

# **BELLAGHY PRIMARY SCHOOL** **USE OF REASONABLE FORCE POLICY**

## **SCHOOL ETHOS AND MISSION STATEMENT**

Bellaghy Primary School strives to provide, in partnership with parents, a broad quality education so that all the children can reach their full potential within a caring, secure environment promoting self-discipline, motivation and individuality.

## **RATIONALE**

In Bellaghy Primary School, we believe that the creation and maintenance of an orderly, safe working environment is a basic pre-requisite to effective teaching and learning.

This Policy has been developed within the context of current legislation, policy and guidelines as follows:

- Health and Safety at Work (NI) Order (2000)
- Children (NI) Order (1995)
- UN Convention on the Rights of the Child 1989 (Articles 12,16, 19); UK 1991
- Human rights Act (1998)- came into force in NI in 2000
- Education (NI) Order (1998 and 2006)
- Special Educational Needs & Disability (NI) Order (2016)
- Addressing Bullying in Schools Act (NI) 2016
- Pastoral Care in Schools – Promoting Positive Behaviour (2001)

## **PRINCIPLES**

We at Bellaghy Primary School believe that:

- Each child has the right to be educated in a safe and secure environment where each child's moral, intellectual, personal, social, emotional development is promoted.
- Parents/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 our school ethos.

## **AIM OF POLICY**

To develop and implement guidance for staff so that they are clear about the circumstances in which they can use reasonable force to restrain a child and how such force might be applied.

## **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 child at the school, such force as is reasonable in the circumstances for the purpose of preventing the child 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 child himself) or
- engaging in any behaviour prejudicial to the maintenance of good order and discipline at the school or among any of its children, 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 child 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.

## **PREVENTATIVE STRATEGIES**

The school actively promotes positive behaviour management strategies thus reducing the need for the use of any form of physical intervention, except in emergency situations. (See Positive Behaviour Policy).

## **RISK ASSESSMENT / RISK REDUCTION ACTION PLAN**

Risk Assessment is one of the preventive strategies used to minimise the risk of an incident escalating. This will be the practice in the school where a child is known to exhibit disturbing or distressing behaviour.

## **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 children to face a potential danger.

There will always be an element of personal judgment 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 children outside of school, on a walk, a school 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 child or person.
- there is a developing risk of injury to another child or person, or significant damage to property.
- a child is behaving in a way that is compromising good order and discipline.

Examples that fall into the above categories are:

- a child attacks a member of staff, or another child.
- children are fighting.
- a child 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 child is running in a corridor in which s/he might cause an accident likely to injure her/himself or others.
- a child absconds from a class or tries to leave school (Note: this will only apply if a child could be at risk if not kept in the classroom or at school).
  - a child persistently refuses to obey an order to leave a classroom.
- a child is behaving in a way that is seriously disrupting a lesson.

### **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 child and used in a way that preserves the dignity and respect of all concerned. The use of reasonable force/ safe handling should always involve a calm and measured approach appropriate to the child and be in accordance with the school's agreed strategies and the following procedures:

- tell the child to stop the inappropriate behaviour.
- ask the child to behave appropriately, clearly stating the desired behaviour.
- tell the child that physical intervention will take place if inappropriate behaviour continues.
- during the incident repeatedly reassure the child 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 children, send for the nearest staff support.

The forms of reasonable force will depend on the individual circumstances but here are a few examples:

- Separating children who are fighting
- Blocking a child's path
- Holding a child
- Leading a child by the arm

- Shepherding a child away by placing hands on back of elbows
- Using a restrictive hold (in extreme circumstances)
- Reacting instinctively to a child who is running onto a busy road by e.g. grabbing the child by the arm.

When using reasonable force, the child's health and safety must always be considered and monitored. Physical intervention should involve the minimum amount of force necessary to resolve the situation and restore calm.

### **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 child face down on the ground.
- staff should also avoid touching or holding a child 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 child 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. Staff will keep an accurate up-to-date record of all such incidents. Immediately following any incident the member of staff concerned must inform the Principal provide the contemporaneous written record/report.

The Chairperson of the Board of Governors and the Principal will review annually the written records. 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 child's views should also be recorded as soon as possible, preferably on the same day.

## **POST-INCIDENT MANAGEMENT**

The use of physical intervention can be upsetting to all concerned, therefore, it is important to ensure that staff and children 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 of staff concerned needs further support, advice or training, the Principal should take prompt action to ensure it is provided.

## **CONTACTING PARENTS/CARERS**

Parents/Carers should be contacted as soon as possible, and the incident explained to them. This should be recorded. Any complaint from a parent/carer will be dealt with in accordance with the Complaint Policy.

## **TRAINING AND DEVELOPMENT**

All staff will have regular awareness raising of issues relating to the use of reasonable force/safe handling procedures and practices related to behaviour management. See also Child Protection Policy – Physical Contact with Children.

## **LINKS TO OTHER POLICIES**

Child Protection Policy  
Positive Behaviour Policy  
Pastoral Care Policy  
Anti-Bullying Policy  
Health and Safety policy  
Complaints Policy  
SEN Policy

## **REVIEW OF POLICY**

This policy will be reviewed annually by the Board of Governors.

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