

# Oak Bank School Policy

## Use of Reasonable Force



**Prepared By: Rachael Freer**

Review and Amendment						
<b>By</b>	RF	RF	RF	RF		
<b>Date</b>	4/2/16	1/8/17	5/10/17	05/10/18		
<b>Signed</b>						
<b>Governor</b>						
<b>Date</b>						
<b>Signed</b>						

# Use of Reasonable Force Policy

## INTRODUCTION

Oak Bank school is a Special school for students who hold an EHCP that identifies the primary needs as Social, Emotional and Mental Health. Oak Bank provides a broad, balanced and personalised curriculum for all its students and in the main, they make outstanding progress both academically and in relation to their SEMH needs.

Due to some of their complex needs, there may be children with challenging behavioural difficulties, who present behaviours that may necessitate the use of restrictive physical intervention. This intervention will occur when staff make a dynamic risk assessment that this is in the best interests of the student. Any physical intervention will be reasonable, proportionate and necessary to prevent a student from:

1. **self-harming**;
2. Causing **injury** to other children, service-users, staff or teachers;
3. Causing **damage** to property;
4. Committing a criminal offence; and
5. behaving in a way that is prejudicial to the **maintenance of good order** and discipline within the school or among any of its students.

This is written in line with the 'Education and Inspections Act 2006' that introduced a statutory right for school staff to use such force as is reasonable. The power applies where the student is on school premises or any other place where s/he is in the lawful control or charge of the school staff member. This means that the power extends to school trips and visits.

The policy has been prepared for the support of all staff who encounter students and for volunteers working within the school to explain the school's arrangements for positive handling. The policy is available to parents on request or via the school website.

To attend Oak Bank, the parents/carers of each student must sign the home school agreement that indicates that 'Team Teach' may be used in circumstances outlined above. If parents have concerns regarding this, they are advised to meet with the Head of school to discuss this in more detail.

## **PURPOSE**

The aim of this policy is to ensure a safe and happy environment, where everybody in the school community feels safe and respected.

The objectives of this policy are:

- To provide a safe learning environment.
- To provide a framework in which all staff who encounter students are clear about their roles and responsibilities within the context of positive handling.
- To support the school's Child Protection , Safeguarding and Behaviour and Behaviour Management Policies.

## **TYPES OF INCIDENT WHERE POSITIVE HANDLING IS LIKELY TO BE USED**

Incidents fall into three broad categories: -

- Where action is necessary in self-defence or because there is an imminent risk of injury.
- Where there is a developing risk of injury, or considerable damage to property.
- Where a student is behaving in a way that is seriously compromising good order or discipline.

### **Examples of situations, which fall within these categories, are:**

- a student attacks, or on making a dynamic risk assessment is deemed to be likely to attack a member of staff, or another student;
- students are fighting;
- a student is engaged in, or is on the verge of committing damage or is committing vandalism to property;
- a student is causing, or at risk of causing, injury or damage by misusing dangerous materials or objects;
- a student is running in a corridor in a way which he or she might have or cause an accident likely to injure him or herself or others;
- a student absconds from a class or tries to leave school.

- a student is behaving in a way that is seriously disrupting a lesson, causing distress to the students and/or a breakdown of order.

### **What is reasonable force?**

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 pupils.
2. Force is usually used either to control or restrain. This can range from guiding a pupil 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 pupils and to restrain them. Control means 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 a classroom.
5. Restraint means to hold back physically or to bring a pupil under control. It is typically used in more extreme circumstances, for example when two pupils 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 pupil.

Positive Handling uses the minimum degree of force necessary for the shortest period of time to prevent a student harming himself/ herself, others or property.

There is no statutory definition of 'reasonable force'. Whether the force used is reasonable will always depend on the circumstances of individual cases. Deciding on whether the use of force is justified will depend in part upon the context in which the misbehaviour takes place.

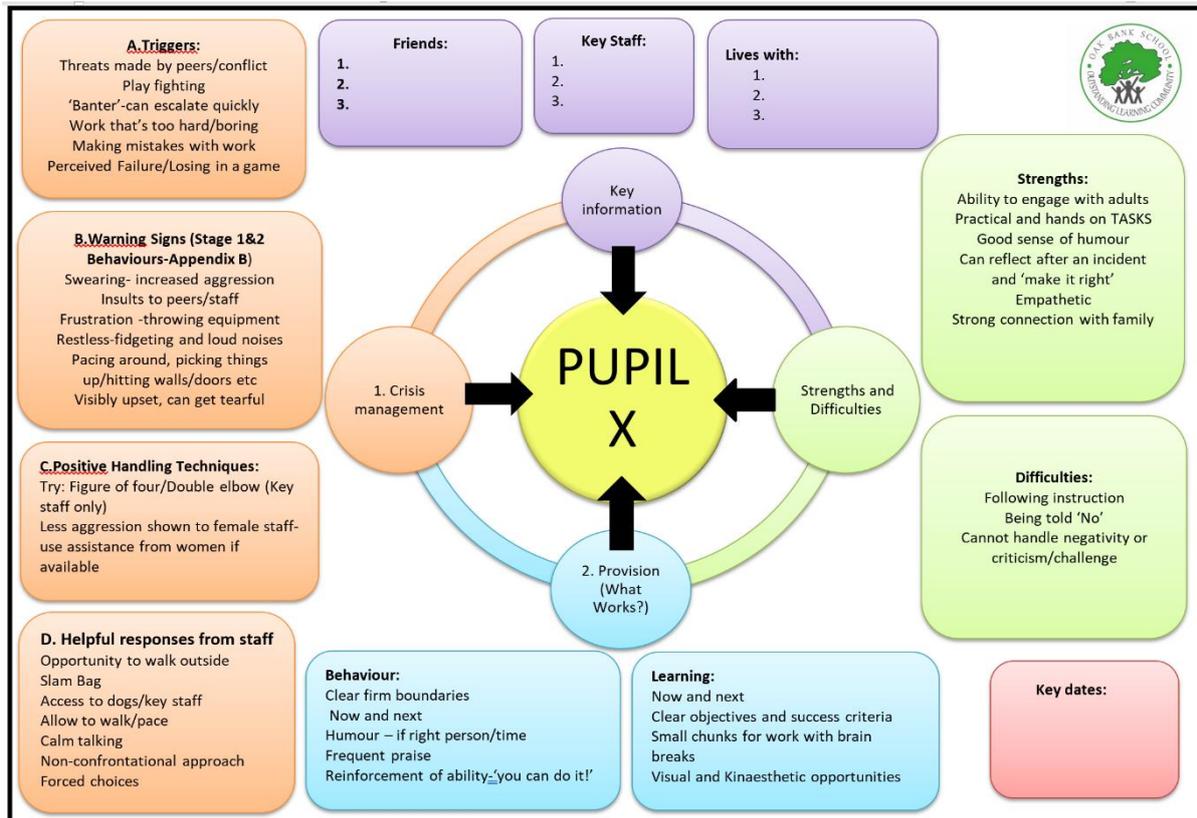
The test is whether the force used is proportionate to the consequences it is intended to prevent. The degree of force used should be the minimum needed to achieve the desired result. Use of force could not be justified to prevent trivial misbehaviour.

In this school, staff have a responsibility to follow this policy and to seek alternative strategies wherever possible 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 students, staff or property are at risk.

All students have a personalised action plan that can be accessed by all staff to support the behaviour management of students. This plan consists of:

1. At a glance behaviour summary
2. Crisis Management
3. Risk Assessment
4. Positive Handling Plan
5. Interventions/strategies in line with EHCP needs



