



The Minster School

Physical Intervention Policy

Approved by:	Revd James Halstead	Date: 09.05.23
Chair of	SD&P Committee	
School Lead	Deputy Head (Pastoral)	
Last reviewed on:	Summer 2023	
Next review due by:	Summer 2027	

Succeeding Together

"Whatever you do, work at it with all your heart, as though you were working for the Lord" Colossians 3:

CONTENTS

Objectives	1
Minimising the Need to Use Reasonable Force	1
Staff Authorised to Use Reasonable Force	1
Deciding Whether to Use Reasonable Force	1
Using Reasonable Force	2
Staff Training	3
Recording and Reporting Incidents	3
Post-Incident Support	4
Searching Students	4
Complaints and Allegations	4
Monitoring and Review	5
Appendix A	6

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 Keeping Children Safe in Education.

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

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

No member of staff is required to employ any physical intervention strategy if they are not comfortable or confident to do so effectively.

No member of staff should intervene physically if they have reason to believe that to do so would worsen the situation/incident that is taking place.

Staff considering handling, use of reasonable force or restraint must provide opportunity for the student to alter their behaviour/actions before employing a physical intervention strategy and should continue to make instructions to the student and details of their intended interventions clear.

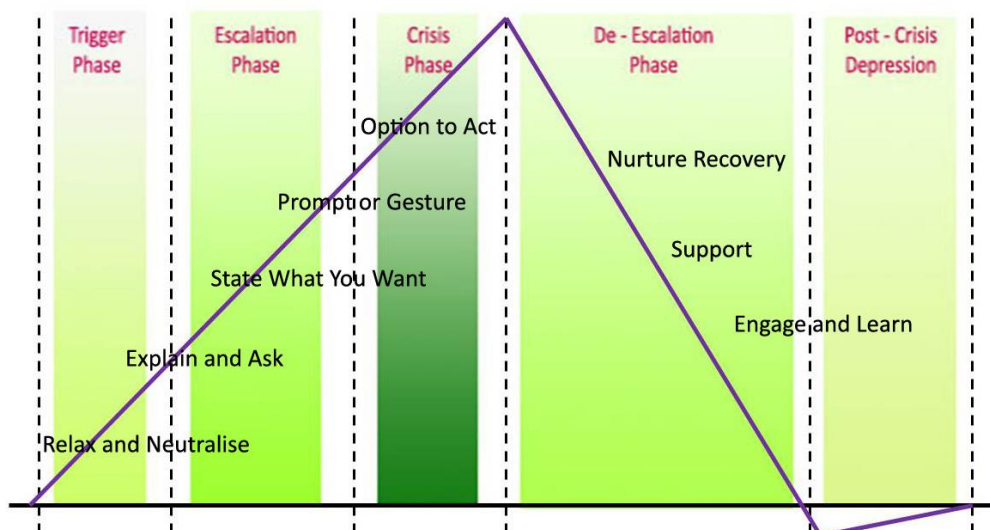
Staff are also expected to remember that physical intervention is only one option and for behaviours involving extreme levels of risk it may be more appropriate to gain support from other agencies, including the police.

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[®] 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 CRB training through the County Council co-ordinator who delivers nationally accredited courses.

Nottinghamshire County Council, through Education, Standards and Inclusion Services, has developed the CRB (Coping with Risk Behaviours) training programme designed to help staff in schools and associated services manage the risks associated with the challenging behaviours of young people.

Staff who receive this training will be accredited to use the physical elements of CRB 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

All incidents where staff feel that they have used force to modify behaviour or conduct should be recorded. It is not necessary to record every incident of contact with a child, but where a member of staff perceives that contact has been received at all negatively, they are advised to record the circumstances. Staff should complete the Physical Intervention Recording Form in Appendix A, as soon as practicable after the incident and submit to form to the Designated/Deputy Safeguarding Lead.

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.

SEARCHING STUDENTS

On occasions a member of staff may have reasonable grounds to suspect that a student is in possession of an item or items which contravene school regulations and could potentially cause harm to the student or others. Under these circumstances The Education Act 2011 extends the power of staff to search students without their consent. **Any prohibited items found in pupils' possession will be confiscated. These items will not be returned to pupils.** We will also confiscate any item which is harmful or detrimental to school discipline. These items will be returned to pupils after discussion with senior leaders and parents, if appropriate.

Searching and screening pupils is conducted in line with the DfE's latest guidance on searching, screening and confiscation.

Searches will be conducted by two members of staff, at least one of whom will be the same gender as the student. Students will be offered the opportunity to have their parents/carers present.

The Minster School does not endorse and will not undertake a physical search of any students' person. Where necessary a student will be asked to remove his/her coat and/or blazer, empty all pockets, open their bags and in some circumstances remove their shoes and socks. Possessions and items of apparel that have been removed may then be searched by the staff present.

If undesirable items are discovered the school will use its power of confiscation to retain the offending item(s). Parents/carers, if not present, will be contacted to explain what has been found and any subsequent sanctions that have been applied. Where appropriate, parents/carers will be invited to retrieve the offending property and asked to ensure that they are not brought to school again.

In the event that illegal items are discovered then the Police will be informed immediately

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 May 2024.

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

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: