



## Positive Handling of Pupils Policy

*“If you have faith as small as a mustard seed, nothing will be impossible to you.” (Matthew, 17:20)*

### **GDPR**

Data will be processed to be in line with the requirements and protections set out in the UK General Data Protection Regulation.

Policy to be reviewed every 3 years  
Reviewed by S Oakland & A Clark 24<sup>th</sup> March 2023  
Reviewed by Governors: M Wilby 28<sup>th</sup> March 2023  
Next review date: Spring 2026

## Positive Handling of Pupils Policy

St Bartholomew's Primary School encourages pupils to follow our CARES code and make positive behaviour choices.

This policy acknowledges that sometimes a situation may require some form of physical intervention (guide or restraint) by a staff member(s) to: maintain the safety of a child, and/ or prevent injury to pupils in the area around them; enable classroom learning to continue; prevent damage to property and/ or equipment.

Our Positive Handling Policy is based upon the following principles:

- De-escalation of an incident - by verbal means and or 'change of face' - is always employed throughout the school;
- Physical intervention (guide or restraint) is used only as a last resort when other appropriate strategies have failed;
- The duration of any physical contact is managed to a minimum;
- Physical intervention is used in ways that maintain the safety and dignity of all concerned;
- Incidents are recorded and reported to the Headteacher and as appropriate, recorded in the 'Bound and Numbered Book';
- Parents are informed of incidents when a guide or restraint has needed to be used.

This policy has been written with DFE 'Use of reasonable force' advice for Headteachers, staff and governing bodies July 2013.

### 1. THE LEGAL FRAMEWORK

Section 93 of the Education & Inspections Act 2006 allows teachers to use such force as is reasonable teachers to in the following circumstances:

#### Power of members of staff to use force

- (1) A person to whom this section applies may use such force as is reasonable in the circumstances for the purpose of preventing a pupil from doing (or continuing to do) any of the following, namely—
  - (a) committing any offence,
  - (b) causing personal injury to, or damage to the property of, any person (including the pupil himself), or
  - (c) prejudicing the maintenance of good order and discipline at the school or among any pupils receiving education at the school, whether during a teaching session or otherwise.
- (2) This section applies to a person who is, in relation to a pupil, a member of the staff of any school at which education is provided for the pupil.

### 2. DEFINITION OF REASONABLE FORCE AND RESTRAINT

The DFE guidance (2013) on the 'Use of Reasonable Force' defines and explains these terms in the following way:

The term 'reasonable force' covers the broad range of actions used by most teachers at some point in their career that involve a degree of physical contact with pupils.

Force is usually used either to control or restrain. This can range from **guiding** a pupil to safety by the arm through to more extreme circumstances, such as breaking up a fight, or where a pupil needs to be restrained to prevent violence or injury.

'Reasonable in the circumstances', means using no more force than is needed.

Control - means either passive physical contact, such as standing between pupils or blocking a pupil's path, or active physical contact such as leading a pupil by the arm out of a classroom.

Restraint - means to hold back physically or to bring a pupil under control. It is typically used in more extreme circumstances, for example when two pupils are fighting and refuse to separate without physical intervention.

School staff should always try to avoid acting in a way that might cause injury, but in extreme cases it may not always be possible to avoid injuring the pupil.

All members of staff who can use reasonable force have a legal power to use it. This power applies to any member of staff at the school. It can also apply to people whom the Headteacher has temporarily put in charge of pupils such as unpaid volunteers or parents accompanying pupils on a school organised visit.

The DFE Guidance 2013 on 'Use of reasonable force' states that schools can use reasonable force to:

- remove disruptive children from the classroom where they have refused to follow and instruction to do so;
- prevent a pupil behaving in a way that disrupts a school event, trip or a 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.

In addition to the general power to use reasonable force described above, Headteachers and authorised staff can use such force, as is reasonable given the circumstances, to conduct a search for the following 'prohibited items': knives and weapons, alcohol, illegal drugs, stolen items, tobacco and cigarette papers, fireworks, pornographic images and any article that has been or is likely to be used to commit an offence, cause personal injury or damage to property.

Force cannot be used to search for items banned under the school rules, e.g. toys, latest 'trend' items.

### **3. OUR APPROACH**

We aim to avoid the need for physical intervention and regard this as a last resort in a minority of situations. We always aim to deal with behaviour using a positive approach and therefore this policy should be read in connection with our latest Behaviour & Discipline Policy.

It is not possible to define every circumstance in which physical restraint would be necessary or appropriate. Staff exercise their own professional judgement in situations which arise within the above categories. Staff act within our school's policy on behaviour and discipline, particularly in dealing with disruptive behaviour. Once again it is stressed that physical intervention is only used when all other strategies have failed to have the desired effect on a pupil's behaviour.

Where there is a need, teachers are trained in positive handling techniques through 'Team Teach' methods.

