



# THE MINSTER SCHOOL

## PHYSICAL INTERVENTION POLICY

**School Lead:** Assistant Head (Pastoral)

**Governor Lead:** Chair of SD&P Committee

**Last reviewed** Summer 2019

**Approved** Summer 2019

**Date of next review** Summer 2023

**Signed by Chair of Governors or Chair of the SD&PC:**

*Christie Bowen*

**Date:** 21/05/2019

*This policy has been written with due regard to the Minster School internal equality policy and considered with relation to each of the following protected characteristics:*

*Age; Disability; Gender; Gender reassignment; Marriage and Civil Partnership; Pregnancy and maternity; Racial groups; Religion or belief; Sexual orientation.*

*This policy has no adverse impact on any of the aforementioned groups.*

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## **PHYSICAL INTERVENTION POLICY**

### **(USE OF REASONABLE FORCE)**

#### **OBJECTIVES**

To provide a safe, caring and friendly environment for all our students to allow them learn effectively, improve their life chances and help them maximise their potential in line with Every Child Matters.

This policy should be read in conjunction with our behaviour, child protection (and the broader safeguarding agenda) policies.

#### **POLICY DEVELOPMENT**

This policy is 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**

The school is firmly committed to creating a calm and safe environment which minimises the risk of incidents arising that might require the use of reasonable force.

Force is only used as a last resort after every effort has been made to de-escalate any incident as it arises to prevent it from reaching a crisis point. Staff promote and reward positive behaviour in line with the behaviour policy and utilise various appropriate techniques in the management of a class environment.

Reasonable force is only used 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 is empowered to authorise those members of his/her staff who are enabled to use reasonable force.

Here at Minster School the Head has empowered the following members of staff to use reasonable force:

- Teachers and any member of staff who has control or charge of students in a given lesson or circumstance have permanent authorisation
- Other members of staff including support staff and volunteers 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 student from or stop them continuing:

- committing any offence
- causing personal injury to, or damage to the property of, any person (including student himself/herself) or
- prejudicing the maintenance of good order and discipline at the school or among any students 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

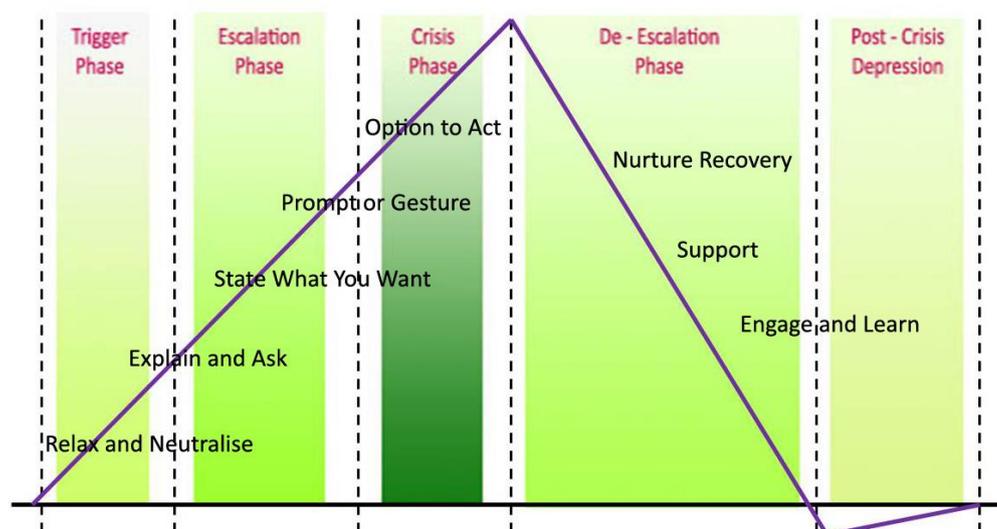
Staff are also expected to remember that physical intervention is only one option and for behaviours involving extreme levels of risk it may be more appropriate to gain support from other agencies, including the police.

Staff will be kept informed and have a duty to inform others about the plans around specific students 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<sup>®</sup> Strategy:



Staff should, where possible, avoid any type of intervention that is likely to injure a student, unless in the most extreme of circumstance where there was no viable alternative. Also staff should, where possible, avoid using force unless or until another member of staff is present to support, observe or call for assistance.

## STAFF TRAINING

Training is provided to all staff at the Minster school in line with our child protection policy and Local Authority guidance on safeguarding. This includes consideration of the requirements of this policy. In addition, staff at Minster School, who have been identified as needing training in this area, will access MAPA training through the County Council co-ordinator who delivers nationally accredited courses.

Nottinghamshire County Council has adopted the MAPA (Managing Actual and Potential Aggression) 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**

A procedure is in place, and is followed by staff, for recording and reporting, *Significant* incidents are recorded and reported where a member of staff has used force on a student, the record being made as soon as practicable after the incident on the form in Appendix A

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 that:

- an incident where unreasonable use of force is used on a student would always be a significant incident
- any incident where substantial force has been used (e.g. physically pushing a student 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 student'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
- the effect on the student 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, parents will be informed 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.

## **POST- INCIDENT SUPPORT**

Following the use of physical intervention staff and students will be supported, the immediate physical needs of all parties will be met and staff will ensure that positive relationships are maintained.

## **COMPLAINTS AND ALLEGATIONS**

Complaints and allegations will be taken seriously and we will follow the school complaints procedure whenever necessary.

Pupils, parents, carers and staff may raise their concern by telephone, in person or in writing. The earlier they express their concern, the easier it is to take action. They will need to provide the following information:

- the background and history of the concern (giving relevant dates)
- the reason why they are particularly concerned about the situation

## **MONITORING AND REVIEW**

This policy will be monitored regularly and reviewed by the governing body and is due to be reviewed again in June 2017.

The Head is responsible for the implementation of this policy and Christine Bowering is the Link Governor, who also has responsibility in this area.

## **FURTHER INFORMATION**

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

## APPENDIX A

### PHYSICAL INTERVENTION RECORDING FORM

This form should be completed whenever significant physical intervention is used by a member of staff. For advice on what constitutes a significant intervention, please refer to the school Physical Intervention Policy.

Member of staff reporting incident:	
Student Name:	Tutor Group:
Date of incident:	Time of incident:
Location of incident:	
Witnesses (staff or students):	
Description of incident, including any de-escalation used prior to physical intervention:	

Reason for physical intervention and description of force used (note the appropriate reasons for using force in the Physical Intervention Policy):

To prevent a student from or stop them continuing:

- committing any offence;
- causing personal injury to, or damage to the property of, any person (including student himself/herself); or,
- prejudicing the maintenance of good order and discipline at the school or among any students receiving education at the school, whether during a teaching session or otherwise.

Any injuries to staff or students:	Follow up required including post incident support and sanctions:
Contact with parents?	Has any complaint been logged as a result of this incident?
Signature:	Date: