



**Little Learners**  
NURSERY GROUP

# **Use of Reasonable Force Policy**

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Charity Reg. No:1157645

# Use of Reasonable Force Policy

## What the Law says

Section 93 of the Education and Inspections Act 2006 - Nursery staff may use reasonable force to prevent the following:

- Committing a criminal offence
- Causing injury to themselves or another
- Damaging personal/school property
- Behaviour prejudicing the maintenance of good order/discipline in the nursery.

## Who may use force?

The use of force upon any child by a member of staff is a serious matter, and should only be considered as a last resort. However, the law is clear and the Board of Directors has a responsibility to all concerned, to support any member of staff who as a last resort uses reasonable force in accordance with the law, and with this policy.

- a) All staff who have control or charge of children (Senior Management, Principal, Nursery Manager,)
- b) Staff who do not usually have such control or charge – (Catering staff, volunteers such as parents or Directors) in circumstances where the safety of the child or other children becomes an issue.

## Planning for Incidents

- If a child is likely to behave in a way which may require physical control or restraint, the nursery will plan how to respond if the situation arises.
- Particular attention will be given to individuals' needs which arise from statements of SEN or Disability.

## Training for Staff

- Physical restraint is an option, only to be used when other means have failed.
- Staff are made aware of this policy and have training on child protection
- Suitable training to be provided when necessary .

## Use of Physical Force by Staff

The power may be used where the child, including one from another nursery/school, is on nursery premises or elsewhere in the lawful control or charge of a staff member – for example on a nursery visit.

Two principle considerations:

- Use of force can only be reasonable if the circumstances warrant it
- Degree of force must be in proportion to the incident/behaviour or consequence the force is used to prevent. Force shall only be the minimum required

Staff are reminded that the use of any force upon a child may need to be justified at some time after the incident and the responsibility for justification lies with the individual.

## Deciding whether to use force

General rule - only use force when:

- Potential consequences of not intervening are sufficiently serious to justify
- Chance of achieving desired outcome by other means are low
- The risk associated with not using force outweighs the risk of using it

## Using Force

Before using force:

- Calmly tell the child to stop misbehaving it is important that you do not appear angry or frustrated
- Tell the child that force has become necessary
- Calmly explain that as soon as the need for force ceases, it will stop
- Appropriate use of force ranges from physical passive presence, ushering/leading with one hand to using appropriate restraining holds.
- Truly exceptional circumstances it is recognised that injuries may result. Any such injury caused will be investigated by the nursery and require justification.

### **Post-incident support**

- If there are injuries:
  - medical help sought straight away
  - parents informed as soon as possible verbally or in writing and provided with a copy of this policy
- Staff /children receive emotional support
- For parents of SEN children, a meeting to agree pastoral support plan
- When assessing the incident, consideration will be given to involving multi-agency partners.
- Where a child is responsible for injury:
  - hold him/her to account and issue the appropriate sanction
  - opportunity for to repair relationships and develop social and emotional skills
  - Support to develop strategies

### **Recording Incidents**

- The Nursery will keep a record of each significant incident of the use of force
- Whether or not an incident is significant will be a matter for the Nursery to decide on a case by case basis considering:
  - the child's behaviour
  - the level of risk presented at the time
  - the degree of force used and proportion in relation to the behaviour
  - the effect on the child and staff
- The purpose of recording:
  - ensure policy guidelines are followed
  - inform parents
  - inform future planning
  - prevent misunderstanding
  - provide a record for any future enquiry
- Parents will be informed of the incident.