

## Assertive Discipline Policy 2022-23

### Policy Monitoring, Evaluation and Review

This policy is effective for all academies within The Mead Educational Trust, the Teaching School, the SCITT and all other activities under the control of the Trust and reporting to the Trust Board.

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<b>Author:</b>	D Swann
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### Revision History:

Version	Date	Author	Summary of Changes:
1.0	25.09.2021	D Swann	Policy reviewed and updated to new TMET format.
2.0	21.09.2022	A Ashcroft	Policy updated with changes relevant to new documentation.

**This policy should be read in conjunction with the academies Anti-bullying Policy, Safeguarding Policy, SEN Policy and Equality Policy.**

### Aims of the policy:

- To create a positive environment.
- To encourage a calm, purposeful and happy atmosphere within the school.
- To maintain an atmosphere free from prejudice and bullying\*\*
- To promote good behaviour, respect, courtesy and caring.
- To encourage increasing independence and self-discipline so that each child learns to accept responsibility for his/her own behaviour.
- To apply agreed rules for behaviour in school and on the playground.
- To have a consistent approach to behaviour throughout the school. To set out the sanctions for unacceptable behaviour.

*\*\*Definition - "Bullying is the use of aggression with the deliberate, targeted intention of causing repeated hurt, pain, and distress to another person, over a period of time. It is different from other types of aggressive behaviours, such as fighting, defiance, and rage, and is much more serious than a one-off incident. It is also different from falling out with friends, playing unkind jokes and pranks, and getting into arguments, which are part of occasional friendship breakdowns, and where normal social skills can rebuild the relationship. A simple way of*

*expressing our definition of bullying is Several Times On Purpose  
S.T.O.P. “*

**Pupil’s Responsibilities are:**

- To work to the best of their abilities and allow others to do the same.
- To treat others with respect.
- To listen to the school staff.
- To take care of property and the environment in and out of school.
- To co-operate with other pupil and adults.

**Staff Responsibilities are:**

- To treat all pupil fairly and with respect.
- To raise pupil’s self-esteem and develop their full potential.
- To create a safe and pleasant environment, physically and emotionally.
- To provide a challenging, interesting, and relevant curriculum.
- To use rules and sanctions clearly and consistently.
- To be a good role model.
- To recognise each child as an individual and be aware their needs.

**Encouraging outstanding behaviour for learning:**

Our school and Trust values support positive promotion of outstanding behaviour and link closely with the procedures enforced by this policy to maintain the high standards and ethos of the school. The policy is based on the school’s vision of ‘Together we succeed through challenge and enjoyment’ and the school values –

**School Rules and Values:**

- Do Challenge Yourself
- Do Be Kind And Gentle
- Do Show Respect
- Do Listen

**The Trust Values are the 7Cs:**

- Challenge
- Creativity
- Culture
- Collaboration
- Community
- Character
- Courage.

These values will be promoted, encouraged, and consistently applied and enforced by all staff through modelling expected behaviour and throughout the curriculum. We aim to provide a happy atmosphere in which staff and parents work together for the welfare of the pupil. To maintain a calm atmosphere the school has been sectioned into zones. Red zone = silence, amber zone = whisper voices, green zone = indoor voices. Red zones include all corridors and the hall during lunchtime. Teachers use their discretion in classrooms and take into account the type of teaching and learning happening.

We encourage pupil to be polite, respectful, well-mannered, helpful to each other and to become good citizens. No one has the right to prevent another child from learning or a teacher from teaching. Rowlatts Mead is a place where pupil should feel safe to learn without disruption or the fear of bullying. Teachers have the right to confiscate property, which will be returned at the end of the day, if it is impacting on behaviour or learning.

Every time a child displays unacceptable behaviour it must be challenged, or it will be seen as being condoned. We do recognise that there is a distinction between poor behaviour and a child with specific educational needs. Our positive policy of encouraging socially acceptable behaviour and high standards of work, rewarding, and praising wherever possible and the setting of good examples by all adults involved with the pupil encourages outstanding behaviour across the school. However, if a situation arises whereby a child is committing an offence, injuring themselves or others, or damaging property a member of staff will intervene using force that is reasonable in the circumstances. Most members of staff are trained in 'Team-teach' which is positive handling training. Positive handling is the positive application of force with the intention of protecting the child from harming themselves or others or seriously damaging property.

As part of our behaviour policy, we recognise that parents/carers should be fully informed about their child's behaviour. Every effort is made to ensure there is good communication between home and school. Should a child's behaviour be a cause for concern their parents will be contacted and the matter discussed.

#### **Rewards:**

The majority of pupil will respond to encouragement and rewards and it is hoped by promoting positive behaviour and by challenging themselves the pupil will be in climate of outstanding behaviour for learning.

Staff members can praise in a number of ways:

- Verbal praise/encouragement
  - Golden Time
  - General Stickers/Stamps
  - Send to other adult, member of Leadership team for reward & acknowledgement of good behaviour
  - Certificates – given out in assemblies
  - Note/Principal's Postcard/Certificate Home
  - Display of work on the Wall of Excellence
  - Praise in front of a group/class
  - Inclusion on WEDUC/Twitter
  - Class raffle tickets/rewards e.g., sitting with teacher for lunch
  - End of Year Trips/Events
  - Good to be Green Events i.e., sleepover, bouncy castle day etc.
- 
- AND House points – where houses will be rewarded on a regular basis and rewarded termly. A shield is presented to the 'best house' at the end of the academic year.

#### **Golden time:**

Classes have Golden time displays which include the names of all the pupils in the class. The display is visible to everyone who enters the classroom. All pupils begin the week with 30 minutes of Golden time which is taken on a Friday afternoon.

Pupils are given a variety of activities to choose from during Golden time. Pupils lose Golden time in 5-minute increments for not following the vision and values of the school. Opportunities to earn back Golden time are immediate. Any pupil that loses 10 minutes of Golden time before break and does not earn it back remains in class during break time (see sanctions).

### **Assertive Mentoring:**

Assertive Mentoring is a system which allows school to track children's progress on a termly basis. It provides school and parents, through the assertive mentoring form (Appendix 1), with a breakdown of what the children can do academically and includes a traffic light system for behaviours which link to the school sanctions.

All pupils begin each term as 'green', if they follow the school vision and values, they will remain green and are rewarded at the end of each term e.g., KS1 Picnic and DVD after school; KS2 pizza, activities, and sleepover at school. At the end of the academic year all pupils that have remained green throughout the year are also rewarded e.g. picnic and bouncy castle.

Pupils that have been 'yellow' during a term will not join in the end of term reward and will not be eligible for the end of academic year reward. If a pupil is made 'red' their parents will be informed by the class teacher or a member of SLT. Red pupils will not be allowed to participate in after school clubs or trips until they return to yellow or green. Pupils can be made yellow or red for not regularly completing homework, not reading regularly, attendance/punctuality, not wearing uniform/P.E kit and attitude to learning in school/remotely as well as for unacceptable behaviour. Only a teacher or member of SLT can change a pupil from green to yellow or red and back to green.

Assertive Mentoring helps us to provide appropriate support and helps you to see what you can do to support and encourage your child at home.

### **Pupil Support Systems:**

Staff are aware of pupils with specific behavioural needs and personalised plans are put in place to support them through the school day including provision at break and lunch times. If it is required individual pupils will have a positive handling plan.

### **Library Club:**

The library club rota is an intervention for pupils who find it difficult to manage their behaviours on the playground or with others. A variety of activities are on offer for pupils to complete. Pupils who are red or need to complete work are also able to use the library space.

### **Restorative justice and Peer Mediation:**

Restorative justice enables pupils affected by behavioural incidents, to communicate and agree on how the harm caused by their actions or done to them is to be repaired. Restorative justice at Rowlatts Mead involves holding peer mediation meetings by trained pupils and informal restorative approaches by staff. Peer mediation involves trained pupils helping their peers work together to resolve everyday disputes. A room and peer mediators are available each lunchtime. School staff also use restorative approaches more informally in dealing with behaviour problems.

### **Sanctions:**

There is still a need to apply sanctions to those pupils who do not conform to our standards of

behaviour, to modify unacceptable behaviour and to protect the school community. Sanctions must be consistent, fair and carried out immediately. Pupils must be made aware of why the sanction is being carried out. Teachers must log any incidents that require sanctions on to the schools record keeping system CPOMS and alert key holders. Logged incidents are monitored by the principal and reported on in the principal's report to governors.

### **Stage 1:**

**Will be applied to isolated incidents of unacceptable behaviour.**

E.g., Name calling, insults, refusal to carry out instructions, talking in a 'red zone', disruption in class, rudeness to adults and other pupil, swearing & indirect attacks – leaving pupil out, taking property.

- Warning.
- Removal of Golden time (upto5 min)\*\*
- Time out in class.
- Made 'yellow' (assertive mentoring) if appropriate – behaviour to improve to return to 'green'.
- Time out with Manager.
- During assembly time (including coming in & going out of assembly) Golden time will be removed for talking without warning. This is the only occasion where Golden Time will be removed without warning.
- Pupil losing 10min. before break time must miss 10min. time – arrangements to be made in teams.

\*\* Remember all adults in school can give Golden Time back to pupil if they show that they have followed school values.

### **Stage 2:**

**Will be applied to repeated incidents of unacceptable behaviour, as in Stage 1 (i.e. escalation of Stage 1) and an isolated instant, reactive physical attack.**

E.g., hitting, kicking, scratching, punching.

- Sent to Head teacher.
- Contact with Parents / Carers (with invitation to a meeting).
- Made 'Red' (assertive mentoring) - removal of privileges e.g. no clubs, trips until a change of behaviour is seen i.e. aim to come off by end of the week.
- Behaviour Book may be issued.
- Exclusion for lunchtime session/s or seclusion of session (Appendix 2)

Pupils who consistently find themselves on stage 1 or 2 may also be included on the library rota.

### **Stage 3:**

**Will be applied to persistent incidents of unacceptable behaviour, as in stages 1 & 2 and a premeditated, vicious physical attack\*.**

- As a last resort the school will initiate a period of fixed term exclusion.
- Follow DfES guidelines for exclusion.

\*In extreme and overt cases of unacceptable behaviour/ breaches of discipline the school may go straight to Stage 3 (following DfES guidelines).

## Positive Handling:

### Definitions:

- Physical Contact - Situations in which proper physical contact takes place between staff and pupils, e.g. in sports/PE or to comfort pupils in an age appropriate way.
- Physical Intervention - This may be used to divert a pupil from a destructive or disruptive action, for example guiding or leading a pupil by the hand, arm or shoulder with little or no force.
- Positive Handling - This will involve the use of reasonable force when there is a risk to pupils, staff or property or if good order is being seriously prejudiced. All such incidents will be recorded.

### Training:

- Positive Handling training will be undertaken by all staff.
- No member of staff will be expected to undertake positive handling without appropriate training.

### Recording:

Where positive handling has been used a record of the incident always needs to be kept. All recording needs to be completed on the day of incident and needs to include the following:

- name of pupil
- date, time and place of incident
- a brief description of the incident and actions taken
- attempts made to calm the situation
- names of people who witnessed the situation
- any damage/harm to persons or property
- name of person informing parents

### Monitoring:

Incidents will be reviewed and monitored by the Principal this will help to ensure that staff are following the correct procedures and will alert the Principal to the needs of any pupil(s) whose behaviour can only be contained using positive handling.

### Searching and Screening: Key Points

- The Principal (and staff they authorise) can **search** any pupil for any item if the pupil agrees. The member of staff should ensure the pupil understands the reason for the search and how it will be conducted.
- When pupils refuse to cooperate, the principal (and staff they authorise) can use reasonable force, where appropriate, to **search** for 'prohibited' items only. For further information, see [Use of reasonable force in schools - GOV.UK \(www.gov.uk\)](http://www.gov.uk)
- **Screening** is the use of a walk-through or hand-held metal detector (arch or wand) to scan all pupils for weapons before they enter the premises. In TMET schools, screening would only be introduced in consultation with the police. Parents would be told that screening would happen during the year, but schools may be advised by the police not to provide exact dates to ensure that the screening is effective. Parents would be informed about what will be involved and why it will be introduced. If a pupil refuses to be screened, the member of staff will assess whether it is necessary to conduct a search (see above).

### Prohibited items are:

- Knives or weapons
- Alcohol
- Illegal drugs
- Stolen items
- Tobacco and cigarette papers
- Fireworks
- Pornographic images
- Any article that the member of staff reasonably suspects has been, or is likely to be used to: commit an offence; or to cause personal injury to, or damage to the property of, any person (including the pupil.)

### In addition, the following items are not allowed at Rowlatts Mead Primary Academy:

- Vapes

### Authorising members of staff to conduct a search

Within TMET, screening and searches are carried out by the Principal, or staff authorised by them. Staff members are entitled to refuse to do a search, unless they are named as a member of security staff. The Principal should ensure a culture of safe, proportionate and appropriate searching is maintained to safeguard the welfare of all pupils and staff. The Principal should ensure that a sufficient number of staff are appropriately trained in how to lawfully and safely search a pupil who is not co-operating.

### Before searching

Authorised staff at TMET schools will:

- Explain to the pupil: **why** they are being searched, **how** and **where** the search is going to take place.
- Seek cooperation of the pupil in the first instance. If the pupil refuses, the member of staff may consider a sanction under the school's behaviour policy.
- Consider whether a search must be conducted urgently, and whether it is appropriate to use reasonable force to search for 'prohibited' items only.



- Find an appropriate place for the search, away from other pupils wherever possible.
- Ensure that the person undertaking the search is of the same sex as the pupil being searched **and** there is a witness present.

*NB an exception to this rule is where there is a risk of serious harm if the search is not carried out urgently. In this situation, the search may be undertaken by a member of a different sex, but a witness would still be needed; or the search may be undertaken without a witness, but the staff member undertaking the search must be of the same sex.*



### During searching

Authorised staff at TMET schools will:

- ensure that only outer clothing, possessions, desks, drawers or lockers are searched, and only

- items of 'outer clothing' are removed, e.g., coat, hats, shoes, boots, scarves;
- be sensitive to asking pupils to remove items of clothing which hold religious significance;
  - only search a pupil's possessions in the presence of the pupil and another member of staff, unless there is a risk of serious harm if the search is delayed.

*NB 'strip searching' can only be carried out by police officers and would only be considered as a last resort. There must be at least 2 people present in addition to the pupil, one of which must be an 'appropriate adult,' e.g., a parent, relative, social worker or teacher.*



### **After searching**

Authorised staff at TMET schools will:

- ensure that appropriate support is given to the pupil who has been searched;
- notify the DSL, who will consider whether there are wider safeguarding risks and consider what support, interventions or referrals are needed;
- ensure that a sanction is given, in line with the school's behaviour policy, should the pupil be found in possession of a prohibited item;
- inform parents of the search, the outcome and any confiscation as soon as possible;
- record the search in CPOMS, regardless of whether an item is found or not. Records will include:
  - the time, date and location of the search
  - who conducted the search
  - what was being searched for
  - the reason for searching
  - what items, if any, were found
  - what follow up actions were taken as a consequence of the search

### **Confiscation**

The authorised staff member conducting the search can confiscate anything that they have reasonable grounds for suspecting:

- poses a risk to staff or pupils
- is a prohibited item, or other item not allowed in school (listed in section 4 above)
- is evidence in relation to an offence

The law protects members of staff from liability in any proceedings brought against them for any loss of, or damage to, any item they have confiscated, provided they have acted lawfully.

Any confiscated items will be dealt with in accordance with the Dfe Guidance: 'Searching, Screening and Confiscation' July 2022, e.g.,

- Drugs, other controlled substances, stolen items and weapons should be delivered to the police;
- Alcohol, tobacco, cigarettes or fireworks may be retained or disposed of as appropriate, but should not be returned to the pupil.

### **Electronic devices**

- Where the person conducting the search finds an electronic device, they may examine any data



or files on the device if they think there is a good reason to do so. However, if they suspect they may find a nude or semi-nude image they must never intentionally view the image or copy, print, share, store or save. If an indecent image of a child may be involved, the device must be confiscated, and the DSL will take appropriate action.

- Devices must be delivered to the police if any image, data or file indicates an offence. No data should be deleted.
- In exceptional circumstances, members of staff may dispose of the image or data if there is a 'good reason' to do so, in accordance with guidance from the Secretary of State:  
*'If the data or files are not suspected to be evidence in relation to an offence, a member of staff may delete the data or files if the continued existence of the data or file is likely to cause harm to any person and the pupil and/or the parent refuses to delete the data or files themselves.'*

**Progress and Attainment Update - ?????? - Year ????**

Teacher: ??????

Attainment	
On Track for National Standard	Not on Track for National Standard

Progress	
On Track for 6 Steps Progress	Not on Track for 6 Steps Progress

Reading:

Attainment						
Current Data	Beginning National Standard			National Standard		Greater Depth
2s	3b	3b+	3w	3w+	3s	3s+

Progress			
Personal Target (6 Steps)	3s	On Track for Personal Target (6 Steps)	

Writing:

Attainment						
Current Data	Beginning National Standard			National Standard		Greater Depth
2s	3b	3b+	3w	3w+	3s	3s+

Progress			
Personal Target (6 Steps)	3s	On Track for Personal Target (6 Steps)	

Maths:

Attainment						
Current Data	Beginning National Standard			National Standard		Greater Depth
2s	3b	3b+	3w	3w+	3s	3s+

Progress			
Personal Target (6 Steps)	3s	On Track for Personal Target (6 Steps)	

Other Targets: 

Attitude to Learning	Classroom Behaviour	Playtime Behaviour	Attendance & Punctuality	Homework	Reading

Appendix 2

Seclusion:

Seclusion is the temporary isolation of a pupil or pupils from other people through the learning zone in main reception. Seclusion should only be used when there is concern for the health and safety of the pupil in question or other pupils or staff.

Under Section 93 Education and Inspections Act 2006, staff in schools have a legal power to use reasonable force in order to keep pupil and others safe or to prevent disruption to a learning environment. The policy makes it clear that parents/carers of the pupil will be immediately notified of the use of the learning zone for the purpose of seclusion. All staff involved in the use of reasonable force should be given appropriate training.

It is for the Principal to decide how long a pupil should be kept in seclusion or isolation. However, school should ensure that pupils are kept in seclusion or isolation no longer than is necessary and should also allow pupils time to eat or use the toilet.

Reasonable force and use of a room for seclusion will be used only for controlling violent behaviour or to protect the pupil or other persons. The decision to use seclusion is serious and should only be used as follows:

- as an intervention of last resort,
- where other, less restrictive strategies have been unsuccessful, although an emergency situation may not allow time to try those other strategies,
- where there is a real risk of significant harm to others,
- **never** for punishment.

Risk assessment is an essential element in the management of pupil behaviour and should underpin management of pupils with behavioural difficulties. The use of interventions such as reasonable force should be part of a management plan based on an assessment of risk. While it is acknowledged that the occurrence of aggressive or violent incidents are not always predictable, assessment of risk, leading to a Positive Handling Plan is essential to the prevention and management of aggression and violence.

Recording the use of seclusion will include

- a start and an end time to the seclusion,
- other strategies that were employed in an effort to de-escalate the situation and prevent the use of seclusion, although an emergency situation may not allow time to try those other strategies,
- person/s involved in and supervising the seclusion.

During seclusion:

- the child should be supervised and within view at all times,
- an on-going dynamic (i.e. 'on the spot') risk assessment should be undertaken with a view to concluding the seclusion at the earliest possible opportunity. This is the equivalent of a release strategy.

Parents/carers need to be informed immediately a child is secluded. Following seclusion:

- outside agencies involved with the child (e.g. Behaviour Support Team) should be informed at the earliest opportunity,
- in the absence of outside agencies being involved with the child, serious consideration should be given to referring the child to, e.g. BST; Educational Psychology,
- 'Listening and Learning' debriefing sessions are undertaken for the pupil and staff involved
- the child's risk assessment and Positive Handling Plan are revised

### Appendix 3

**Restrictive Physical Intervention Policy**  
**(addendum to School Behaviour Policy)**

**Policy Monitoring, Evaluation and Review**

This policy is effective for all academies within The Mead Educational Trust, the Teaching School, the SCITT and all other activities under the control of the Trust and reporting to the Trust Board.

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1.0	20.04.21	MOL/EMA	New Policy Addendum

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**1. Introduction:**

- a. **Guidance concerning the use of reasonable force to restrain pupils can be found in section 550(A) of the Education Act 1996, as inserted by section 4 of the Education Act 1997. This provision was extended to include all schools by section 131 of the School Standards and Framework Act 1998.**
- b. **This policy should be read in conjunction with the Use of Reasonable Force (July 2013) DfE Guidance document for headteachers, staff and governing bodies.**

## **2. Other Policies:**

Other policies to be read in conjunction with this policy:

- Assertive Discipline
- Health & Safety
- Looked after Children
- Safeguarding (Child Protection)
- Special Educational Needs