## SECTION 1 – CRISIS MANAGEMENT

### A. TRIGGER POINTS

Threats made by peers/conflict	✓	Xxxxx will react to the environment around him. When he is heading towards crisis he will perceive people looking at him as confrontation and will offer violence as a solution. Xxxxx is very much a pupil who will give a 'fight' rather than a 'flight' response.
Play fighting	✓	Xxxxx will often play fight with peers because of his inability to interact with peers in a positive and socially acceptable manner. Often this 'Play fighting will turn into a physical confrontation or he will respond aggressively to staff who are being consistent with school rules.
'Banter'-can escalate quickly	✓	Xxxxx has poor social skills and therefore 'banter' will quickly escalate from fun to personal comments. This can quickly escalate into a verbal confrontation.
Work that's too hard/boring	✓	Xxxxx has weak literacy and numeracy skills and can easily start displaying stage one and two behaviours when faced with work that he perceives is too difficult. It is important that work is broken down into small chunks -now and next approach with clear success criteria is effective. See learning plan for more details.
Making mistakes with work	✓	Xxxxx will become frustrated when he makes mistakes with his work. Xxxxx will need encouraging to take a 'brain break' when this is the case, get himself calm and then re-visit the task. Reinforcement and praise will work well in these situations.
Perceived Failure/Losing in a game!	✓	Xxxxx does not take losing very well. In games he will not cope with perceived failure or that he is 'out'! This is magnified for him in front of a crowd and staff need to encourage him when he makes good honest decisions.

Additional details:

### B. ASSESSING RISK

See Appendix A for guidance

Warning Signs (Stage 1&2 Behaviours) <i>(Please select those applicable and known to have occurred)</i>	✓	Frequency H = hourly D = daily W = weekly O = occasionally	Intentionality D = deliberate A = accidental or I = Incidental (in crisis) H = Habitual	Risk		
				Hazard (H) 1-4	Probability (P) 1-4	LEVEL OF RISK (H X P) 1-16 (add level descriptor)
Damage to property	✓	W	D	4	2	8
Inappropriate sexual behaviour	✓	D	D	4	4	16
Bullying	✓	W	I	4	3	12
Violent/aggressive behaviour	✓	O	I	3	4	12
Impulsive/dangerous behaviour	✓	O	D	4	4	16
Racial/Gender/Religious/Learning Disability discrimination	✓	W	D			
Swearing/Abusive	✓	H	H	1	4	4
Reckless disregard for personal safety (e.g. running across busy roads)						
Absconding/absenting						
Offending behaviour (Criminal damage, theft etc)						
<u>Self Harm</u>						
Carrying/using weaponry						
Other <i>(Please specify)</i>						

**C. MANAGING RISK -POSITIVE HANDLING PLAN**

Preferred method Physical intervention?	TRY	AVOID	Comments
<b>INTERMEDIATE</b>			
Friendly escort	✓		Could be used by a key member of staff to encourage Xxxxx to move locations.
Figure of four	✓		
Double Elbow	✓		
Single elbow in seats		✓	
T-Wrap		✓	
T - Wrap to Seats		✓	
T-Wrap to Floor		✓	
<b>ADVANCED</b>			
Front Ground Recovery	✓		
Shield	✓		
Shield Ground	✓		

De-escalation Skills	TRY	AVOID	Diversion and distractions / Praise Points/ Helpful responses from staff:
Reassurance	✓		Access to dogs/key staff Calm talking Non-confrontational approach Forced choices
Help Script	✓		
Negotiation	✓		Bikes, riding motor bikes and fixing them. Opportunity to walk outside Slam Bag Allow to walk/pace
Choices	✓		
Humour	✓		
Planned Ignoring	✓		<b>Any Medical concerns that should be taken into consideration:</b>
Give space	✓		
Supportive touch		✓	
Time out	✓		<b>Anything that should be taken into consideration for de-brief (staff, location, time etc)</b>
Consequences	✓		
Success reminders	✓		
Simple listening	✓		
Removing audience	✓		
Change of face	✓		

**De-escalation strategies include:**

- Verbal advice and support
- Choices/consequences
- Using diversion & diffusion e.g. engaging the child in a discussion about a favoured topic
- Using negotiation
- Time out offered
- Re-assurance
- Planned ignoring
- Humour

**AUTHORISED STAFF**

All staff in the school are authorised to use physical contact & physical interventions and staff trained in 'Team Teach' will be authorised to use physical control/restraint as a last resort when alternative strategies have failed.

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

### **TRAINING (Team Teach)**

Oak Bank chooses to train all its staff in the Team Teach framework to improve the safety of all the service users.

