

Oxford Diocesan Bucks Schools Trust (ODBST)

“Empowering our unique schools to excel”



USE OF FORCE

ODBST Level 1 Statutory Policy:	ALL Schools require this policy with no changes allowed to core text. No changes are necessary to personalise this with school name and branding, as this is a Trust level policy for use, without change, by all schools, except where a school contact is required as identified in the content of the policy. LGBs will note adoption in LGB meetings. Review will take place at Trust level, and schools will be notified of updates and review dates as necessary.
Other related ODBST policies and procedures:	ODBST behaviour policy ODBST safeguarding and child protection policy ODBST SEND policy
Committee responsible:	SEC
Approved by:	SEC
Date Approved:	22 November 2023
Review Date:	Autumn term 2026

1. Introduction

Trustees recognise that situations involving decisions about whether to use force can occur in any school. Both using force and deciding not to can entail significant risks for pupils and staff. This policy is designed to minimise these risks. The policy has been written in light of the DfE “Use of Reasonable Force” guidance dated July 2013.

<https://www.gov.uk/government/publications/use-of-reasonable-force-in-schools>

Section 93 of the Education and Inspections Act 2006 enables school staff to use reasonable force to prevent a pupil from:

- committing a criminal offence (or for a pupil under the age of criminal responsibility, what would be an offence for an older pupil);
- causing personal injury or damage to property;
- prejudicing the maintenance of good order and discipline at the school or among any pupils receiving education at the school, whether during a teaching session or otherwise.

2. Objectives

- To maintain the safety of all pupils and staff
- To prevent serious breaches of school discipline
- To prevent serious damage to property

3. Minimising the need to use force

In order to minimise the occasions on which the use of force would be required, all ODBST schools will:

- create an environment that is calm and minimises the risk of incidents arising that might require the use of force;
- teach pupils how to manage conflict and strong feelings;
- use strategies and procedures within the ODBST behaviour policy to de-escalate incidents if they do arise;
- only use force when risks involved in doing so are outweighed by the risks involved in not using force;
- put in place risk assessments and positive handling plans for individual pupils when deemed necessary by the school or by external professionals.

4. Staff authorised to use force

Permanent authorisation is granted to all teachers and staff that have control or charge of pupils in line with the statutory power granted to them. This includes teaching staff on permanent and fixed term contracts and learning support assistants. Other school based staff employed by the ODBST such as administration staff are also authorised.

All school based ODBST staff will have appropriate training using the Step On approach as part of the wider ODBST behaviour strategy and identified staff, who are most likely to need to use force, will have received Step Up training.

The ODBST does not expect that staff employed via a supply agency would be expected to use force as part of the support for identified pupils and would only use force on any pupil in a school if there was absolutely no other adult available to keep a child or member of staff safe. Schools should ensure that occasional supply staff are not put in a position where they are working with pupils who regularly need the use of force and school based decision will be communicated to these staff on arrival at the school. Where agency staff are used for a period of time they should be trained in the use of force in the same way that all school staff are trained.

5. Deciding whether to use force

Force should be used as a protective measure and never as a disciplinary penalty. The judgement on whether to use force and what force to use should always depend on the circumstances of each case and in the case of pupils with SEN and/or disabilities, information about the individual concerned.

Staff will make judgements about:

- the chance of achieving the desired result by other means;
- 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 relative risks associated with physical intervention compared with using other strategies.

6. Risk assessments

The leadership teams in each ODBST school will regularly assess the frequency and severity of incidents requiring use of force that are likely to occur. Where it is known that force is more likely to be necessary to restrain a particular pupil (such as a pupil whose SEN and/or disability is associated with extreme behaviour) an individual risk assessment will be carried out.

An individual risk assessment will be carried out for all pupils whose SEN and/or disability are associated with:

- communication impairments that make a pupil less responsive to verbal communication;
- physical disabilities and/or sensory impairments;
- conditions that make a pupil fragile, such as haemophilia, brittle bone syndrome or epilepsy;
- dependence on equipment such as wheelchairs, breathing or feeding tubes.

7. Using Force

Before using force, staff should engage the pupil in a calm and measured tone, making clear that their behaviour is unacceptable and setting out how the pupil could choose to change their behaviour. Staff should not give the impression of acting out of anger or frustration, or to punish a pupil, and should make it clear that they only intend to use physical intervention as a last resort to ensure that the situation is addressed as safely as possible. The use of force must always be proportionate to the level of risk and should always be reduced at the earliest possible time.

Force may be used for two different purposes:

1. To control – either passive physical contact (e.g. standing between pupils) or active physical contact (e.g. leading the pupil by the hand or the arm)
2. To restrain using restraint techniques. This can involve using appropriate restrictive holds, which may require expertise or training.

Parental consent is not required to restrain a pupil but where the use of force is identified on risk assessments or is identified by an external professional as a named means of intervention, this should always be discussed and agreed with parents.

8. Staff Training

The school's staff induction process will set out staff member's responsibilities in relation to the ODBST policy on the use of force.

Where applicable, staff will receive accredited training in the chosen approach approved by the ODBST.

Staff who have not received accredited training are not precluded from using reasonable force where needed but should not be the first port of call to do so.

Staff employed through supply agencies would not normally be trained in the use of force and therefore would not normally be expected to be the person who uses force.

Risk assessments and procedures will be reviewed at least once a term.

9. Recording Incidents

The Headteacher, or in their absence the person who is acting as Headteacher, in consultation with the members of staff involved in the incident, will oversee the recording of the incident. This will include:

- the pupil'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 pupil or member of staff;
- the age of the child;
- any special educational need or disability or other social factors which might be relevant.

The level of restraint should be recorded and whether or not it has been a significant restraint.

- An incident where unreasonable use of force is used on a pupil would always be a significant incident.
- Any incident where substantial force has been used (e.g. physically pushing a pupil 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.

All incidents where physical force has been used will be recorded on CPOMS. The record must be made as soon as practical after the incident. All information will be treated in confidence. The record will form part of the child's safeguarding record and is open to inspection by parents.

10. Reporting incidents

All incidents where physical force has been used will be reported to parents. The report must be made as soon as practical after the incident. If it is likely that reporting the incident to a parent will result in significant harm to the pupil, then the incident should be reported to the local authority safeguarding team. The information will be treated in confidence.

A termly report of the use of force should be shared with the ODBST Executive Safeguarding Lead and with the Local Governing Body of each school. Trustees will receive termly reports on the use of force in schools and will monitor the data accordingly.

11. Post incident support

The school will ensure that staff and pupils affected by an incident have continuing support for as long as necessary in respect of:

- Physical consequences
- Support to deal with any emotional stress or loss of confidence
- Opportunity to analyse, reflect and learn from the incident

12. Complaints and allegations

Complaints will be dealt with under the ODBST complaints procedures. Parents and pupils have a right to complain about actions taken by ODBST staff. If a specific allegation is made against a

member of staff then the school will follow guidance set out in 'Safeguarding Children and Safer Recruitment in Education.'