## **3. Rationale:**

- 3.1 The Education Act 1996 forbids corporal punishment, but allows all teachers to use reasonable force to prevent a pupil from:
  - committing a criminal offence
  - injuring themselves or others
  - damaging property
  - acting in a way that is counter to maintaining good order and discipline at the school
- 3.2 This power may be used where the student (including students from other schools) is on TMET premises or elsewhere in the lawful control or in the charge of a staff member.
- 3.3 There is no legal definition of when it is reasonable to use force. That will always depend on the precise circumstances of individual cases. To be judged lawful, the force used would need to be in proportion to the consequences it is intended to prevent. The degree of force used should always be the minimum needed to achieve the desired result.
- 3.4 The Act does not cover more extreme situations, such as action in self-defence or in an emergency, when it might be reasonable for someone to use a degree of force.

## **4. What is reasonable force?**

- 4.1 The term 'reasonable force' covers the broad range of actions used by most teachers at some point in their career that involve a degree of physical contact with pupils.

- 4.2 Force is usually used either to control or restrain. This can range from guiding a pupil to safety by the arm through to more extreme circumstances such as breaking up a fight or where a student needs to be restrained to prevent violence or injury.
- 4.3 'Reasonable in the circumstances' means using no more force than is needed.
- 4.4 As mentioned above, schools generally use force to control pupils and to restrain them. Control means either passive physical contact, such as standing between pupils or blocking a pupil's path, or active physical contact such as leading a pupil by the arm out of a classroom.
- 4.5 Restraint means to hold back physically or to bring a pupil under control. It is typically used in more extreme circumstances, for example when two pupils are fighting and refuse to separate without physical intervention.
- 4.6 School staff should always try to avoid acting in a way that might cause injury, but in extreme cases it may not always be possible to avoid injuring the pupil.

## **5. Minimising the need to use reasonable force:**

- 5.1 Staff should always try to deal with the situation using other agreed strategies to calm a situation before considering using force.
- 5.2 Although the Trust recognises that preventative measures will not always work, there are numerous steps that will be taken in order to help reduce the likelihood of situations arising where the power to use force may need to be exercised. We endeavour to:
- Create a calm, orderly and supportive TMET environment that minimises the risk of violence of any kind
  - Develop effective relationships between students and staff that are central to good order
  - Adopt a whole-school approach to developing social and emotional skills
  - Take a structured approach to staff development that helps staff to develop the skills of positive behaviour management; managing conflict and also support each other during and after an incident
  - Recognise that challenging behaviours are often foreseeable
  - Effectively manage individual incidents while understanding the importance of communicating calmly with the student, using non-threatening verbal body language and ensuring that the student can see a way out of a situation. For example, students should always be given an option of going to a quiet space with the staff member away from bystanders and other students, so that the staff member can listen to concerns; or being joined by a particular member of staff well known to the pupil
  - Wherever practical, warning a student that force may have to be used before using force.

## **6. Staff authorised to use reasonable force:**

The staff to which this power applies are defined in Section 93 of the Education and Inspections Act 2006. These are:

- All members of school staff have a legal power to use reasonable force.
- This power applies to any member of staff at the school. It can also apply to people whom the headteacher has temporarily put in charge of pupils such as unpaid volunteers or parents accompanying students on a school organised visit.

## **7. When can reasonable force be used?**

7.1 Reasonable force can be used to prevent pupils from hurting themselves or others, from damaging property, or from causing disorder.

7.2 In a school, force is used for two main purposes – to control pupils or to restrain them.

7.3 The decision on whether or not to physically intervene is down to the professional judgement of the staff member concerned and should always depend on the individual circumstances.

7.4 The following list is not exhaustive but provides some examples of situations where reasonable force can and cannot be used.

7.5 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.

7.6 Schools cannot:

- use force as a punishment – it is always unlawful to use force as a punishment.

7.7 In these examples use of force would be reasonable (and therefore lawful) if it was clear that the behaviour was sufficiently dangerous or disruptive to warrant physical intervention of the degree applied and could not be realistically dealt with by any other means.



