



The Deanery CE Academy

Part of the Diocese of Bristol
Academies Trust

Reasonable Force Policy

Type: Statutory Level 4

Date Adopted: May 2021

Date Reviewed:

This is the Reasonable Force Policy and Procedures For The Deanery CE Academy

- 1. Legislative Compliance** – this policy complies with the guidance given in: Use of Reasonable Force: Advice for Headteachers, Staff and Governing Bodies. July 2013.

It has been written as guidance for staff, parents or carers and young people with reference to the following guidance and documents:

- Guidance on the Use of Restrictive Physical Interventions for Staff Working with children and Adults who display Extreme Behaviour in Association with Learning Disability and/or Autistic Spectrum Disorders (2002)
- Guidance on the Use of Restrictive Physical Interventions for Students with Severe Behavioural Difficulties (2003)
- Screening, searching and confiscation – advice for Headteachers, staff and governing bodies
- Dealing with allegations of abuse against teachers and other staff – guidance for local authorities, headteachers, academy staff, governing bodies and proprietors of independent schools
- Police and Criminal Evidence Act 1984 (PACE) Code G: Revised Code of Practice for the Statutory Power of Arrest by Police Officers

2. Links to Other Policies:

This Policy has been written as guidance for staff, parents or carers and young people and should be taken in conjunction with the following The Deanery CE Academy policies:

- SEND and Inclusion
- Safeguarding and Child Protection
- Anti-Bullying

3. Staff Contacts:

- Designated Safeguarding Lead: Naomi Luckman
- Deputy Designated Safeguard Leads: Kelly Matthews, Tracey Lappin, Sharon Bishop
- Headteacher: Dan Neal
- TEAM Teach Trained: Naomi Luckman, Kelly Matthews, Jemima Douglas, Michelle Loxley, Sarah Parry, Dan Halpin, Katia Esposito.

4. Aims and Objectives of this Policy - definitions of Positive Handling:

Positive handling describes a broad spectrum of risk reduction strategies. Positive handling is a holistic approach involving policy, guidance, management of the environment and deployment of staff. It also involves personal behaviour, diversion, diffusion and de-escalation. Risk assessment identifies positive prevention strategies and how a student may need to be supported in a crisis.

Underpinning Values

Everyone attending or working in this academy has a right to:

- Recognition of their unique identity
- Be treated with respect and dignity
- Learn and work in a safe environment.
- Be protected from harm, violence, assault and acts of verbal abuse.

Students attending this Academy and their parents/carers have a right to:

- Individual consideration of student needs by staff who have responsibility for their care and protection.
- Expect staff to undertake their duties and responsibilities in accordance with the Academy policies.
- Be informed about academy expectations and boundaries, relevant policies and expected conduct of all students and staff working in the Academy.
- Expect Individual Education Plans (IEP's) and Pastoral Support Plans (PSP's) to be designed to achieve outcomes that reflect the best interests of the student whose behaviour is of immediate concern and others affected by the behaviour requiring intervention.
- Be informed of the Academy's complaint's procedures.

The Academy will ensure that students understand the need for and respond to clearly defined boundaries and assertive discipline which govern the behaviour in the Academy.

Objectives:

Good personal and professional relationships between staff and students are vital to ensure good order in academy. It is recognised that the majority of students in our academy respond positively to the assertive discipline and restorative approaches practised by all staff. This ensures the well-being and safety of all students in academy. It also acknowledges that in exceptional circumstances, staff may need to take action in a situation where the use of reasonable, proportionate and necessary force may be required.

The Deanery CE Academy acknowledges that physical techniques are only a small part of a whole setting approach to behaviour management.

Every effort will be made to ensure that all staff in this academy:

- (i) Clearly understand this policy and their responsibilities in the context of their duty of care in taking appropriate measures where use of force is necessary and
- (ii) Are provided with the appropriate training to deal with these difficult situations.

The Education and Inspections Act 2006, stipulates that *reasonable force* may be used to prevent a student from doing, or continue to do any of the following:

- Self-injury
- Causing injury to others
- Committing a criminal offence
- Engaging in any behaviour prejudicial to maintain good order and discipline at the academy or among any of its students, whether the behaviour occurs in the classroom during a teaching session or elsewhere within the academy. (This includes authorised out of academy activities)

Below is actual wording taken from the 2006 Education and Inspections Act:

Power of members of staff to use force

A person to whom this section applies may use such force as is reasonable in the circumstances for the purpose of preventing a student from doing (or continuing to do) any of the following, namely:

- a) Committing any offence
- b) Causing personal injury to, or damage to the property of, any person (including the student themselves)
- c) Prejudicing the maintenance of good order and discipline at the academy or among any students receiving education at the academy, whether during a teaching session or otherwise.

This section applies to a person who is, in relation to a student, a member of the staff of any academy at which education is provided for the student.

The power conferred by subsection (1) may be exercised only where:

- a) The member of the staff and the student are on the premises of the academy in question, or
- b) They are elsewhere and the member of the staff has lawful control or charge of the student concerned.

The use of Positive Handling Techniques is one of our methods for reducing risk presented by students demonstrating challenging behaviour.

The application of any form of physical control inevitably carries an attached risk of unintended harm and this places staff and the Academy at risk of potential litigation. It can only be justified according to circumstances described in this policy. Staff, therefore, have a responsibility to follow this policy and seek alternative strategies wherever possible in order to prevent the need for physical intervention; Diffusion, De-escalation and Diversion.

Staff must be aware that they are responsible for:

- Assessing risks (dynamic risk assessment) related to individual circumstances which may arise in the course of their day-to-day duties and
- Making judgements about when the use of force is necessary to manage a situation.
- Staff need to be aware that they are required to justify their decisions in writing through their recording and reporting procedures.

5. Minimising the Need to Use Force

At The Deanery CE Academy, we constantly strive to create a calm environment that minimises the risk of incidents arising that might require the use of force. In addition to this, students who present with persistent challenging behaviour, are assigned Wellbeing Support, referred to the Student Support Worker or the Pastoral team, or other agencies to meet their individual needs.

Partnership working with the Special Educational Needs Coordinator (SENCo), TAs, HLTAs, class teacher and members of the Academy Leadership Team (ALT) supports an individual student's profile and subsequent behaviour targets.

Students who have issues relating to Special Educational Needs or other conditions that may result in increased anxiety levels, and therefore an increase in the likelihood of challenging behaviour, may have individualised support programmes to help them to manage this.

Through the VIP curriculum, students learn about feelings and managing conflict, where this is appropriate to their level of development. The Academy ethos further promotes independence, choice and inclusion; students are given maximum opportunities for personal growth and emotional wellbeing.

Pastoral staff are trained in skills to help them to defuse situations before behaviour becomes challenging and how to de-escalate incidents should they arise.

Reasonable force will only be used when the risks involved in doing so outweigh the risks involved in not using force. Prevention of unsafe behaviour will be enabled through:

- The deployment of appropriate staffing numbers
- The deployment of appropriately trained competent staff.
- Avoiding situations and triggers known to provoke challenging behaviour.
- Creating opportunities for choice and achievement.
- Developing staff expertise through a programme of Continuous Professional Development (CPD)
- Exploring student preferences relating to the way/s in which they are managed.
- Staff employ 'diffusion' techniques to avert escalation of behaviour into violence or aggression and practice Restorative Justice to rebuild relationships.