



# Erne Integrated College

## **SAFEGUARDING AND CHILD PROTECTION POLICY**

### **1. Child Protection Ethos**

We at Erne Integrated College have a responsibility for the Pastoral Care, general welfare and safety of the children in our care and we will carry out this duty by providing a caring, supportive and safe environment, where each child is valued for his or her unique talents and abilities, and in which all our young people can learn and develop to their full potential. All staff, teaching and non-teaching should be alert to the signs of possible abuse and should know the procedures to be followed. This Policy sets out guidance on the action, which is required where abuse or neglect of a child is suspected and outlines referral procedures within our school

### **2. Principles**

The general principles, which underpin our work, are those set out in the UN Convention on the Rights of the Child and are enshrined in the Children (Northern Ireland) Order 1995, the Department of Education (Northern Ireland) guidance "Pastoral Care in Schools- Child Protection" (DENI Circular 99/10) and the Area Child Protection Committees' Regional Policy and Procedures(2005).

The following principles form the basis of our Child Protection Policy.

- It is a child's right to feel safe at all times, to be heard, listened to and taken seriously.
- We have a pastoral responsibility towards the children in our care and should take all reasonable steps to ensure their welfare is safeguarded and their safety is preserved.
- In any incident the child's welfare must be paramount, this overrides all other considerations.
- A proper balance must be struck between protecting children and respecting the rights and needs of parents and families; but where there is conflict the child's interest must always come first.

### **3. Other Relevant Policies**

The school has a duty to ensure that safeguarding permeates all activities and functions. This policy therefore complements and supports a range of other school policies including:

- Positive Behaviour Policy
- Anti-Bullying
- Use of Reasonable Force/Safe Handling
- Special Educational Needs
- Educational Visits
- Health and Safety Policy
- Use of Mobile Phones/Cameras
- ICT and E Safety

**These policies are available to parents and any parent requiring a copy should contact the School Principal or visit the school website at [www.erneic.org.uk](http://www.erneic.org.uk)**

#### **4. School Safeguarding Team**

The following are members of the schools Safeguarding Team

- Designated Teacher – Fiona Brown
- Deputy Designated Teacher- Mary Magee
- Principal - Jimmy Jackson-Ware
- Designated Governor for Child Protection – Tina McTaggart
- Chair of the Board of Governors- Caroline Donnelly

#### **5. Roles and Responsibilities**

##### **5.1 The Designated Teacher and Deputy Designated Teacher**

The designated teacher and deputy designated teacher must:

- Avail of training so that they are aware of duties, responsibilities and role
- Organise training for all staff (whole school training)
- Lead in the development of the school's Child Protection Policy
- Act as a point of contact for staff and parents
- Assist in the drafting and issuing of the summary of our Child Protection arrangements for parents
- Make referrals to Social Services Gateway team or PSNI Public Protection Unit where appropriate
- Liaise with the Education Authority Board's Designated Officers for Child Protection
- Maintain records of all child protection concerns
- Keep the School Principal informed
- Provide written annual report to the Board of Governors regarding child protection

##### **5.2 The Principal**

The Principal must ensure that:-

- DENI 1999 / 10 guidance is implemented within the school
- He/she attends training on Managing Safeguarding and Child Protection
- A designated teacher and deputy designated teacher are appointed
- All staff receive child protection training
- All necessary referrals are taken forward in the appropriate manner
- The Chair of the Board of Governors is kept informed
- Child protection activities feature on the agenda of the Board of Governors meetings and termly updates & annual report are provided
- The school's child protection policy is reviewed annually and that parents and pupils receive a copy/summary of this policy at least once every 2 years
- Confidentiality is paramount. Information should only be passed to the entire Board of Governors on a need to know basis.

### **5.3 The Designated Governor for Child Protection**

The Designated Governor will take the lead in child protection issues in order to advise the Governors on:

- The role of the Designated Teachers
- The content of child protection policies
- The content of a code of conduct for adults within the school
- The content of the termly updates and full Annual Designated Teachers Report
- Recruitment, selection and vetting of staff

The Designated Governor for Child Protection should avail of child protection awareness training delivered by CPSSS.

### **5.4 The Chair of the Board of Governors**

The Chair of the Board of Governors should:

- Ensure that he/she has received appropriate ELB training
- Ensure that a safeguarding ethos is maintained within the school environment
- Ensure that the school has a Child Protection Policy in place and that staff implement the policy
- Ensure that Governors undertake appropriate child protection and recruitment & selection training provided by the SELB Child Protection Support Service for Schools, the SELB Governor Support and Human Resource departments.
- Ensure that a Designated Governor for Child Protection is appointed
- Assume lead responsibility for managing any complaint/allegation against the School Principal

- Ensure that the Board of Governors receive termly updates and a full written annual report in relation to child protection activity

## 5.5 Other Members of School Staff

Staff in school see children over long periods and can notice physical, behavioural and emotional indicators and hear allegations of abuse. They should remember the 5 Rs: *Receive, Reassure, Respond, Record* and *Refer*

### The member of staff must:

- refer concerns to the Designated/Deputy Teacher for Child Protection/Principal
- listen to what is being said without displaying shock or disbelief and support the child
- act promptly
- make a concise written record of a child's disclosure using the actual words of the child (**Appendix 1**)
- Avail of whole school training and relevant other training regarding safeguarding children
- **Not** give children a guarantee of total confidentiality regarding their disclosures
- **Not** investigate
- **Not** ask leading questions

### In addition the Class Teacher should:

- Keep the Designated Teacher informed about poor attendance and punctuality, poor presentation, changed or unusual behaviour including self-harm and suicidal thoughts, deterioration in educational progress, discussions with parents about concerns relating to their child, concerns about pupil abuse or serious bullying, concerns about home conditions including disclosures of domestic violence.

## 5.6 Parents

Parents should play their part in safeguarding by:

- telephoning the school on the morning of their child's absence, or sending in a note on the child's return to school, so as the school is reassured as to the child's situation;
- informing the school whenever anyone, other than themselves, intends to pick up the child after school;
- letting the school know in advance if their child is going home to an address other than their own home;
- familiarising themselves with the School's Pastoral Care, Anti Bullying, Positive Behaviour, Internet and Child Protection Policies;

- reporting to the office when they visit the school
- raising concerns they have in relation to their child with the school.

## 5.7 The Board of Governors

The Board of Governors must ensure that the school fulfils its responsibilities in keeping with current legislation and DE guidance including

- having a Safeguarding and Child Protection Policy which is reviewed annually
- having a staff code of conduct for all adults working in the school
- attendance at relevant training by governors and that up-to-date training records are maintained
- the vetting of all staff and volunteers

## 6. What Is Child Abuse?

The following definitions of child abuse are taken from the Area Child Protection Committees' Regional Policy and Procedures (2005).

### 6.1 Definition of Abuse

Child abuse occurs when a child is neglected, harmed or not provided with proper care. Children may be abused in many settings, in a family, in an institutional or community setting, by those known to them or more rarely, by a stranger. There are different types of abuse and a child may suffer more than one of them. The procedures outlined in this document are intended to safeguard children who are at risk of significant harm because of abuse or neglect by a parent, carer or other with a duty of care towards a child.

### 6.2 Types of Abuse

**Physical Abuse** is the deliberate physical injury to a child, or the wilful or neglectful failure to prevent physical injury or suffering. This may include hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating, confinement to a room or cot, or inappropriately giving drugs to control behaviour.

**Emotional Abuse** is the persistent emotional ill-treatment of a child such as to cause severe and persistent adverse effects on the child's emotional development. It may involve conveying to a child that he is worthless or unloved, inadequate, or valued only insofar as he meets the needs of the other person. It may involve causing a child to frequently feel frightened or in danger, or the exploitation or corruption of a child. Some level of emotional abuse is involved in all types of ill-treatment of a child, though it may occur alone. Domestic violence, adult mental health problems and parental substance misuse may expose a child to emotional abuse.

**Neglect** is the persistent failure to meet a child's physical, emotional and/or psychological needs, likely to result in significant harm. It may involve a parent or carer failing to provide adequate food, shelter and clothing, failing to protect a child from physical harm or danger, failing to ensure access to appropriate medical care or treatment, lack of stimulation or lack of supervision. It may also include non-organic failure to thrive (faltering growth).

**Sexual Abuse** involves forcing or enticing a child to take part in sexual activities. The activities may involve physical contact, including penetrative or non-penetrative acts. They may include non-contact activities, such as involving children in looking at, or in the production of, pornographic material or watching sexual activities, or encouraging children to behave in sexually inappropriate ways.

### **Child Sexual Exploitation**

Child sexual exploitation is a form of sexual abuse in which a child or young person is exploited, coerced and / or manipulated into engaging in some form of sexual activity in return for something they need or desire and / or for the gain of a third person.

When we become aware of young people below the age of consent engaging in sexual activity or, where we have concerns about a 16/17 year old in a sexual relationship the Designated Teacher has a duty to share this information with Social Services.

### **Domestic Violence**

It is now recognised that children who live in an atmosphere of domestic violence may be at risk. Domestic violence is any incident or pattern of incidents of controlling, coercive or threatening behaviour, violence or abuse between those aged 16 or over who are or have been intimate partners or family members regardless of gender or sexuality. This can encompass, but is not limited to, the following types of abuse:

- Psychological
- Physical
- Sexual
- Financial
- Emotional

Symptoms which young people may display and which are indicators only include:

- Nervousness
- Low self-worth
- Disturbed sleep patterns
- Nightmares / flashbacks
- Physiological – stress / nerves

These symptoms can lead to a child/ young person being misdiagnosed as having an illness, learning difficulties, or being naughty or disruptive.

If it comes to the attention of school staff that domestic abuse is or may be a factor for a child/young person this must be passed to the Designated/Deputy Designated Teacher who has an obligation to share the information to Social Services

**We will take seriously any concerns which are raised about a pupil in our school who has self-harmed and/or has expressed suicidal thoughts.**

The Designated/Deputy Designated teacher will immediately follow the school's child protection procedures.

**A child may suffer or be at risk of suffering from one or more types of abuse and abuse may take place on a single occasion or may occur repeatedly over time.**

**6.3 Signs and symptoms of abuse ~ Possible Indicators**

Physical Abuse

Physical Indicators	Behavioural Indicators
Unexplained bruises – in various stages of healing – grip marks on arms; slap marks; human bite marks; welts; bald spots; unexplained/untreated burns; especially cigarette burns (glove like); unexplained fractures; lacerations; or abrasions; untreated injuries; bruising on both sides of the ear – symmetrical bruising should be treated with suspicion; injuries	Self-destructive tendencies; aggressive to other children; behavioural extremes (withdrawn or aggressive); appears frightened or cowed in presence of adults; improbable excuses to explain injuries; chronic runaway; uncomfortable with physical contact; come to school early or stays last as if afraid to be at home;

occurring in a time pattern e.g. every Monday	clothing inappropriate to weather – to hide part of body; violent themes in art work or stories
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## **Emotional Abuse**

<b>Physical Indicators</b>	<b>Behavioural Indicators</b>
Well below average in height and weight; "failing to thrive"; poor hair and skin; alopecia; swollen extremities i.e. icy cold and swollen hands and feet; recurrent diarrhoea, wetting and soiling; sudden speech disorders; signs of self-mutilation; signs of solvent abuse (e.g. mouth sores, smell of glue, drowsiness); Extremes of physical, mental and emotional development (e.g. anorexia, vomiting, stooping).	Apathy and dejection; inappropriate emotional responses to painful situations; rocking/head banging; inability to play; indifference to separation from family indiscriminate attachment; reluctance for parental liaison; fear of new situation; chronic runaway; attention seeking/needing behaviour; Poor peer relationships.