Team Teach sets out its aim: through the promotion of de-escalation strategies and the reduction of risk and restraint, to support teaching, learning and caring, by increasing staff confidence and competence, in responding to behaviours that challenge, whilst promoting and protecting positive relationships.

Team Teach advocates that services should include in their policy a statement that reflects the working realities and likely consequences when individuals are involved in an incident involving use of force.

“Team-Teach techniques seek to avoid injury to the service user, but it is possible that bruising or scratching may occur accidentally, and these are not to be seen necessarily as a failure of professional technique, but a regrettable and infrequent side effect of ensuring that the service user remains safe”. (George Matthews - Director)

Training for all staff will be made available and will be the responsibility of the Senior Member of Staff responsible for Behaviour & Positive Handling; currently the Head of school. There are several Team Teach trainers in school:

Peter Cohen – Advanced Senior Tutor

Rachael Freer – Intermediate Tutor

Shaun Nottingham – Intermediate Tutor

Wesley Nottingham – Intermediate Tutor

All staff in school are trained at Basic Level which is a 12 Hour Course. It is important that everyone is aware that **No member of staff will be expected to undertake the use of reasonable force without appropriate training.**

Contents of the 12-hour basic course is delivered through 8 modules:

Module 1 - Background to Team-Teach

Module 2 - The Legal Framework

Module 3 - Understanding Aggression

Module 4 - How Feelings Drive Behaviours

Module 5 - De-escalation and Delusion

Module 6 - Personal Safety

Module 7 - Positive Handling (This section includes guiding, escorting and holding in standing, sitting and kneeling positions safety)

Module 8 - Repair, Reflection and Review

A small number of staff are also trained in advanced modules which cover:

- Advanced Ground Holds
- Every Day Objects used as Weapons

All training will be delivered on a need based approach and procedures are in place to regularly monitor incidents across the school. There is a list of all authorised staff in the drop in, Head's office and on the system in W:drive.

## **RECORDING**

Where physical control or restraint has been used a record of the incident will be kept. This record should be made on the 'Behaviour Watch' which is the online system for the recording of incidents.

An incident form needs to be completed as soon as possible after the incident, prior to staff going off duty.

Parents will be informed either through the by telephone / text or email depending on the parents preferred method. Oak Bank School prefer to communicate via phone in this case. There may be cases where informing the parents/carers may increase the risk for the pupil- these cases are reviewed individually.

A Health and Safety Accident/Incident Form will be completed and returned to the Authority in situations where injury has occurred to either members of staff or students. Staff and children will be given basic first aid treatment for any injuries that require treatment. Where staff and students have been involved in an incident involving reasonable force they should have access to emotional support. This can be provided by other members of staff or if an exceptionally serious incident occurs then a referral to Occupational Health may be necessary.

Debriefing must take place as soon as possible after the incident has been dealt with. Any injuries to staff must be recorded on an Incident Form on the body map provided on Behaviour watch. Any administered first aid should be addressed.

## **MONITORING INCIDENTS**

As all incidents will always be recorded and documented following agreed procedures, there is the opportunity to monitor these incidents thus alerting the Senior Management Team to the needs of any student(s) whose behaviour may require the use of reasonable force.

Monitoring of incidents will take place on a regular basis by the Head of school and the results used to help develop individual behaviour plans. The Behaviour managers will review the Student support plans termly, these will also be shared with parents during the consultation day each term. This will enable all strategies to be recorded and agreed with parents/carers and the student in a formal setting.

In relation to the use of Advanced holds (Shield to Ground and Front ground) the Head of school reports all incidents and patterns half termly to the Director of Team Teach who will monitor its use rigorously.

## **RELATIONSHIP TO OTHER POLICIES**

This policy should be read in conjunction with the school's Child Protection Policy and Safeguarding Policy as well as the schools Behaviour Policy and Behaviour Management Handbook.

## **REVIEW OF POLICY**

Oak Bank School acknowledges that physical techniques are only a part of a whole setting approach to behaviour management and will review this Positive Handling Policy annually.