

## **Physical Intervention Policy**

*(Use of Reasonable Force)*

**Status:** Statutory

**Member of Staff Responsible:** Principal / Assistant Principal

### **Associated policies and documentation:**

- Safeguarding & Child Protection Policy
- Health and Safety Policy
- Staff Handbook
- Complaints Policy
- Behaviour Policy

**Implementation Date:** September 2014

**Review Date:** September 2023

**Next Review Date:** September 2024

## 1. Introduction

The UTC Sheffield fully recognises the contribution it can make to protect and support young people in its care. The students' welfare is of paramount importance. This policy is consistent with:

- the legal duty to safeguard and promote the welfare of children,
- In order to safeguard and promote the welfare of children, we will act in accordance with the following legislation and statutory guidance:

**The Children Act 1989 & 2004 The Education Act 2002 (section 175) The Education (Student Information) (England) Regulations 2005 Dealing with Allegations of Abuse Against Teachers and Other Staff (DfE, 2012) [Working Together to Safeguard Children](#) (DfE, 2018) [Keeping Children Safe in Education](#) (DfE, 2023).**

- Local Safeguarding Children Board Procedures, which contain the inter-agency processes, protocols and expectations for safeguarding children;

We take the safety of our students and staff very seriously. We believe that all students and staff have the right to be and feel safe whilst at UTC or on a UTC-run activity.

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

### Minimising the Need to Use Reasonable Force

As a UTC we are firmly committed to creating a calm and safe environment which minimises the risk of incidents arising that might require the use of reasonable force. We use the Social and Emotional Aspects of Learning (SEAL) curriculum to explore and strengthen emotional responses to situations.

We will only use force as a last resort and strongly believe in de-escalating any incidents as they arise to prevent them from reaching a crisis point. Staff will be skilled in promoting and rewarding positive behaviour and will utilise various appropriate techniques in the management of a class environment.

Staff will only use reasonable force 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 Principal of our UTC is empowered to authorise those members of his/her staff who are enabled to use reasonable force.

Here at UTC Sheffield, the Principal 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 such as site management and administrative teams 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 the student himself); or,
- prejudicing the maintenance of good order and discipline at the UTC or among any students receiving education at the UTC, 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.

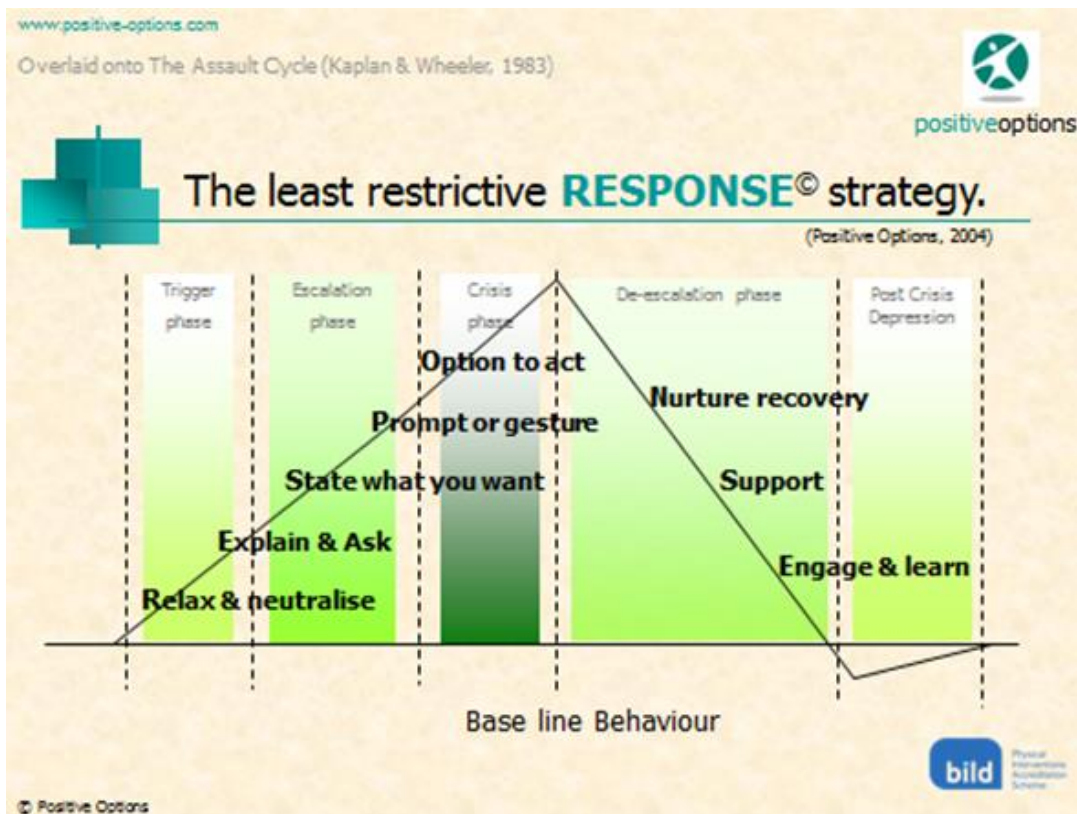
Staff are also expected to remember that physical intervention is only one option and for behaviours involving extreme levels of risk it may be more appropriate to gain support from other agencies, including the police.

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<sup>®</sup> 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 avoid using force unless or until another member of staff is present to support, observe or call for assistance.

### Staff training

Training programmes will be delivered to staff via whole UTC inset day.

### Recording and Reporting Incidents

The governing body will ensure that a procedure is in place, and is followed by staff, for recording and reporting, *significant* incidents where a member of staff has used force on a student. The record must be made as soon as practicable after the incident.

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:

- 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, UTCs 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, although there is no legal requirement to record such incidents, UTCs are advised to let parents know 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.

UTC Sheffield will use the Physical Intervention Record (Appendix 1) to record all details of any significant incident where force has been used, or any incident where violence to staff has occurred or been threatened. There is also a statement form (Appendix 2) that the student involved must fill in. These can then be saved and uploaded to CPOMS where necessary via SLT.

### **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 via The Sheffield College HR team staff will have access to occupational health and counselling. Please contact the Business & Operations Director in the first instance.

### **Complaints and allegations**

We will also make clear to students that they have a right, and are able, to question/complain about the use of reasonable force.

We will ensure that mechanisms are in place for students, parents, carers and staff to voice the opinions, comments or concerns. Please refer to the Complaints Policy for further guidance.

### **Monitoring and review**

This policy will be monitored regularly and reviewed by the governing body at least annually or as required.

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



### Physical Intervention Record

Name of Student/s Involved:			
Name/s of staff involved:			
Date: Time:	Where did it happen?		
Details of behaviour:	Level of risk: High / Medium / Low		
	What was the risk:		
	Who was at risk:		
	Degree of force used:	Injuries sustained (if any):	
Sequence of events (this can be written or shown diagrammatically):			

Time and date parents informed (where the UTC has decided this is appropriate):	Views of student obtained via statement form? Yes / No
Any further action required:	

Staff Signature	Date:
Principal Signature	Date:

