



# **Bilsthorpe Flying High Academy**

## **Physical Intervention Policy**

**September 2018**

**Reviewed September 2022**

**Next review September 2024**

## Physical Intervention Policy (*Use of Reasonable Force*)

### **Objectives**

Here at Bilsthorpe 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 in our care.

This policy should be read in conjunction with our behaviour policy and safeguarding policy.

### **Policy Development**

This policy is also written in line with Nottinghamshire County Council's Policy on the same subject, entitled 'Keeping Classrooms Safe for Learning and Teaching'.

### **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 PHSE curriculum to explore and strengthen 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 staff who are enabled to use reasonable force.

Here at **Bilsthorpe Flying High Academy** the head teacher has empowered the following members of staff to use reasonable force:

- Teachers 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.

## **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; or 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 agencies, including the police.

Staff will be kept informed and have a duty to inform others about the 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**

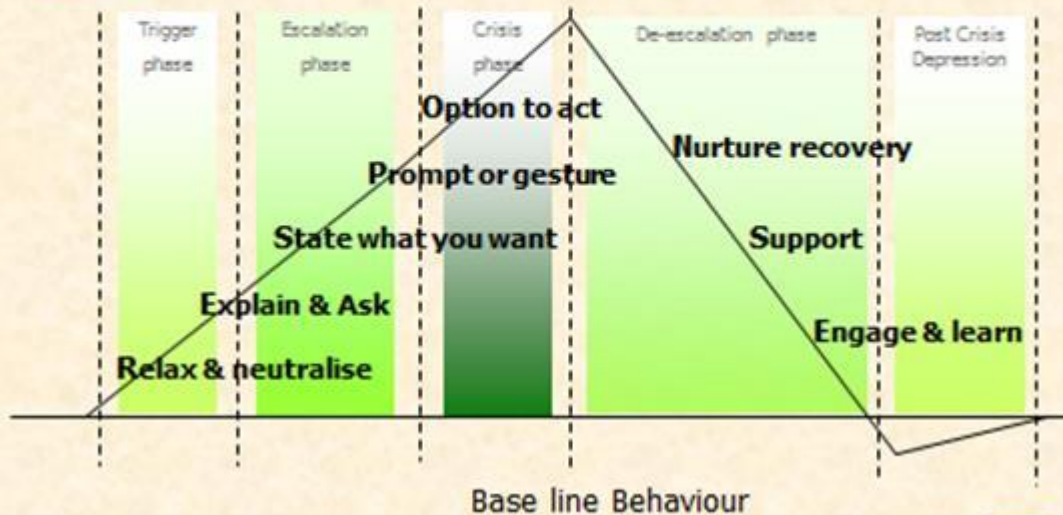
When using force members of staff should only use the minimum amount of force required in achieving the required outcome.

Staff should also use force within the context of existing good practice in non-physical skills and techniques, such as in the RESPONSE Strategy:



## The least restrictive **RESPONSE**® strategy.

(Positive Options, 2004)



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 **Bilsthorpe Flying High Academy** who have been identified as needing training in this area, will access Physical intervention and MAPA (Managing Actual and Potential Aggression) training through the County 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.

Nottinghamshire County Council has adopted the MAPA training model, and as such is an 'Approved Training Centre' for Positive Options Ltd, which is a BILD (British Institute of Learning Disability) accredited training programme.

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

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 should take into account:

- an incident where unreasonable use of 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 over reacting) would be significant.

In determining whether incidents are significant, schools should consider:

- the pupil's behaviour and the level of risk presented at the time;
- the degree of force used and whether it was proportionate in relation to the behaviour; or the effect on the pupil or member of staff.

Staff should also bear in mind the age of the child, any special education need or disability or other social factors which might be relevant.

Sometimes an incident might not be considered significant in itself, but forms 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.

Bilsthorpe Flying High Academy fully recognises the contribution it can make to protect children and support pupils in school. The aim of the policies is to safeguard and promote our pupils' welfare, safety and health by fostering an honest, open, caring and supportive climate. The pupils' welfare is of paramount importance. **For further details please to our safeguarding and child protection policy.**

### **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.

The health, safety and welfare of all the people who work or learn at our school are of fundamental importance. We aim to provide a safe, secure and pleasant working environment for everyone. The governing body, along with the LA, and Flying High Trust takes responsibility for protecting the health and safety of all children and members of staff.

### **Complaints and allegations**

Our school aims to be fair, open and honest when dealing with any complaint. We give careful consideration to all complaints and deal with them as swiftly as possible. We aim to resolve any complaint through dialogue and mutual understanding and, in all cases, we put the interests of the child above all other issues. We provide sufficient opportunity for any complaint to be fully discussed and then resolved. For further details please refer to our complaints policy.

We will also 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 the opinions, comments or concerns through face to face dialogues, use of home / school diaries or by telephone.

### **Further information**

Can be found in the Nottinghamshire County Council's policy on the same subject, entitled 'Keeping Classrooms Safe for Learning and Teaching'

### **Monitoring and review**

This Policy will be reviewed every 2 years or earlier if necessary. Date Policy Reviewed & adopted by Governor's: September 2018 reviewed September 2020

Next review: September 2024

Chair of Governors \_\_\_\_\_ Head Teacher \_\_\_\_\_