



Little Learners
NURSERY GROUP

Use of Reasonable Force Policy

Reviewed: July 2023
To be reviewed: July 2024

Introduction

A child may display behaviour which is well beyond acceptable boundaries and which puts themselves, other children and staff at risk. The use of physical intervention is avoided wherever possible. However, where necessary and appropriate, reasonable force will be used to control or restrain children where the safety of themselves, other children or staff is at risk.

Physical restraint will only be used as a last resort when all other behaviour management strategies have failed.

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.

The aim of the nursery:

- To create a warm, calm and orderly atmosphere that promotes a sense of community
- Achieve a consistent attitude by all staff that gives children a sense of security and safety whilst promoting clear expectations on acceptable behaviour
- Ensure that all staff, directors of the nursery, children, and parents/carers understand their roles and responsibilities with regard to behaviour management
- Promote the continual development of staff and appropriate documented training necessary.

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.

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.

In extreme cases where physical intervention may become necessary it will be undertaken by nominated staff who have received training. Two members of staff will be present and details of the incident and outcomes will be recorded within 24 hours of the event and retained within the child's file. Parents will be given details of the incident as soon as possible after it occurs with a copy of the incident report. We will inform the local authority of any significant injuries sustained by children or staff.

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.