



St Louise's

Comprehensive College, Belfast

A Specialist College

USE OF REASONABLE FORCE TO RESTRAIN OR CONTROL STUDENTS



ST LOUISE'S MISSION STATEMENT

"In partnership with parents, guardians, staff, governors and students St Louise's promotes excellence in learning and teaching within a Catholic, Vincentian, Comprehensive ethos"

St Louise's believes that:

- each student has the right to be educated in a safe and secure environment where each child's moral, intellectual, personal, social and emotional development is promoted.
- parents, guardians and 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.

This updated policy on the use of Reasonable Force (May 2005) has taken into consideration:

- The DENI publication 2001 - Promoting Positive Behaviour;
- The DENI/EAs/CCMS publication 2002 - Reasonable Force;
- Regional Policy Framework on the use of Reasonable Force/Safe Handling May 2004.

St Louise's Mission Statement and Positive Behaviour Policy recognises the need to encourage positive relationships based on self-respect, respect for others, personal responsibility and self-discipline. The school acknowledges its responsibility to safeguard the physical and emotional well-being of students and acknowledges the need for staff to intervene in situations where disagreement among young people leads to fighting or other unacceptable and potentially dangerous behaviour which endangers the students involved, others or property. In situations where reasonable force has been used parents will be invited down to the school to discuss the matter.

PASTORAL CARE: GUIDANCE ON THE USE OF REASONABLE FORCE TO RESTRAIN OR CONTROL STUDENTS

Article 4 of the Education (Northern Ireland) Order 1998, which came into force on 21 August 1998, clarifies powers which already exist under common law. It enables a member of staff of a grant-aided school, teaching staff or other authorised staff (classroom assistants, mid-day supervisors, caretakers, education welfare officers, education psychologist, library/study supervisors, outreach teachers), to use in relation to any student at the school, such force as is reasonable in the circumstances to prevent a student from:

- a. committing an offence;
- b. causing personal injury to, or damage to the property of, any person
(Including the student herself); or
- c. engaging in any behaviour prejudicial to the maintenance of good order and discipline at the school or among any of its students, whether during a teaching session or otherwise.

The right of a member of staff (and the school's requirement) to use such force as is reasonable to restrain or control a student applies:

- where the member of staff is on the premises of the school; or
- elsewhere at a time when he/she has lawful control or charge of the student concerned;
- to teachers at the school, and to any other member of staff who with the authority of the principal has lawful control or charge of students.

The need to use reasonable force to restrain or control a student should be rare. Corporal punishment remains

unlawful and teachers or others are forbidden to use any degree of physical contact which is deliberately intended to cause pain or injury or humiliation. The application of reasonable force to restrain or control a student is to be used as a last resort, only when other behaviour management strategies have failed, and when the student, other students, members of staff, or property are at risk, or the student is seriously compromising good order and discipline.

GUIDANCE ON THE USE OF REASONABLE FORCE TO RESTRAIN OR CONTROL STUDENTS

Who may use reasonable force?

Teachers, non-teaching staff authorised by the Principal (e.g. classroom assistants, mid-day supervisors, caretakers, education welfare officers, education psychologists, library/study supervisors, outreach teachers).

The use of reasonable force

The right of a teacher or other person to use reasonable force applies where the student concerned is on the school premises and when he/she has been authorised to have lawful control or charge of the student concerned elsewhere e.g. supervision of students in bus queues, on a field trip, or other authorised out of school activity such as a sporting event or educational visit.

The meaning of reasonable force

The use of force can be regarded as reasonable only if the circumstances of the particular incident warrant it.

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.

The appropriate use of reasonable force

In a situation where other behaviour management strategies have failed to resolve the problem, or are inappropriate (e.g. in an emergency), there are a wide variety of circumstances in which reasonable force might be appropriate, or necessary, to restrain or control a student.

They 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. action where a student is behaving in a way that is compromising good order and discipline.

Examples of situations that fall into these categories are:

- a student attacks a member of staff, or another student;
- students are fighting;
- a student 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 student is running in a corridor or on a stairway in a way in which she/he might have or cause an accident likely to injure themselves or others;
- a student absconds from a class or tries to leave school (this applies only if a student or other students could be at risk by leaving the school).

Physical intervention and the use of reasonable force

Physical intervention can take a number of forms. It might involve staff

- physically interposing between students;
- blocking a student's path;
- holding;
- pushing;
- pulling;
- shepherding a student away by placing a hand in the centre of the back; or using more restrictive holds (in extreme circumstances).

However, staff should never act in a way that might reasonably be expected to cause injury, for example by:

- holding a student round the neck, or by the collar, or in any other way that might restrict the student's ability to breathe;
- slapping, punching, kicking or using any implement on a student;
- throwing any object at a student;
- twisting or forcing limbs against a joint;
- tripping up a student;
- holding or pulling a student by the hair or ear;
- holding a student face down on the ground.
- touching or holding a student in any way that might be considered indecent.

The use of reasonable force will only be employed in exceptional circumstances or in an emergency where a student appears to be unable to exercise self-control of emotions and whose behaviour is presenting a threat to themselves or others.

Situations where staff should not intervene without help

- when the teacher believes that he/she may be at risk of injury.

In such circumstances the member of staff should:

- summon assistance from colleagues;
- continue to attempt to diffuse the situation orally, and try to prevent the incident from escalating.

DEBRIEFING

The Student:

Should an incident occur it is important that the student is given the opportunity to calm down. The student should be allowed to talk through what has happened with a senior member of staff. The student's perception of the incident should be recorded in writing either by the student or the member of staff conducting the discussion.

The parent/guardian of the student(s) will be informed as soon as possible by a senior member of staff and invited to school to discuss the incident.

Students will be offered guidance as to how they can repair relationships which may be strained as a result of an incident and how their behaviour could change in order to prevent a repetition of the incident.

If further action is required, this will be pursued through the appropriate procedure:

- Child Protection procedure e.g. agencies such as Social Services;
- Positive Behaviour Procedure;

- Exclusions Procedure.

Member of Staff:

The teacher should immediately report any such incident to a senior member of staff. The senior colleague should, as soon as possible, make time to talk through the incident with the teacher both to afford support and to help clarify what has happened. The teacher should be advised to complete a factual report and forward to the Designated Teacher.

Staff who have been involved in a difficult incident will be offered the full support of the Principal and/or Senior Leadership Team in talking through the incident as soon as possible and appropriate support will be given.

Recording incidents

It is extremely important that there is a detailed, contemporaneous, written report of any occasion where reasonable force is used. This may help prevent any misunderstanding or misrepresentation of the incident, and it will be helpful should there be a complaint. Following any such incident the member of staff concerned should tell the Designated Teacher and provide a short written factual report. Incident Record Form will be completed by the Designated Teacher and forwarded to the Principal.

Annually, the Chairman of the Board of Governors and the Principal will review the entries in the file. Records of incidents will be kept for five years after the date they occurred.

Complaints

In the event of a subsequent complaint made against a member of staff either by or on behalf of the child, this should be dealt with in accordance with the school's complaints procedures.

- **Designated teacher for Reasonable Force is the Pastoral Vice Principal**