

## Rollesby Primary School and Nursery

### Reasonable Constraint Policy

Teachers and other staff who have lawful control or charge of pupils can use reasonable force to prevent pupils committing a crime, causing injury or damage or causing disruption. (DfEE circular, 10/98)

#### **Corporal Punishment**

The law forbids a teacher to use any degree of physical contact which is deliberately intended to punish a pupil, or which is primarily intended to cause pain or injury or humiliation. (Sections 548 to 550 of the 1996 Act)

#### **Types of Incidents**

These are a wide variety of situations in which reasonable force might be appropriate, or necessary, to control or restrain a pupil. They will fall into three broad categories:-

- a. where action is necessary in self-defence or because there is an imminent risk of injury;
- b. where there is a developing risk of injury, or significant damage to property;
- c. where a pupil is behaving in a way that is compromising good order and discipline.

Examples of situations that fall within one of the first two categories are:-

a pupil attacks a member of staff, or another pupil;  
pupils are fighting;

a pupil is engaged in, or is on the verge of committing, deliberate damage or vandalism to property;

a pupil is causing, or at risk of causing, injury or damage by accident, by rough play, or by misuse of dangerous materials or objects;

a pupil is running in a corridor or on a stairway in a way in which he or she might have or cause an accident likely to injure him or herself or others;

a pupil absconds from a class or tries to leave school (N.B. this will only apply if a pupil could be at risk if not kept in the classroom or at school).

Examples of situations that fall into the third category are:-

a pupil persistently refuses to obey an order to leave a classroom;  
a pupil is behaving in a way that is seriously disrupting a lesson.

#### **Reasonable Force**

Reasonable force will always depend on all the circumstances of the case. There are two relevant considerations:

the use of force can be regarded as reasonable only if the circumstances of the particular incident warrant it. The use of any degree of force is unlawful if the particular circumstances do not warrant the use of physical force. Therefore physical force could not be justified to prevent a pupil from committing a trivial misdemeanour, or in a situation that clearly could be resolved without force. The degree of force employed must be in proportion to the circumstances of the incident and the seriousness of the behaviour or the consequences it is intended

to prevent. Any force used should always be the minimum needed to achieve the desired result.

### **Practical Considerations**

Before intervening physically a teacher should, wherever practicable, tell the pupil who is misbehaving to stop, and what will happen if he or she does not. The teacher should continue attempting to communicate with the pupil throughout the incident, and should make it clear that physical contact or restraint will stop as soon as it ceases to be necessary. A calm and measured approach to a situation is needed.

Sometimes a teacher should not intervene in an incident without help (unless it is an emergency). For example, when dealing with an older pupil, or a physically large pupil, or more than one pupil, or if the teacher believes he or she may be at risk of injury. In those circumstances the teacher should remove other pupils who might be at risk, and summon assistance from a colleague or colleagues, or where necessary phone the Police. The teacher should inform the pupil(s) that he or she has sent for help. Until assistance arrives the teacher should continue to attempt to defuse the situation orally, and try to prevent the incident from escalating.

### **Application of Force**

Physical intervention can take several forms. It might involve staff:

physically interposing between pupils;

blocking a pupil's path;

holding;

pushing;

pulling;

guiding a pupil by the hand or arm using the Norfolk Steps guidance;

shepherding a pupil away by placing flat hand with open thumb behind pupils elbow; or (in extreme circumstances) using more restrictive holds.

In exceptional circumstances, where there is an immediate risk of injury, a member of staff may need to take any necessary action that is consistent with the concept of 'reasonable force': for example to prevent a young pupil running off a pavement onto a busy road, or to prevent a pupil hitting someone, or throwing something.

In other circumstances staff should **not** act in a way that might reasonably be expected to cause injury, for example by:

holding a pupil around the neck, or by the collar, or in any other way that might

restrict the pupil's ability to breath;

slapping, punching or kicking a pupil;

twisting or forcing limbs against a joint;

tripping up a pupil;

holding or pulling a pupil by the hair or ear;

holding a pupil face down on the ground.

Staff should always avoid touching or holding a pupil in a way that might be considered indecent.

Where the risk is not so urgent the teacher should consider carefully whether, and if so when, physical intervention is right. Teachers should always try to deal with a situation through other strategies before using force. All teachers need developed strategies and techniques for dealing with difficult pupils and situations which they should use to defuse and calm a situation. The Norfolk Steps 'De-escalation Script' can be used to facilitate this. In a non-urgent situation, force should only be used when other methods have failed.

That consideration is particularly appropriate in situations where the aim is to maintain good order and discipline, and there is no direct risk to people or property. As the key issue is establishing good order, any action which could exacerbate the situation needs to be avoided. The possible consequences of intervening physically, including the risk of increasing the disruption or actually provoking an attack, need to be carefully evaluated.

The age and level of understanding of the pupil is also very relevant in those circumstances. Physical intervention to enforce compliance with staff instructions is likely to be increasingly inappropriate with older pupils. It should never be used as a substitute for good behavioural management.

### **Recording Incidents**

All incidents will be recorded in an Incident Book. The member of staff concerned should tell the Head or a senior member of staff and provide a written report as soon as possible afterwards. That should include:

- the name(s) of the pupil(s) involved, and when and where the incident took place;
- the names of any other staff or pupils who witnessed the incident;
- the reason that force was necessary (e.g. to prevent injury to the pupil, another pupil or member of staff);
- how the incident began and progressed, including details of the pupil's behaviour, what was said by each of the parties, the steps taken to defuse or calm the situation, the degree of force used, how that was applied, and for how long;
- the pupil's response, and the outcome of the incident;
- details of any injury suffered by the pupil, another pupil, or a member of staff and of any damage to property.

The Headteacher, a member of staff to whom the incident is reported, will inform the parents of an incident involving their child and give them an opportunity to discuss it. This may be done orally or in writing, either immediately or at the end of the school day.

The staff of Rollesby Primary School and Nursery rarely use physical contact with pupils and at all times would adhere to the guidance of DfEE Circular 10/98, Section 550A of the Education Act, 1996. Most staff participated in the Norfolk Steps training in October 2015.

**Reviewed by Full Governing Body, Summer 2016.**

**Signed:**

**(Chair of Governors)**

**To be reviewed: Summer 2018**