## Neglect

<b>Physical Indicators</b>	<b>Behavioural Indicators</b>
Looks very thin, poorly and sad; constant hunger; lack of energy; untreated medical problems; special needs of child not being met; constant tiredness; inappropriate dress; poor hygiene; repeatedly unwashed; smelly; repeated accidents, especially burns.	Tired or listless (falls asleep in class); steals food; compulsive eating; begging from class friends; withdrawn; lacks concentration; misses school medicals; reports that no carer is at home; low self-esteem; persistent non-attendance at school; Exposure to violence including unsuitable videos.

## **6.3 Signs and symptoms of abuse ~ Possible Indicators**

### Sexual Abuse

<b>Physical Indicators</b>	<b>Behavioural Indicators</b>
Bruises, scratches, bite marks or other injuries to breasts, buttocks, lower abdomen or thighs; bruises or bleeding in genital or anal areas; torn, stained or bloody underclothes; chronic ailments such as recurrent abdominal pains or headaches; difficulty in walking or sitting; frequent urinary infections;	What the child tells you; withdrawn; chronic depression; excessive sexual precociousness; seductiveness; children having knowledge beyond their usual frame of reference e.g. young child who can describe details of adult sexuality; parent/child role reversal; over concerned for siblings; poor self-esteem; self-devaluation;



<p>avoidance of lessons especially PE, games, showers;  unexplained pregnancies where the identity of the father is vague;  anorexia/gross over-eating.</p>	<p>lack of confidence; peer problems;  lack of involvement;  massive weight change;  suicide attempts (especially adolescents); hysterical/angry outbursts;  lack of emotional control;  sudden school difficulties e.g. deterioration in school work or behaviour;  inappropriate sex play;  repeated attempts to run away from home; unusual or bizarre sexual themes in children's art work or stories;  vulnerability to sexual and emotional exploitation; promiscuity;  exposure to pornographic material.</p>
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**The following are guidelines for use by staff should a child disclose concerns of a child protection nature.**

<b>Do:</b>	<b>Do not:</b>
<ul style="list-style-type: none"> <li>❖ Listen to what the child says</li> <li>❖ Assure the child they are not at fault</li> <li>❖ Explain to the child that you cannot keep it a secret</li> <li>❖ Document exactly what the child says using his/her exact words</li> <li>❖ Remember not to promise the child confidentiality</li> <li>❖ Stay calm</li> <li>❖ Listen</li> <li>❖ Accept</li> <li>❖ Reassure</li> <li>❖ Explain what you are going to do</li> </ul>	<ul style="list-style-type: none"> <li>❖ Ask leading questions.</li> <li>❖ Put words into the child's mouth.</li> <li>❖ Ignore the child's behaviour.</li> <li>❖ Remove any clothing.</li> <li>❖ Panic</li> <li>❖ Promise to keep secrets</li> <li>❖ Ask leading questions</li> <li>❖ Make the child repeat the story unnecessarily</li> <li>❖ Delay</li> <li>❖ Start to investigate</li> <li>❖ <b>Do Nothing</b></li> </ul>

❖ Record accurately	
❖ Seek support for yourself	

## **7. Procedures for making complaints in relation to child abuse**

### **7.1 How a Parent can make a Complaint**

We aim to work closely with parents/guardians in supporting all aspects of their child's development and well-being. Any concerns a parent may have will be taken seriously and dealt with in a professional manner. If a parent has a concern they can talk to the class teacher or any member of the school's safeguarding team: the Principal, the Designated or Deputy Designated Teacher for child protection. If they are still concerned they may talk to the Chair of the Board of Governors. At any time a parent may talk to a social worker in the local Gateway team or to the PSNI Public Protection Unit. Details of who to contact are shown in the flowchart in **Appendix 2**.

### **7.2 Where the school has concerns or has been given information about possible abuse by someone other than a member of the school staff including volunteers**

Where staff become aware of concerns or are approached by a child they should not investigate as this is the responsibility of Social Services and/or PSNI. Staff should report these concerns immediately to the Designated/Deputy Designated Teacher and full notes should be made. These notes or records should be factual, objective and include what was seen, said, heard or reported. They should include details of the place and time and who was present and should be given to the Designated/Deputy Designated Teacher. The person who reports the incident must treat the matter in confidence.

The Designated/Deputy Designated Teacher will decide whether in the best interest of the child the matter needs to be referred to Social Services. If there are concerns that the child may be at risk, the school is obliged to make a referral. Unless there are concerns that a parent may be the possible abuser, the parent will be informed immediately.

The Designated/Deputy Designated Teacher may consult with members of the school's safeguarding team, the Southern Education & Library Board's Designated Officer for Child Protection or Social Services Gateway Team before a referral is made. During consultation with the SELB Designated Officer the child's details will be shared. No decision to refer a case to Social Services will be made without the fullest consideration and on appropriate advice. The safety of the child is our prime priority.

Where there are concerns about possible abuse and a referral needs to be made the Designated/Deputy Designated Teacher will telephone Social Services Gateway Team. He/she will also notify the SELB Designated Officer for

Child Protection. A UNOCINI (Understanding the Needs of Children in Northern Ireland) referral form will also be completed and forwarded to the Gateway team with a copy sent to the SELB Designated Officer for Child Protection and a copy will be kept in the school's child protection file.

If the Principal has concerns that a child may be at immediate risk from a volunteer, the services of the volunteer will be terminated immediately.

This procedure with names and contact numbers is shown in **Appendix 3**.

### **7.3 Where a complaint has been made about possible abuse by a member of the school's staff**

If a complaint about possible child abuse is made against a member of staff, the Principal {or Designated/Deputy Designated Teacher if the Principal is not available) **must be informed immediately**. The above procedures will apply (unless the complaint is about the Principal/Designated/Deputy Designated Teacher)

If a complaint is made against the Principal the Designated/Deputy Designated Teacher will inform the Chairperson of the Board of Governors who will ensure that necessary action is taken.

Where the matter is referred to Social Services the member of staff may be removed from duties involving direct contact with pupils or may be suspended from duty as a precautionary measure pending investigation by the appropriate authorities. The Chair of the Board of Governors will be informed immediately.

Child protection procedures as outlined in Appendix will be followed in keeping with current Department of Education guidance.

This procedure with names and contact numbers is shown in **Appendix 4**

## **8. Attendance at Child Protection Case Conferences and Core Group Meetings**

The Designated Teacher/Deputy Designated Teacher or Principal may be invited to attend an initial and review Child Protection Case Conferences and/or core group meetings convened by the Health & Social Care Trust. They may provide feedback which will be compiled following consultation with relevant staff. Feedback will be given to staff under the 'need to know' principle on a case-by-case basis. Children whose names are on the Child Protection register will be monitored and supported in accordance with the child protection plan.

## **9. Confidentiality And Information Sharing**

Information given to members of staff about possible child abuse cannot be held "in confidence". In the interests of the child, staff have a responsibility to share relevant information about the protection of children with other

professionals particularly the investigative agencies. Where abuse is suspected schools have a legal duty to refer to the Statutory Agencies. In keeping with the principle of confidentiality, the sharing of information with school staff will be on a 'need to know' basis.

Should a child transfer to another school whilst there are current child protection concerns we will share these concerns with the Designated Teacher in the receiving school.

## **10. Record Keeping**

All child protection records, information and confidential notes are kept in separate files in a locked drawer. These records are kept separate from any other file that is held on the child or young person and are only accessible by members of the safeguarding team.

## **11. Vetting Procedures**

All staff paid or unpaid who are appointed to positions in the School are vetted/supervised in accordance with relevant legislation and Departmental guidance.

## **12. Code Of Conduct For all Staff Paid Or Unpaid**

All actions concerning children and young people must uphold the best interests of the young person as a primary consideration. Staff must always be mindful of the fact that they hold a position of trust and that their behaviour towards the child and young people in their charge must be above reproach. The school's code of conduct is available on request.

## **13. Staff Training**

Erne Integrated College is committed to in-service training for its entire staff. Each member of staff will receive general training on Policy and procedures with some members of staff receiving more specialist training in line with their roles and responsibilities. All staff will receive basic child protection awareness training and refresher training, every 2 years. The Principal/Designated Teacher/Deputy Designated Teacher, Chair of the Board of Governors and Designated Governor for Child Protection will also attend relevant child protection training courses provided by the Child Protection Support service for Schools.

**When new staff or volunteers start at the school they are briefed on the school's Child Protection Policy.**

## **14. The Preventative Curriculum**

Extensive PD/INSYNC Personal Development Programme – this may include

- 10 Themes in each year – including health, feelings and emotions, managing influences, making decisions, self-concept, Me, managing change, drugs awareness, personal safety, relationships and sexuality, bullying, physical violence, personal hygiene. Teenage pregnancy, STI's, Birth control
- Police Visits – Leslie Ward (PSNI) delivered sessions on Internet safety, use of fireworks, criminal responsibility and extensive programme with Yr. 8 pupils. Drugs Awareness talk to Yr. 12 pupils from Leslie Ward (PSNI)
- DOE/PSNI training on road safety
- Women's Aid - Domestic Violence
- Weekly Counselling Service (Family Works Counselling)
- Salus/Mental Health Workshops

Throughout the school year child protection issues are addressed through class assemblies and there is a permanent child protection notice board in the main/Middle corridor and relevant information in each, which provides advice and displays child helpline numbers. A flow diagram of how a parent may make a complaint is also on display. An enlarged flow diagram for a teacher allegation is in staff room.

## **15. Monitoring And Evaluation**

The Safeguarding Team in Erne Integrated College will update this Policy and Procedures in the light of any further guidance and legislation as necessary and review it annually.

The Board of Governors will also monitor child protection activity and the implementation of the Safeguarding and Child Protection policy on a regular basis through the provision of reports from the Designated Teacher.

On-going evaluation will ensure the effectiveness of the Policy.

Date Policy Reviewed: \_\_\_\_\_

Signed:

\_\_\_\_\_ (Designated Teacher)

\_\_\_\_\_ (Principal)

\_\_\_\_\_ (Chair of Board of Governors)

