**When can reasonable force be used?**

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

* In a school, force is used for two main purposes – to control pupils or to restrain them.
* 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. (Education and Inspections Act 2006)

Physical restraint is the positive application of force with the intention of overpowering the young person in order to protect them from harming themselves or others or seriously damaging property. The proper use of physical restraint requires skill and judgement as well as knowledge of non-harmful methods of restraint.

Physical restraint will only be used when teaching staff are satisfied that all reasonable efforts have been made to avert and diffuse the situation and when they have considered the risk involved in intervention as opposed to the risk on non-intervention.

**They may use physical restraint as an immediate course of action following principles outlined here:**

* Where it is the last resort and Staff have taken steps in advance to avoid the need for physical restraint (e.g. through dialogue and diversion) and the learner has been warned, where possible, that physical restraint will be used unless they desist.
* To protect another person from immediate danger of injury (i.e. where it could be reasonably assumed that non-intervention would lead to someone else being hurt)
* To prevent a learner who is distressed or angry from taking actions which are likely to harm themselves (i.e. where there are reasonable grounds to believe, through either the threats of the young person themselves or historical evidence that they are likely to come to significant harm)
* To prevent a learner from causing disorder within the school.
* To prevent serious damage to property (i.e. where there is sustained damage to the premises or its contents, or risk to items of great value):
* In the latter case 'great value' may vary according to the owner of the property - E.g. a treasured possession of another learner may have low financial value but could have been purchased through extensive saving or be a special present:
* Only the minimum force necessary is used to prevent injury or serious damage should be applied. It must not develop into a test of strength:
* Every effort should be made to secure the presence of other staff before applying restraint:
* As soon as it is safe, the restraint must be gradually relaxed to allow the young person to regain some self-control:
* Restraint should be an act of care and control, not punishment:
* Where force has to be used, it should be directed specifically at reducing or eliminating the risk and not for any other reason. However when applied, it should be sufficient to deal with the situation and not prolong it:
* Staff must show that the method of intervention is in keeping and proportionate with the incident that gave rise to it.
* Interventions should not run the risk of causing greater harm than it was intend to prevent:
* Failure of restraint should be followed by a reappraisal of other options rather than the immediate escalation into greater force:
* Physical restraint should not be used purely to force compliance with staff instructions or the Homes rules, when there is no immediate risk to people or property.

**Restraint as a method of control**

When staff decide that physical restraint is appropriate for the situation, the action must be deliberate, controlled and with a clear objective of de-fusing a dangerous or highly charged situation.

The method of restraint that may be used in any given situation will differ depending upon a wide variety of factors. Therefore, it is difficult to give any specific guidance as to what should be done at any specific time as events often move on very quickly.

Essentially staff involved must act decisively and quickly. They should constantly (although it may be in split seconds of time) reassess what they are doing and what they are trying to achieve.

When restraining young people, consideration must be given to the following:

**DON'T:**

* Undertake physical control unless you feel confident that you can achieve it, and/or there is some assistance available.
* Use means of restraint that could provoke further aggression or lay you open to charges of assault;
* Deviate from the techniques approved by CALM
* Continue a restraint if the young person seriously infers that there may be a sexual motive;
* Back yourself or the young person into a corner.

**DO:**

* Where possible warn the young person that a restraint will be used if the behaviour continues;
* Always apply force in a manner which attempts to reduce rather than provoke aggressive action;
* Ask other young people not involved in the use of restraint to leave the area quietly;
* Seek help from other staff unless their presence will exacerbate the situation;
* Once a decision has been made to intervene, act swiftly and decisively;
* Keep your calm, show the young person that you are in control of yourself;
* Use a minimum degree of force to ensure the safety of those involved in the restraint;
* Keep your head in position which avoids either you inadvertently hitting the young person or they hitting you;
* Remove obstacles that might cause injury or may be used as a weapon
* Once the restraint is removed (this can be done by other supporting members of staff).
* Try to hold a young person in a standing position or on a seat.
* Only if necessary, take a young person to the floor carefully;
* Use pillows or soft furnishings to protect the young person's head;
* Keep the length of the restraint to the minimum;
* Be aware of gender/sexual issues when restraining young people;
* Keep up a dialogue with the young person which offers them options for the restraint to be lifted;
* Keep repeating the type of behaviour you are seeking and how the young person can achieve it;
* Take opportunities to gradually release your hold while at the same time be ready to take control again if necessary.
* Release the restraint as soon as you feel that the young person can control their own behaviour;

**After the event**

In all situations where staff and young people have been involved in an incident that involves restraint or a violent attack, we must always treat both parties with great care and consideration.