## **8. Deciding whether to use reasonable force:**

- 8.1 Staff should only use force when the risk of not using force significantly outweighs those of using force. Then the judgement whether to use force and what force to use should always depend on the circumstances of each case. Students with SEN and/or disabilities should be handled according to information about the individual student concerned (see section on 'Staff Training').
- 8.2 Decisions on whether the precise circumstances of an incident justify the use of significant force must be reasonable. Typically, such decisions have to be made quickly, with little time for reflection. Nevertheless, staff need to make the clearest possible judgements about:
- The seriousness of the incident, assessed by the effect of the injury, damage or disorder which is likely to result if force is not used.
  - The greater the potential for injury, damage or serious disorder, the more likely it is that using force may be justified
  - The chances of achieving the desired result by other means. The lower the probability of achieving the desired result by other means the more likely it is that using force can be justified.
  - The relative risks associated with the physical intervention compared to the risks of using other strategies. The smaller the risks associated with physical intervention compared with other strategies, the more likely it is that using force can be justified

## **9. Using reasonable force:**

- 9.1 Staff, as far as possible, should not use force unless or until another responsible adult is present to support, observe and call for assistance. Then staff should always only use the minimum amount of force to achieve the desired effect.
- 9.2 Before using reasonable force, staff should, wherever practical tell the pupil to stop misbehaving and communicate in a calm measured manner throughout the incident. Staff should not give the impression of acting out of anger or frustration, or to punish a pupil, and should make it clear that physical contact or restraint will stop as soon as it ceases to be necessary.
- 9.3 Types of reasonable force used could include:
- Passive physical contact resulting from standing between students or staff and students
  - Active physical contact such as leading a pupil by the arm or hand or ushering a pupil away by placing a hand in the centre of the back
  - In more extreme circumstances, using appropriate restrictive holds
- 9.4 Where there is a high and immediate risk of death or of serious injury, any member of staff would be justified in taking necessary action (consistent with the principle of seeking to use the minimum force required to achieve the desired result). Such situations could include

preventing a student running off the pavement onto a busy road or preventing a student hitting someone with a dangerous object such as a glass bottle or hammer.

9.5 Staff should always make every effort to avoid acting in a way that might reasonably be expected to cause injury. However, in the most extreme circumstances it may not always be possible to avoid injuring a student.

9.6 Staff should always avoid touching or restraining a student in a way that could be interpreted as sexually inappropriate.

## **10. Power to search pupils without consent:**

10.1 In addition to the general power to use reasonable force described above, headteachers and authorised staff can use such force as is reasonable given the circumstances to conduct a search for the following “prohibited items”:

- knives and weapons
- alcohol
- illegal drugs
- stolen items
- tobacco and cigarette papers
- fireworks
- pornographic images
- any article that has been or is likely to be used to commit an offence, cause personal injury or damage to property.

10.2 Force cannot be used to search for items banned under the school rules.

## **11. Staff Training**

11.1 The Special Educational Needs Co-ordinator (SENDco) will also make individual risk assessments available to staff where it is known that force is more likely to be necessary to restrain a particular student, such as a student whose SEN and/or disability is associated with extreme behaviour. Appropriate training will be given to the necessary staff working with these students on a regular basis, and College staff will be notified about procedures in place.

11.2 Some key members of Inclusion staff and at least one member of SLT within each school and College will be trained and regularly updated in the use of positive handling. Usually the staff are those most likely to find themselves in a situation that may require the use of reasonable force and are therefore trained to do this correctly and in a lawful manner.

## 12. Recording/reporting Incidents:

12.1 All TMET schools and colleges will keep records of every incident in which force has been used, in accordance to TMET policy and procedures and safeguarding requirements. The purpose of recording is to ensure policy guidelines are followed, to inform parents, to inform TMET improvement processes, to prevent misunderstanding or misinterpretation of the incident and to provide a record for any future enquiry.

12.2 Staff that can be called if a situation arises include:

- Behaviour Intervention Coordinator
- SENDco
- Support staff – trained and confident to deal with the situation
- Vice Principal
- Principal
- Head of School
- Headteacher

Staff to be informed if / when restraint takes place:

- Vice Principal
- Principal
- Head of School
- Headteacher

12.3 'Use of Reasonable Force to Control or Restrain Pupils' forms should be completed by:

- All members of staff involved
- Vice Principal
- Principal
- Head of School
- Headteacher

12.4 Parents/carers to be informed on the same day by:

- Head of Year
- Assistant or Vice Principal
- Head of School
- Headteacher