recorded in a bound book with numbered pages.
- Any staff involved in physical intervention must sign and date to agree the account
- A member of staff must check the child over for any mark or bruises that may have occurred as a result of any physical intervention
- Parents/carers must be made aware that an intervention has taken place and if possible sign the book to say that they have been told. Where this is not possible the member of staff who has spoken to the parent must record this
- If this is a first incident and no handling plan is in place one must be written if it considered that physical intervention could be required following the incident due to ongoing risk

While ultimately only a court of law could decide what is 'significant' in a particular case, in deciding whether or not an incident must be reported, staff could take into account:

- An incident where unreasonable force is used on a pupil would always be a significant incident:
- Any incident where substantial force has been used (e.g. physically pushing a pupil out of a room) would be significant;
- The use of a restraint technique is significant;

- An incident where a child was very distressed (though clearly not overreacting) would be significant.

In determining whether incidents are significant, schools should consider:

- The pupils behaviour and the level of risk presented at the time;
- The degree of force used and whether it was proportionate in relations to the behaviour;
- The effect on the pupil or member of staff

Staff should also consider the age of the child, any special educational need or disability or other social factors which might be relevant.

Sometimes an incident might not be considered significant in itself, but forms a part of a pattern of repeated behaviour. In this case, although there is no legal requirement to record such incidents, schools are advised to let parents know about them.

Records are important in providing evidence of defensible decision making in case of a subsequent complaint or investigation. Staff may find it helpful to seek the advice of a senior colleague or a representative of their trade union when compiling a report.

Stanstead will use the Nottingham City Council online recording system to report any **significant** incident where force has been used, or any incident where violence to staff has occurred or been threatened. Staff can access the system via the school office.

Post Incident Support

Following the use of physical intervention staff and pupils will be supported, the immediate physical needs of all parties will be met and staff will ensure that positive relationships are maintained.

Complaints and Allegations

We will make clear to pupils that they have a right, and are able, to question/complain about the use of reasonable force.

We will ensure that mechanisms are in place for pupils, parents, carers and staff to voice opinions comments or concerns. For more detailed information, please refer to the Flying High Trust Complaints Policy

Monitoring and Review

This policy will be monitored regularly and reviewed by the governing body at least annually or as required.

The Head Teacher is responsible for the implementation of this policy and the safeguarding governor, Judith Robinson, is also the link Governor who has responsibility in this area.

This policy is written with reference to the following school policies:

- SEN
- Behaviour
- Staff Wellbeing
- Complaints
- Safeguarding

The use of 'reasonable force' in schools and colleges

163. There are circumstances when it is appropriate for staff in schools and colleges to use 'reasonable force' to safeguard children. The term 'reasonable force' covers the broad range of actions used by staff that involve a degree of physical contact to control or restrain children. This can range from guiding a child to safety by the arm, to more extreme circumstances such as breaking up a fight or where a child needs to be restrained to prevent violence or injury. 'Reasonable' in these circumstances means 'using no more force than is needed'. The use of force may involve either passive physical contact, such as standing between pupils or blocking a pupil's path, or active physical contact such as leading a pupil by the arm out of the classroom.

164. The department believes that the adoption of a 'no contact' policy at a school or college can leave staff unable to fully support and protect their pupils and students. The department therefore encourages, principals, governing bodies, and proprietors to adopt sensible policies, which allow and support their staff to make appropriate physical contact. The decision on whether or not to use 'reasonable force' to control or restrain a child is down to the professional judgement of the staff concerned within the context of the law and should always depend on individual circumstances.

165. When using 'reasonable force' in response to risks presented by incidents involving children with SEND, mental health problems or with medical conditions, schools

and colleges should in considering the risks carefully recognise the additional vulnerability of these groups. They should also consider their duties under the Equality Act 2010 (see paragraphs 86-93), for example in relation to making reasonable adjustments and their Public Sector Equality Duty. By planning positive and proactive behaviour support, for instance through drawing up individual behaviour plans for more vulnerable children, and agreeing them with parents and carers, schools and colleges can reduce the occurrence of challenging behaviour and the need to use 'reasonable force'.

- Departmental advice for schools is available at [Use of Reasonable Force in Schools](#)
- HM Government guidance [Reducing the need for restraint and restrictive intervention](#) sets out how to support children and young people with learning disabilities, autistic spectrum conditions and mental health difficulties who are at risk of restrictive intervention in special education settings, however all schools and colleges may find the information helpful.