NB It is not illegal to touch a pupil. There are occasions when physical contact, other than reasonable force, with a pupil is proper and necessary. This includes members of staff as well as people whom the headteacher has temporarily put in charge of pupils accompanying students on a school organised visit. Examples of where touching a pupil might be proper or necessary:

- Holding the hand of the child at the front/back of the line when going to assembly or when walking together around the school
- When comforting a distressed pupil
- When a pupil is being congratulated or praised
- To demonstrate how to use a musical instrument
- To demonstrate exercises or techniques during PE lessons or sports coaching
- To give first aid

Staff are aware that when they are in charge of children during the school day, or during other supervised activities, they are acting in loco parentis and have a 'Duty of Care' to all children of whom they are in charge. They therefore take reasonable action to ensure the safety and well-being of all pupils. This being said, staff are not expected to place themselves in situations where they are likely to suffer injury as a result of their intervention.

#### **4. USE OF PHYSICAL RESTRAINT OR INTERVENTION**

Physical restraint is applied as an act of care and control with the intention of re-establishing verbal control as soon as possible and, at the same time, allowing the pupil to regain self-control. It never takes a form which could be seen as punishment.

Staff are only authorised to use reasonable force in applying physical restraint i.e. only applying force necessary to stop or prevent danger should be used, in accordance with the guidelines below. In all circumstances, alternative methods are used as appropriate with physical intervention or restraint a last resort.

In the exceptional circumstances when physical restraint or intervention becomes necessary, staff:

#### **DO**

- Summon help / involve another member of staff if possible
- Continue to talk to the pupil in a calm way
- Use simple and clear directions - scripted where part of an individual 'plan' - limiting choices;
- Offer withdrawal, giving verbal advice and support and as appropriate reminders of consequences;
- Use the minimum force necessary
- Be aware of any feelings of anger
- Hold limbs above a major joint if possible e.g. above the elbow
- Use caring 'C's
- If necessary - and with up to date Team Teach training - use 'double elbow' technique (only to be used by Team Teach trained staff (certificate valid for 36 months)
- Relax the restraint in response to the pupil's compliance, as soon as is possible

#### **DON'T**

- Try to manage on your own
- Stop talking even if the pupil does not reply
- Act in temper
- Allow a prolonged verbal exchange with the pupil
- Involve other pupils in the restraint
- Use physical restraint or intervention as a punishment
- Touch or hold the pupil in a way that could be viewed as sexually inappropriate conduct
- Twist or force limbs back against a joint Bend fingers or pull hair
- Hold the pupil in a way which will restrict blood flow or breathing e.g. around the neck
- Slap, punch, kick or trip up the pupil

## **5. ACTIONS AFTER AN INCIDENT**

Physical intervention can occur in response to highly charged emotional situations and there is a clear need for debriefing after the incident, both for pupil(s) and staff members involved. The Headteacher (or member of SLT in his/ her absence) will be informed of any incident as soon as is possible and takes responsibility for making arrangements for restorative conversations, once the situation has stabilised.

An appropriate member of the teaching team (including SENDCo) or support staff (including ELSA) debriefs the pupil concerned, including consideration of the circumstances that precipitated the incident and exploring ways in which future incidents may be avoided. Any other individuals involved in the incident will also be offered support.

If the behaviour is part of an ongoing pattern, it may be necessary to address the situation through the development or review of an individual behaviour plan (IBP), which may include a risk assessment, an anger management programme and/ or possible involvement of external agencies.

All incidents (requiring a guide and/ or restraint) are recorded immediately in the 'Bound and Numbered Book'. All sections of the report are completed so that any patterns of behaviour can be identified and addressed. In the event of any future complaint or allegation, this record provides essential and accurate information. This book is kept in the Headteacher's Office.

A member of SLT (or in their absence the MLT) contacts parents/ carers (by phone) as soon as possible after an incident - wherever possible on the same day - to inform them of the actions that

were taken and why, and to provide them with an opportunity to discuss it. Parents may be given a written copy of the incident notes.

## **6. RISK ASSESSMENTS**

If we become aware - through picture building, i.e. supporting information with admission; an escalating pattern of incidents - that a pupil is likely to behave in a disruptive way that may require the use of positive handling, we will plan our potential responses. Such planning (recorded on a Individual Behaviour Plan) would address:

- strategies to be used prior to intervention;
- ways of avoiding 'triggers' if these are known;
- involvement of parents to ensure that they are clear about the specific action the school might need to take;
- briefing of staff to ensure they know exactly what action they should be taking (this may identify a need for training or guidance);
- identification of additional support that can be summoned if appropriate;
- the school's duty of care to all pupils and staff.

## **7. COMPLAINTS AND ALLEGATIONS**

A clear 'Positive Handling of Pupils' Policy, adhered to by all staff and shared with families via the school website, is essential to safeguard the health and well-being of our pupils and staff team.

It is unlikely to prevent a complaint(s), relating to a situation requiring physical intervention. However, clear guidance and expectations for the application of these measures, reduces the likelihood of 'handling' being needed other than as a last resort, as outlined.

A dispute about the use of force by a member of staff might lead to an investigation under our 'Complaints, Harassment, Intimidation and Bullying of Staff' Procedure. In the event of a 'low level concern' reported and further to preliminary investigations, the Headteacher may contact the LADO in line with our 'Safeguarding and Child Protection' Policy.

It is our intention to inform all staff, pupils, parents and governors about these procedures and the context in which they apply. We will review this policy annually.

This policy should be read in conjunction with the following policies:

- Behaviour and Discipline Policy
- Safeguarding and Child Protection Policy
- Guidance for Safer Working Practice for Adults who Work with Children and Young People in School Settings (Feb 2022)