* We must remember that these are stressful situations for all involved and that sometimes anxieties can surface over a number of days after the event and that support given must be on-going.
* Time should be given soon after the event for both staff and the young person to calm down, take stock of the situation and to talk through what has happened. This could include suggested alternatives to the behaviour that preceded the event, reparation etc.
* Neither staff nor young people should be discouraged from exercising their right to involve the Police if they have been physically assaulted or to invoke the complaints procedure.
* Young people should have someone to turn to (preferably an independent person) to discuss their feelings.
* Members of staff should also be able to talk through their feelings with colleagues, their line manager or someone outside the Home.

**Recording:**

* All incidents involving restraint must be recorded as a 'significant incident' and distributed accordingly.
* An objective account of the incident must be recorded in detail in the young person's file.
* The young person should be given the opportunity to write his own account of the incident and reminded of the complaints procedures. He/she should also be de-briefed with the manager. The young person should always be asked if they require any medical attention.
* When a member of staff has suffered violence during the incident they should follow the procedures for 'reporting a violent incident'.

Staff involved in the restraint will be de-briefed by management and recorded.

**Searching, screening & confiscation on learners**

**Screening - What the law allows:**

* Schools can require pupils to undergo screening by a walk-through or hand-held metal detector (arch or wand) even if they do not suspect them of having a weapon and without the consent of the pupils.
* Schools’ statutory power to make rules on pupil behaviour2 and their duty as an employer to manage the safety of staff, pupils and visitors3 enables them to impose a requirement that pupils undergo screening.
* Any member of school staff can screen pupils.

Also note:

* If a pupil refuses to be screened, the school may refuse to have the pupil on the premises. Health and safety legislation requires a school to be managed in a way which does not expose pupils or staff to risks to their health and safety and this would include making reasonable rules as a condition of admittance.
* If a pupil fails to comply, and the school does not let the pupil in, the school has not excluded the pupil and the pupil’s absence should be treated as unauthorised. The pupil should comply with the rules and attend.
* This type of screening, without physical contact, is not subject to the same conditions as apply to the powers to search without consent

**Conducting Searches on Learners**

Howard House strives to promote positive relationships within the school with our learners. It is recognized that sometimes the school rules on what is permissible in school are broken. There are clear legal guidelines on when it is permissible to remove items from one of our learners.

**What is not permissible in Howard House School**

The school doesn’t need a child’s consent to search them if they think the learner has prohibited items, these are:

* weapons, e.g. knives
* alcohol
* illegal drugs
* stolen goods
* tobacco products, e.g. cigarettes
* pornographic images (of any kind, e.g. tabloid topless pictures and ‘lads’ mags’ as well as extreme adult material)
* fireworks
* anything that has been, or is likely to be, used to cause injury or commit an offence
* anything other item banned in our school rules

These things can be confiscated.

**Legal requirements of a search**

There should normally be 2 members of staff present during the search - the person doing the search and the search witness. Searches should normally be done by someone the same sex as the learner.

The search witness must also be the same sex as the young person if possible. The learner must not be asked to remove clothes, other than outer clothing like a coat.

If there’s a risk of serious harm to a person if the search is not conducted immediately, then they may be searched by a person of the opposite sex and without another member of staff present. Searching, screening and confiscation (Advice for headteachers, school staff and governing bodies DoE February 2014)

**Recording:**

* All incidents involving personal searches must be recorded as a 'significant incident' and distributed accordingly.
* An objective account of the search must be recorded in detail.
* The learner should be given the opportunity to write his own account of the search and reminded of the complaints procedures.
* Teaching staff involved in the search will be de-briefed by management and this recorded.

**Recording of incidents**

A record sheet (see Appendix 1) will be completed by all staff engaged in any incident where handling has taken place even if they did not handle the child. The record sheets will be passed to the Head of School and then retained securely. The Head of School will make parents/carers aware of the incident. Following any incident where force has been appropriate, the Head of School will make arrangements to support the staff and students if required.

**Complaints**

If concerns arise please refer to the school’s complaints procedure which is available on the school website.

**APPENDIX 1**

|  |
| --- |
| Record of Incident Form |
| Student(s) directly involved: |  |
| Staff(s) directly involved: |  |
| Date: |  | Time: |  |
| Location: |  |
| Names of staff involved (directly or as witnesses)  |  |
| Names of students involved (directly or as witnesses)  |  |
| Description of incident by the staff involved  |
|  |
| De-escalation techniques used (defusing, deflection, distraction, appropriate humour, proximity control, verbal advice, rule reminder, planned ignoring, time out, changes of task, choices, limits, consequences, another member of staff, other..)  |
|  |
| Justification for use of physical controls (To prevent a criminal offence, injury to student, staff, self, serious damage to property, disruptive behaviour, student absconding)  |
|  |
| Any injury suffered by staff or students and any first aid and/or medical attention required.  |
|  |
| Any injury suffered by staff or students and any first aid and/or medical attention required.  |
|  |
| Follow up, including post-incident support and any disciplinary action against students.  |
|  |
| Consequences (how did the staff intervene, how did the student respond and how was the situation resolved)  |
|  |
| When and how those with parental responsibility were informed about the incident and any views they have expressed.  |
|  |