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**National and local guidance in relation to the Covid 19 pandemic may over rule aspects of this policy.**

## **Pupil Intervention Policy**

**STATUS:**

**Approved**

**REVIEW DATE:**

**September 2023**

*"The Academy believes that inclusive practice is central to developing quality teaching and learning. As such we endeavour to provide a supportive framework that responds to pupils' needs and overcomes potential barriers for individuals and groups of pupils and to ensure that pupils of all abilities and needs are fully included in the life of the school. The ethos of this statement underpins all Oldbury Academy's policies."*

## **PUPIL INTERVENTION POLICY**

Our aim is to provide a welcoming, secure and safe environment in which the use of force in relation to a pupil is unlikely.

This policy should be read in conjunction with the guidance issued from time to time by the DfE the most recent being July 2013. Circular 10/98 and the Education and Inspections Act 1996 form the basis of this policy and guidance and the school follows the principles and recommendations set out in this legislation.

This documentation should also be read in conjunction with the school's pupil behaviour policy.

### **Circumstances in which reasonable force may be used**

Section 550A of the Education Act 1996 allows teachers and other persons who are authorised by the Headteacher to use force as is reasonable in all the circumstances to prevent a pupil from doing or continuing to do, any of the following.

- Commit a criminal offence (including behaving in a way that would be an offence if the pupil were not under the age of criminal responsibility)
- Injuring themselves or others
- Causing damage to property (including the pupils own property)
- Engaging in any behaviour prejudicial to maintaining good order and discipline.

### **Staff authorised to use force**

The staff to which this power applies are defined in section 95 of the Act. This would be any teacher who works at the school and/or any other person whom the Headteacher has authorised to have control or charge of pupils. This includes:

- Support staff whose job normally includes supervising pupils such as teaching assistants, lunch time supervisors and office staff.
- Can include people to whom the Headteacher has given temporary authorisation i.e. a member of staff who does not normally supervise students or a volunteer (for example a parent accompanying pupils on a school visit)

### **Reasonable Force**

There is no legal definition of when it is reasonable to use force but the following are guidelines:

- Whether it is reasonable to use force will always depend on the precise circumstances of individual cases
- The degree of force used must be proportional to the consequences it is intended to prevent.
- Any force must be the minimum needed to achieve the desired result.
- The use of force to prevent trivial behaviour is not justified.

### **Deciding whether to use force**

Judgement on whether to use force and what force to use depends upon the circumstances of each case. Any force used should always be the minimum needed to achieve the desired result and a number of factors will come into play e.g. age, type of situation and the needs of the student

### **Staff need to make judgements about:**

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

## **Using force**

Before using force staff should wherever practicable, tell the student to stop misbehaving and what will happen if they do not. The member of staff should communicate in a calm and measured manner throughout the incident. Staff are advised that where possible, they should not use force unless or until another responsible adult is present to support, observe and call for assistance.

Types of force used could include

- Standing between pupils or blocking a pupil's path
- Leading a pupil by the hand or arm
- Ushering a pupil away by placing a hand in the centre of the back
- In more extreme circumstances using appropriate restricting holds, which may need specific expertise or training.

Types of force that should not be used include the use of a weapon, strangulation, ear or hair pulling

Where there is a high and immediate risk of injury, any member of staff would be justified in taking any necessary action (consistent with the principle of seeking to use the minimum force required to achieve the desired result). For example, to prevent a pupil running off the pavement onto a busy road, or to prevent a pupil hitting someone, or throwing something. There are some situations where it is better to remove the rest of the pupils from the class if a child is a danger to them. The child causing the problem can then be dealt with.

Staff should always avoid touching or restraining a pupil in a way that could be interpreted as sexually inappropriate conduct.

## **Recording incidents**

It is important that there is a detailed, contemporaneous, written report of any occasion (except minor or trivial incidents) where force is used. See Annex A

Parents/carers will be informed of any recordable incident and will usually be offered an opportunity to discuss the incident with the Headteacher or senior member of staff and given a copy of this policy. All injuries should be witnessed, recorded and inspected as appropriate. The student should be asked to detail any injuries. Clear descriptive and photographic evidence is desirable too at the time in accordance with this policy. Any complaints or allegations about the use of force to restrain or control children will be dealt with in accordance with the academy's complaints procedure.

## **Staff Training**

It is the responsibility of the Headteacher to ensure that staff are fully informed of the academy's policy and understand what authorisation entails. The CPD lead will arrange training and guidance to staff as appropriate.

## **Review**

This policy will be reviewed by staff and Governors. In addition, parents should be made aware of the policy and are invited to make comment on it.

## **USE OF FORCE TO CONTROL OR RESTRAIN PUPILS: INCIDENT RECORD**

Date:		Time:		Location:	
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Staff Name:		Pupil Name:		Witnesses:	
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Description of incident by staff involved, including any attempts to de-escalate and warnings that force might be used.

Reason for using force and description of the force used.

Any injuries suffered by the member of staff or pupil and any first aid required	Yes	No

Follow up including post-incident support, any disciplinary action against the pupil.

Has the parent / carer been informed, if so how was this done and were there any views expressed by them.

Has any complaint been logged (not at this stage)	Yes	No
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Report completed by:		Signature:	
Report Countersigned by:		Signature:	
		Date:	