

Version	Jan 15
Owner	Resources
Adopted	
Last Reviewed	January 2020
Review Cycle	3 Years
Next Review	January 2023



## **Positive Handling Policy and the Use of Reasonable Force to Control or Restrain Students**

### **Introduction**

This document is designed to explain the policy on physical contact and provide guidelines which enable all staff to provide consistent support to pupils who exhibit challenging behaviour. By following this advice the aim is to minimise risk to the health and safety of all who attend the school/setting.

This policy takes account of the most recent guidance issued by the DFE July 2013.

Good personal and professional relationships between staff and pupils are vital to ensure good order in our school. It is recognised that the majority of pupils in our school respond positively to the behavior management strategies of the school and staff. This ensures the well-being and safety of all pupils and staff in school.

It is also acknowledged that in exceptional circumstances, staff may need to take action in situations where the use of reasonable force may be required.

DFE guidance 2013 states.

### **Schools can use reasonable force to:**

- remove disruptive children from the classroom where they have refused to follow an instruction to do so;
- prevent a pupil behaving in a way that disrupts a school event or a school trip or visit;
- prevent a pupil leaving the classroom where allowing the pupil to leave would risk their safety or lead to behaviour that disrupts the behaviour of others;
- prevent a pupil from attacking a member of staff or another pupil, or to stop a fight in the playground; and
- restrain a pupil at risk of harming themselves through physical outbursts.

### **Schools cannot:**

- use force as a punishment – it is always unlawful to use force as a punishment.

### **Positive Contact with Students**

There may be times when it is appropriate to have positive physical contact:

- Comfort
- Curricular reasons (eg P.E.)
- Gentle guidance
- First aid (see final section in document)

The most important rule is to know students. Staff should not touch a student unless they are confident that they know that there would be no detrimental effects in doing so. Staff should take into consideration:

- The student's age
- The student's gender
- The student's understanding of the need for contact
- The location
- How often
- Parts of the body
- The student's background

If a member of staff is not sure of the above or is uncertain then no contact should take place unless there is an urgent need to avert immediate danger to the student or another person or where staff may be deemed negligent if they fail to intervene.

### **The Legal View**

Under the strict eyes of the law touch without consent is considered a criminal offence. However, staff also should consider their over-riding duty of welfare. It is vital that before intervening staff should think through the possible outcomes and be sure that they can account for their actions. They can always be challenged by employers, parents and the law.

- **As a general rule nobody has the right to touch, move, hold or contain another person**
- **However, people with a duty of care operate in exceptional circumstances where it is sometimes necessary to act outside the norm**
- **Whenever they do so they should be clear about why it is NECESSARY**
- **They need to show that any actions taken were in the child's BEST INTEREST and that they were REASONABLE AND PROPORTIONATE**

### **Physical Intervention**

Staff may physically intervene using reasonable force as detailed above.

### **Risk Assessment**

Time will not always allow a proper risk assessment prior to an intervention but where the risk is foreseeable it is important that assessment of risk is carried out and all staff are made aware of these assessments.

An immediate risk assessment at the scene should consider:

- The most effective outcome
- Clothing/jewellery worn by those involved
- The location
- The age, gender and medical condition of the pupil and the member of staff
- The availability of assistance
- The presence of other students (they should be moved to another area if possible)
- The state of mind of the student and the member of staff
- The presence or potential risk of weapons
- Knowledge of the student's previous history especially with prior restraint and physical contact

Behaviour Care Plans will be in place where it is considered that a pupil may require some physical intervention.

### **Restraint**

Restraint should only be used as a last resort. All other de-escalation/distraction strategies should be applied first. Restraint should never be used to impose will upon a pupil. Staff should not physically intervene if they feel that they are not able to regulate their own emotions.

### **Handling**

Staff should apply the Passive Intervention techniques to the situation where ever possible. They should be aware of the following in particular:

- Ensure that wherever possible at least two members of staff are present
- To use minimum force for the minimum time
- Not to inflict pain
- Not to degrade or demean
- To avoid contact with sensitive body parts

### **During Restraint**

Restraint should always be for as little time as possible and while it is happening the following principles should be applied:

- Actions should be explained
- The student should be reassured in a calm way
- Clear regular messages about conditions for ceasing restraint should be given
- The type of and strength of the physical force being used should be monitored
- Airway, breathing and the general health and well-being of the pupil should be paramount at all times.

### **Following Restraint**

- Once a student is calmer and no longer requires restraint staff should continue to talk to him/her and continue de-escalation and reassurance. The following must also be carried out:
- An Incident Report (Incident Involving Physical Restraint) form - see attached must be completed
- The incident must be reported to the head teacher or a member of the Senior Leadership Team.
- It is good practice to discuss the incident with other adults who were involved
- It may be necessary to de-brief other pupils who were witness or involved
- Parents must be informed as soon as possible following the restraint.
- Staff involved in holding should be given an opportunity to de-brief with senior staff – the guidance suggests within 24 hours

### **Summary**

Staff should always remember:

- Pupils are in your care.
- Physical intervention should be used to keep them safe.
- Staff can be and should be challenged about what is done by colleagues, parents, social workers etc.
- Staff should be sure of their actions, intentions and feeling.

## Positive Handling Report

<b>Report Date:</b>		<b>Name of Pupil:</b>		<b>Year Group:</b>	
<b>Date of Incident:</b>		<b>Time of Day:</b>		<b>Location:</b>	
<b>Length of Intervention:</b>		<b>Report Complied by:</b>		<b>Role in School:</b>	
<b>Names of Staff Involved:</b>			<b>Names of Anyone who witnessed the event:</b>		
<b>Has record been logged in incident book?</b>	<b>Yes / No</b>		<b>Reason for Intervention:</b>	Danger of personal injury to pupil(s) or member(s) of staff Danger to property – anticipated / actual To prevent absconding/to retrieve from running away Prevent criminal act/interrupt current criminal act Prevent/interrupt disruption	
<b>Trigger for incident (please record behaviours rather than perceived emotions)</b>					
<b>Behaviour observed:</b>	Persistent refusal to follow instructions Verbal abuse Property damage Persistent disruption of group activity or lesson Pushing / Hitting / Biting / Kicking / Head butting / Spitting / Self harm				
<b>How did the pupil respond to the intervention? Describe what actually happened.</b>					

<b>De-escalation techniques used:</b>	Reminder of previous success/contingent touch/step away/take-up time Praise for appropriate response/verbal support reassurance Calming and offer to listen/planned ignoring Persuasion distraction/appropriate humour/choices offered Limits and consequences set Time out offered/time out/directed negotiation Change of staff Holding or guiding techniques used in the intervention: (Add description of techniques where training has taken place)		
<b>Total duration of the physical intervention</b>		<b>Who was involved in holding the pupil throughout?</b>	
<b>Post incident intervention: What did the pupil say about the event?</b>			
<b>What did the staff member say about the event?</b>			
<b>What steps were taken to repair and rebuild relationships?</b>	<b>For the pupil:</b>	<b>For the staff involved?</b>	
<b>Was there an opportunity to reflect and learn from the incident?</b>		<b>Yes / No</b>	
<b>What was the outcome of such a discussion?</b>			

<b><u>Medical intervention:</u></b>			
Breathing and circulation checked throughout the event?		Yes / No	
Did the pupil sustain any bruises?		Yes / No	
Known physical injury to the child? Details:		Yes / No	
Referral to GP or hospital?		Yes / No	
Injury to others?	Injury to staff:		
To whom was the incident reported?			
Contemporaneous record made in Incident Log Book (resolution)	Describe:		
What were the consequences of the incident (resolution)	Describe:		
Response and view of the pupil			
Has this report been read to and discussed with the pupil?		Yes / No	
The pupil agrees with the content?		Yes / No	
		If no – what views does the pupil hold?	
<b><u>Staff debriefing of the event</u></b> Debrief carried out by (line manager)  _____		Yes / No	
		Comments for record:	

<b>Signed (line Manager)</b>			
<b>Date parent informed:</b>		<b>Parental comments:</b>	
<b>Further actions or consequence:</b>			
<b>Child Protection informed?</b>	<b>Yes / No</b>	<b>Date:</b>	
<b>Signed: (responsible officer)</b>			

FULLY COMPLETED FORM MUST BE SUBMITTED TO THE HEADTEACHER NO LATER THAN 24 HOURS FOLOWING THE INCIDENT