



James Peacock
Infant & Nursery School

Physical Intervention Policy

Head Teacher Signature:	
Date Adopted:	July 2023
Review Date:	July 2024

James Peacock Infant and Nursery School

Physical Intervention Policy (Use of Reasonable Force)

Objectives

At James Peacock Infant and Nursery School 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 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 and Child Protection policies.

Policy Development

This policy was formulated in consultation with members of the school community including members of staff governors including parent governors. 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' and the DFE guidance on the 'Use of reasonable force' July 2013

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 PSHE curriculum to explore and strengthen emotional responses to situations, as well as targeted support using ELSA and nurture groups.

Physical contact with pupils:-

It is not illegal to touch a pupil. There are occasions when physical contact, other than reasonable force, with a pupil may be necessary.

- Holding the hand of a child at the front/back of the line when going to assembly or when walking around school;
- When comforting a distressed pupil;
- When a pupil is being congratulated or praised;
- Demonstration when playing a musical instrument;
- Demonstrating techniques in PE or sports; and
- To give first aid.

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 James Peacock Infant and Nursery School 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 support staff, 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 him/herself); 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 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 SEND, 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.

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.

Schools can use reasonable force to:

- remove disruptive children from the classroom where they have refused to follow an instruction to do so;
- prevent a pupil behaving in a way that disrupts a school event or a school trip or visit;
- prevent a pupil leaving the classroom where allowing the pupil to leave would risk their safety or lead to behaviour that disrupts the behaviour of others;
- prevent a pupil from attacking a member of staff or another pupil, or to stop a fight in the playground; and restrain a pupil at risk of harming themselves through physical outbursts.

Staff Training

Staff at James Peacock Infant and Nursery, who have been identified as needing training in this area, will access Challenging Risky Behaviours training through Nottinghamshire County Council. 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.

Most staff at James Peacock are CRB trained, in response to need. These training programmes will be delivered to staff via whole school inset or by accessing specialist training events, details of which can be found in Nottinghamshire Schools Portal. We have also had a specialist come in on INSET to deliver training.

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.

Staff should also consider 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. A formal record will be kept on our safeguard software with a body map.

The school will use the Nottinghamshire County Council electronic health and safety recording system. This system enables members of staff to report, using a standardised format, any significant incident where force has been used, or any incident where violence to staff has occurred or been threatened. Staff can access this 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. Members of the school's senior leadership team will ensure any necessary support for both pupils and staff.

In all cases with a serious incident involving the use of force the parents will be informed and involved.

Complaints and allegations

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. Parent concerns will be voiced through the published complaints procedure which can be found on school's website. Pupils will be given the opportunity of a de-briefing with a member of staff following any incident. Complaints and allegations will be taken seriously and will be investigated by members of the Senior Leadership Team in line with our Complaints Policy 2020. An evaluation of the complaints will result in changes to practice/policy if necessary.

Monitoring and review

This policy will be monitored regularly by the governing board reviewed annually.