**Appendix 1**  
**Erne Integrated College**

**Child Protection Incident Report**

**Child's Name:** \_\_\_\_\_ **DOB** \_\_\_\_\_ **Class** \_\_\_\_\_

Details of Incident/Disclosure\*

Name of Person completing the report: \_\_\_\_\_

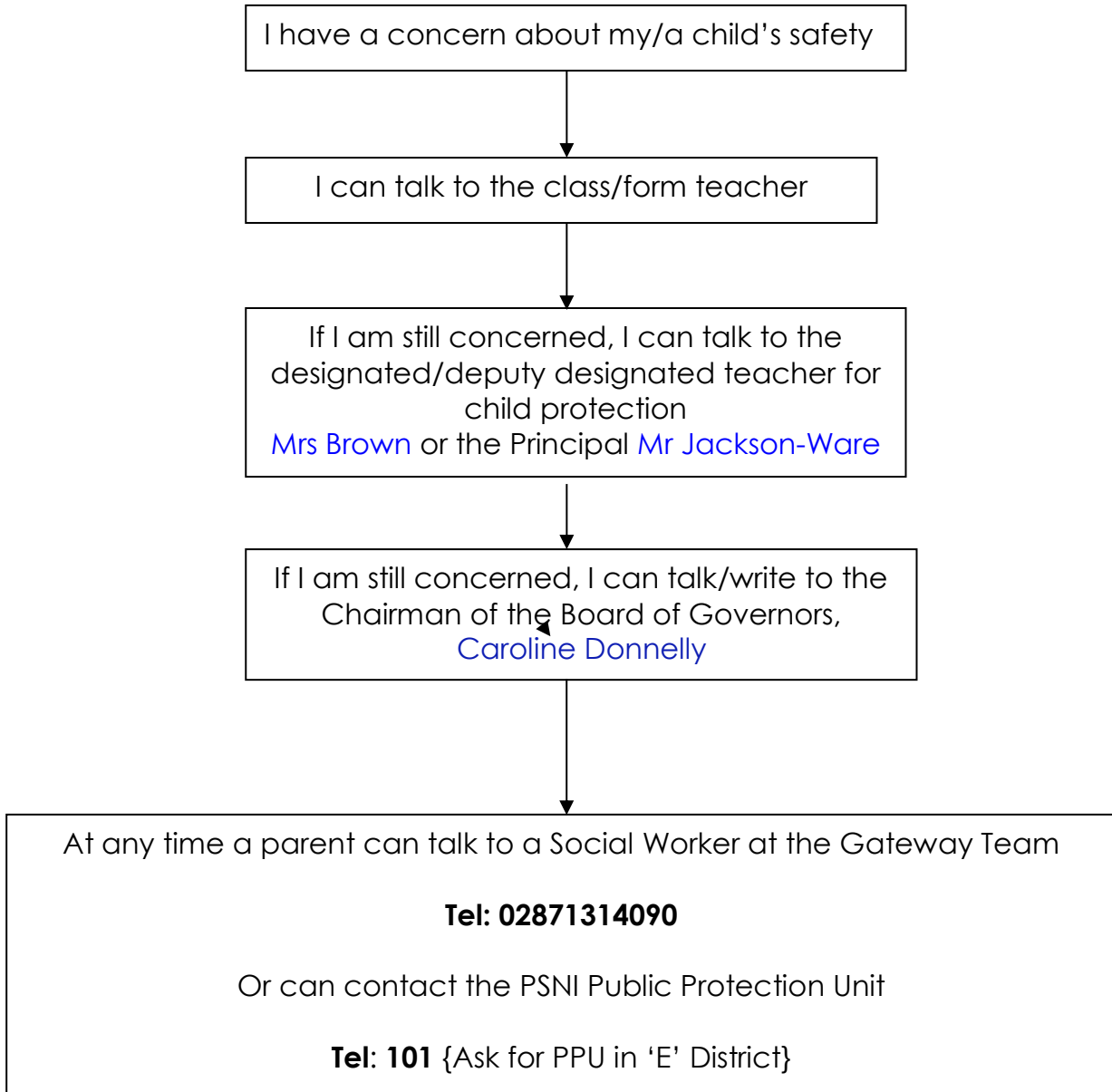
Designation: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

**\* Record actual words used by the child/young person**  
**Appendix 2**

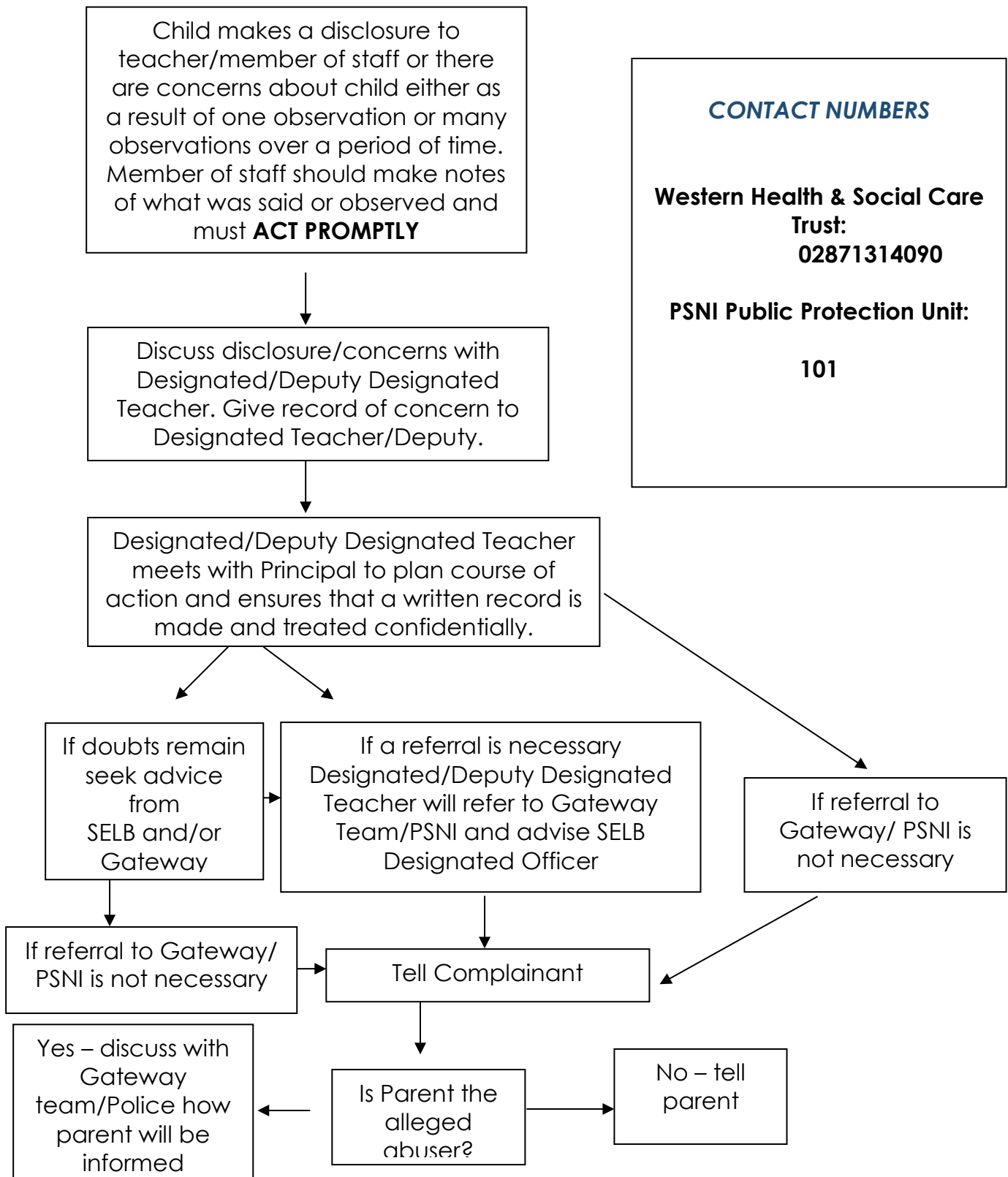
**How a Parent can make a Complaint**





### Appendix 3

*Procedure where the School has concerns, or has been given information, about possible abuse by someone other than a member of staff*



**CONTACT NUMBERS**

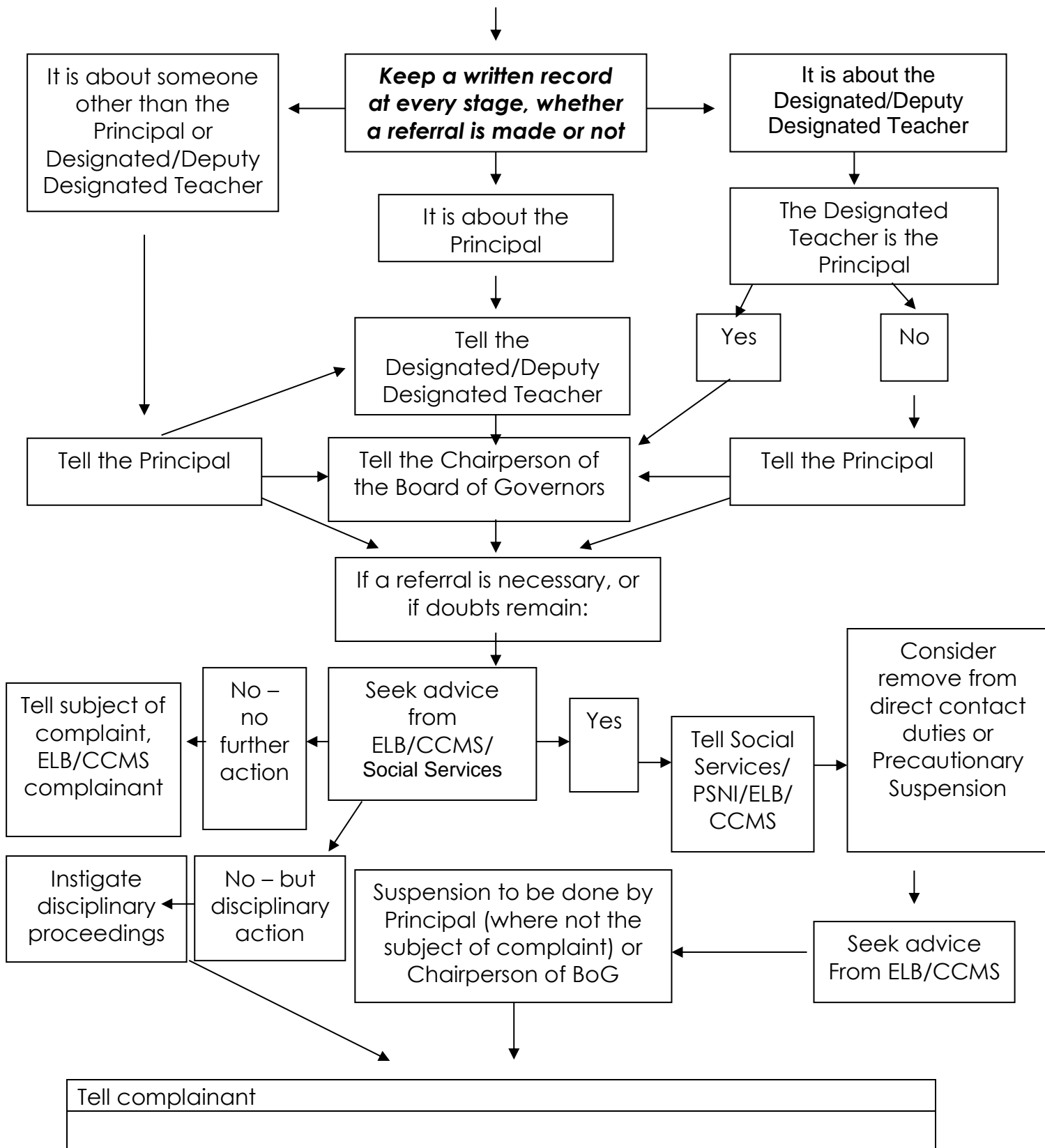
**Western Health & Social Care Trust:**  
**02871314090**

**PSNI Public Protection Unit:**  
**101**

### Appendix 4: Procedure where a complaint has been made about possible abuse by a member of the school's staff

It is

The complaint is about possible abuse by a member of staff



**Ratified by Board of Governors**

Our over-riding concern is to ensure that all pupils are happy, safe and achieving their full potential, academically and socially, during their time at the College. We subscribe fully to the provisions contained in the United Nations Convention on the Rights of the Child, and in particular the right to

protection from violence and harmful treatment – “that children have the right to be protected from all forms of violence; that they must be kept safe from harm; and that they must be given proper care by those looking after them” (Article 19).

The co-operation of the College and home is essential for the personal safety of children. To be able to talk and listen is an essential part of our pastoral care system.

While most children and young people are happy and safe throughout their time at College, some children may, from time to time, encounter difficulties which adversely affect their learning and welfare. External school influences may also impact adversely on the young person in school.

## **AIMS**

- 1) To implement best practice in terms of Child Protection.
- 2) To be aware of the needs and rights of children and young people in our care.
- 3) To encourage children and young people to communicate their problems.
- 4) To provide children and young people with the skills to cope with difficulties they may encounter in every-day life.

## **Erne Integrated College**

### **1. Guidance on the Use of Reasonable Force to Restrain or Control Pupils.**

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(Note: This policy will be reviewed after DENI's Working Party produces a Model Policy for all schools later this year. It applies to teaching staff, classroom assistants, and lunch-time supervisors employed at the College).

*Our Discipline Policy, as published, is based on positive expectations of the very highest standards of behaviour, and on the importance of close contact between home and College.*

We expect pupils to show

- *respect*
- *consideration*
- *honesty*

*at all times in their relationship with others.*

We aim to prevent problematic behaviour developing in the first instance, rather than focusing primarily on the symptoms of such behaviour. We concentrate on encouraging pupils to understand the consequences of their actions - thus helping them develop the qualities of self-discipline, respect for themselves, others and the property of others.

We have a pastoral responsibility towards the pupils in our care and must take all reasonable steps to ensure that the welfare of all our pupils is safeguarded and that their safety is preserved.

We have a duty to promote and secure good behaviour on the part of all pupils.

**The need to use reasonable force to restrain or control a pupil should be rare. Corporal punishment remains unlawful and no member of staff (teaching or non-teaching) may use any degree of physical contact which is deliberately intended to cause pain or injury or humiliation.**

**The application of reasonable force to restrain or control a pupil is to be used as a last resort, only when other behaviour management strategies have failed, and when the pupil, other pupils, members of staff, or property are at risk, or the pupil is seriously compromising good order and discipline.**

This document sets out the conditions under which a member of staff may use, in relation to any pupil at the College, such force as is reasonable to prevent him/her from

- \* Committing an offence
  - \* Causing personal injury to, or damage the property of any person (including the pupil's own)
  - \* Engaging in any behaviour prejudicial to the maintenance of good order and discipline at the College or among any of its students, whether during class or otherwise.

### **Where can reasonable force be used?**

The right of a teacher or other person to use reasonable force applies where the pupil concerned is on the College premises **and** when he/she has been authorised to have lawful control or charge of the pupil concerned elsewhere e.g. supervision of pupils in bus queues, on a field trip, or other authorised out of school activity such as a sporting event or educational visit.

### **What is meant by reasonable force?**

There is no precise definition of "reasonable force" so it is not possible to state, in fully comprehensive terms, when it is appropriate to use physical force to restrain or control pupils or the degree of force that may reasonably be used.

It will always depend on the circumstances of each case. However, there are three relevant considerations to be borne in mind:

- The **use or force** can be regarded as reasonable **only** if the circumstances of the particular incident warrant it. The use of any degree of force is unlawful if the particular circumstances do not warrant the use of physical force. Therefore physical force could not be justified to prevent a pupil from committing a trivial misdemeanour, or in a situation that clearly could be resolved without force;
- The **degree of force** employed must be in a proportion to the circumstances of the incident and the seriousness of the behaviour or the consequences it is intended to prevent. Any force used should always be the minimum needed to achieve the desired result;
- Whether it is reasonable to use force, and the degree of force that could reasonably be employed, might also depend on the age, level of understanding and sex of the pupil, and any physical disability he/she may have.

### **Is it appropriate to use reasonable force in every situation?**

**Reasonable force should not be used automatically in every situation nor should it be used as a form of discipline. In a non-urgent situation, reasonable force should only be used when other behaviour management strategies have failed.** That consideration is particularly appropriate in situations where the aim is to maintain good order and discipline, and there is no direct risk to people or property. Any action which could exacerbate the situation needs to be avoided, and the possible consequences of intervening physically, including the risk of increasing the disruption or actually provoking an attack, need to be carefully evaluated. The age and level of understanding of the pupil is also very relevant in those circumstances - physical intervention to enforce compliance with staff instructions is likely to be increasingly inappropriate with older pupils and **should never be used as a substitute for good behaviour management.**

Staff may not always have the time to weigh up the possible courses of action and it would be prudent therefore for them to have considered in advance the circumstances when they should and should not use reasonable force. Staff should, whilst taking due account of their duty of care to pupils, always try to deal with a situation through other strategies before using reasonable force. All teachers need to be aware of strategies and techniques for dealing with difficult pupils and situations which they can use to defuse and calm a situation. Best practice guidelines on successful discipline policies are currently being drawn up by a Working Group comprising representatives from schools, the Education and Library Boards and CCMS. These will be circulated to all schools shortly.

## When might it be appropriate to use reasonable force?

In a situation where other behaviour management strategies have failed to resolve the problem, or are inappropriate (eg in an emergency), there are a wide variety of circumstances in which reasonable force might be appropriate, or necessary, to restrain or control a pupil. They will fall into three broad categories:

- A. Where action is necessary in self-defence or because there is an imminent risk of injury;
- B. Where there is a developing risk of injury, or significant damage to property;
- C. where a pupil is behaving in a way that is compromising good order and discipline.

Examples of situations that fall into one of the first two categories are

- \* A pupil attacks a member of staff,, or another pupil;
- \* Pupils are fighting;
- \* A pupil is causing, or at risk of causing, injury or damage by accident, by rough play, or by misuse of dangerous materials, substances or objects;
- \* A pupil is running in a corridor or on a stairway in a way in which he/she might have or cause an accident likely to injure him or herself or others;
- \* A pupil absconds from a class or tries to leave school **(NB this will only apply if a pupil could be at risk if not kept in the classroom or at school).**

Examples of situations that fall into the third category are:

- \* A pupil persistently refuses to obey an order to leave a classroom;
- \* A pupil is behaving in a way that is seriously disrupting a lesson.

However, some practical considerations also need to be taken into account:

Before intervening physically a member of staff should seek to deploy other behaviour strategies. Where these have failed, the member of staff should, wherever practicable, tell the pupil who is misbehaving to stop, and what will happen if he/she does not. The member of staff should continue attempting to communicate with the pupil throughout the incident, and should make it clear that physical contact or restraint will stop as soon as it ceases to be necessary. A calm and measured approach to a situation is needed and staff should never give the impression that they have lost their temper, or are acting out of anger or frustration, or to punish the pupil.

Sometimes a member of staff should not intervene in an incident without help (unless it is an emergency), for example, when dealing with an older pupil, or a

physically large pupil, or more than one pupil, or if the teacher believes he/she may be at risk of injury. In those circumstances the member of staff should remove other pupils who might be at risk, and summon assistance from a colleague or colleagues. The member of staff should inform the pupil(s) that he/she has sent for help. Until assistance arrives the member of staff should continue to attempt to defuse the situation orally, and try to prevent the incident from escalating.

Situations where a pupil refuses to obey an order to leave the classroom need to be handled carefully as they can be a prelude to a major confrontation, especially if reasonable force is used to eject older pupils. Where a pupil persistently refuses to leave a classroom and the teacher believes that the use of reasonable force will endanger the teacher or other pupils, an emergency response procedure should be used whereby assistance can be summoned quickly, for example a trusted pupil is sent for help from a senior teacher. If the College is aware that a pupil is likely to behave in a disruptive way that may require the use of reasonable force, it will be sensible to plan how to respond if the situation arises. Such planning needs to address:

- Managing the pupil (eg reactive strategies to de-escalate a conflict, holds to be used if necessary);
- Involving the parents to ensure that they are clear about the specific action the school might need to take;
- Briefing staff to ensure they know exactly what action they should be taking (this may identify a need for training or guidance);
- Ensuring that additional support can be summoned if appropriate.

### **What might be regarded as constituting reasonable force?**

Physical intervention can take a number of forms. It might involve staff:

- \* Physically interposing between pupils;
  - \* Blocking a pupil's path;
  - \* Holding;
  - \* Pushing;
  - \* Pulling;
  - \* Leading a pupil by the arm;
  - \* Shepherding a pupil away by placing a hand in the centre of the back;
- or
- \* (in extreme circumstances) using more restrictive holds.

In exceptional circumstances, where there is an immediate risk of injury, a member of staff may need to take any necessary action that is consistent with the concept of "reasonable force", for example, to prevent a young pupil running off a pavement onto a busy road, or to prevent a pupil hitting someone, or throwing something. **However, staff should never act in a way that might reasonably be expected to cause injury, for example by:**

- \* Holding a pupil round the neck, or by the collar, or in any other way that might restrict the pupil's ability to breathe;
- \* Slapping, punching, kicking or using any implement on a pupil;
- \* Throwing any object at a pupil;
- \* Twisting or forcing limbs against a joint;
- \* Tripping up a pupil;
- \* Holding or pulling a pupil by the hair or ear;
- \* Holding a pupil face down on the ground.

Staff should also avoid touching or holding a pupil in any way that might be considered indecent.

### **What action can be taken in self-defence or in an emergency situation?**

It is difficult to cover every possible situation in which it might be reasonable for someone to use a degree of force. For example, everyone has the right to defend themselves against an attack provided they do not use a disproportionate degree of force to do so. Similarly, in an emergency, for example if a pupil is at immediate risk of injury or on the point of inflicting injury on someone else, **any** member of staff would be entitled to intervene whether or not specifically authorised by the Principal to do so.

### **Is physical contact with pupils appropriate in other circumstances?**

Although physical contact with pupils should generally be avoided, there can be occasions when physical contact with pupils may be proper or necessary. For example, some physical contact may be necessary to demonstrate exercises or techniques during PE lessons, sports coaching, music or technology and design, or if a member of staff has to give first aid. Young children and children with special educational needs may also need staff to provide physical prompts or help. Touching may also be appropriate where a pupil is in distress and needs comforting. Teachers should use their own professional judgement when they feel a pupil needs this kind of support. Guidance on these issues can be found in paragraphs 73 and 74 of the booklet accompanying Circular 1999/10 (Pastoral Care in Schools: Child Protection).

There may be some children for whom touching is particularly unwelcome, because, for example, they have been abused. Physical contact with pupils



becomes increasingly open to question as pupils reach and go through adolescence, and staff should also bear in mind that even innocent and well-intentioned actions can sometimes be misconstrued.

### **Should incidents where reasonable force is used be recorded?**

It is extremely important that there is a detailed, contemporaneous, written report of an occasion (except minor or trivial incidents) where reasonable force is used. This may help prevent any misunderstanding or misrepresentation of the incident, and it will be helpful should there be a complaint. The College will keep an up-to-date record of all such incidents, in an incident book. Immediately following any such incident the member of staff concerned should tell the Principal or a senior member of staff and provide a short written factual report as soon as possible afterwards. That report should include:

\* The name(s) of the pupil(s) involved, and when and where the incident took place;

\*The names of any other staff or pupils who witnessed the incident;

\*The reason that force was necessary (eg to prevent injury to the pupil, another pupil or a member of staff);

\* Briefly, how the incident began and progressed, including details of the pupil's behaviour, what was said by each of the parties, the steps taken to defuse or calm the situation, the degree of force used, how that was applied, and for how long;

\*The pupil's response, and the outcome of the incident;

\*Details of any obvious or apparent injury suffered by the pupil, or any other person, and of any damage to property.

At least annually, the Chairman of the Board of Governors and the Principal should review the entries in the incident book. Records of incidents should be kept for 5 years after the date they occurred.

Staff may find it helpful to seek advice from a senior colleague (eg the Principal or senior member of staff who has been designated to provide guidance on the use of reasonable force), or a representative of their professional association when compiling a report. They should also keep a copy of the report.

Incidents involving the use of force can cause the parents of the pupil involved great concern. It is always advisable to inform parents of an incident involving their child (other than a trivial incident), and give them an opportunity to discuss it. The Principal, or a member of staff to whom the incident is reported, will need to consider whether that should be done straight away or at the end of the school day, and whether parents should be told orally or in writing.

### **Are complaints about the use of reasonable force likely to occur?**

Involving parents when an incident occurs with their child, and having a clear policy about the use of reasonable force that staff adhere to, should help to avoid complaints from parents. It will not, however, prevent all complaints, and any complaint from a parent about the use of reasonable force on his/her child should be dealt with in accordance with the procedures set out in the booklet accompanying Circular 1999/10 (Pastoral Care in Schools: Child Protection).

The possibility that a complaint might result in a disciplinary hearing, or a criminal prosecution, or in a civil action brought by a pupil or parent, cannot be ruled out. In these circumstances it would be for the disciplinary panel or the court to decide whether the use and degree of force was reasonable in all the circumstances. It would also be likely to take account of the College's policy on the use of reasonable force, whether that had been followed, and the need to prevent injury, damage, or disruption, in considering all the circumstances of the case.

### **Will suitable training and supporting advice on the use of reasonable force be provided for teachers and other authorised staff?**

Education and Library Boards are being asked to arrange suitable training courses for a senior teacher in each school who will then be responsible for providing "cascade" training and advice to other staff in the school. Boards are being asked to place an emphasis on and cover behaviour management strategies which seek to avoid the need to use reasonable force to restrain or control pupils. Such training will be in the context of schools' behaviour and child protection policies.