

St. Joseph's Catholic Primary School

Positive Handling

Use of Physical Intervention with Pupils

This policy will operate in conjunction with other policies and practices of the school including Positive Behaviour and Safeguarding and Child Protection.

The ethos of St. Joseph's is firmly rooted in our Mission Statement which in practice promotes motivation through positive reinforcement, together with a strong emphasis on personal accountability and responsibility for one's own behaviour.

Pupils thrive emotionally on the security which results from the consistency of well established routines and structure which encourages pupils to achieve their personal best and build their self-esteem. High expectations of staff in terms of pupil behaviour and attitude to work help promote pupils' self-control, feelings of worth and self-respect.

At St. Joseph's we seek to demonstrate

- ✓ Consistent, clear and fair principles, which relate to the school's aims and objectives
- ✓ Arrangements and practices which are known to pupils, staff and parents which convey the ethos of the school
- ✓ A sense of community and shared values
- ✓ Mutual respect
- ✓ The promotion of positive relationships between all members of our community
- ✓ A commitment to proactive rather than crisis driven responses
- ✓ The encouragement of self-worth, self-confidence and self-discipline
- ✓ An emphasis on effort and achievement
- ✓ The encouragement of good behaviour
- ✓ Use of sanction is fair, consistent and considered.

Responsibilities and Entitlement

St. Joseph's acknowledges that pupils, staff, parents/carers, governors and the community all have rights and responsibilities that should be reflected in its policy and practice for managing pupil behaviour.

Responsibilities

Pupils at St. Joseph's have a responsibility for

- Behaving in a manner which neither prejudices the health and safety of others nor disrupts the school's learning environment.

Staff at St. Joseph's have a responsibility for

- Ensuring their awareness of and compliance with the policy and related practice;

- Ensuring their active support for the establishment and maintenance of a safe and supportive learning environment;
- Contributing to the evaluation and review of the policy and related practice.

Parents/carers of pupils at St. Joseph's have a responsibility for

- Supporting the school policy and its related practices;
- Ensuring their active support for the establishment and maintenance of a safe and supportive learning environment;
- Working with the school to resolve difficulties.

The Governing Body of St. Joseph's is responsible for

- Ensuring their support for the establishment and maintenance of a safe and supportive learning environment;
- Ensuring that the policy and related practices reflect current professional advice
- Ensuring that the policy and related practices are published and communicated
- Ensuring that the policy and related practices are implemented, monitored, evaluated and regularly reviewed.

Entitlements

Pupils at St. Joseph's are entitled to

- Opportunities to develop self-discipline;
- An orderly, caring and supportive environment in which personal growth can be nurtured;
- Experience fair and equal treatment;
- Consistent treatment from staff as positive role models;
- Knowledge of the rules, routines and expectations of the school;
- Participate, as appropriate, in the development and continued review of the school's policy in respect of behaviour;
- Receive praise and reward for positive achievements;
- Accountability for unacceptable behaviour.

Staff at St. Joseph's are entitled to

- A safe and supportive learning environment in which effective teaching, and pupil support can take place;
- Participate actively in the development and review of policy and practice.

Parents/carers at St. Joseph's are entitled to

- Be actively involved in the education of their children;
- Involvement in seeking constructive solutions to difficulties involving their children;
- Regular contact with school staff;

- Information about the school's policy and practice;
- Access to our Parent Support Adviser.

The Governing Body is entitled to

- Guidance from the LA and Diocese on policy and practice issues;
- To be kept informed of both general and specific developments within the school in respect of the management of pupil behaviour.

Guidelines on the Use of Force to Control or Restrain Pupils

1.1 Legal Framework (Reference CES Model Positive Handling Policy)

The DfE Use of Reasonable Force Guidance: Advice for headteachers, staff and governing bodies (July 2013) allows all staff at a school to use reasonable force to keep children safe. It also allows other adults in the school to use physical interventions where reasonable, proportionate and necessary to ensure the safety of children. Those might include classroom assistants, care workers, midday supervisors, specialist support assistants, escorts, caretakers or voluntary helpers, including people accompanying pupils on visits, exchanges or holidays organised by the school.

The right for school staff to use reasonable force is further set out in the DFE document Behaviour and Discipline in Schools; Advice for headteachers and school staff (January 2016) which states that members of staff have the power to use reasonable force to prevent pupils committing an offence, injuring themselves or others, or damaging property, and to maintain good order and discipline in the classroom.

Positive Handling should only be used when all other strategies which do not employ force have been tried and found unsuccessful or in an emergency situation.

There is no legal definition of reasonable force. The Criminal Law Act (1967) allows any person to use such force as is reasonable in the circumstances to prevent an offence (e.g. physical assault) being committed. Reasonable minimal force must be a matter of personal judgement. All teachers have a professional 'duty of care' within their job description which is underwritten by paragraph 58.7 of School Teachers' Pay and Conditions Document 2002. Together with the legislative framework this enables teachers and other members of staff in the school, authorised by the Headteacher to use such force as is reasonable in the circumstances, *to identify potential problem areas where the pupil might create problems.*

If staff become aware of, or have need to become involved in, situations where a child may be at risk of hurting themselves or others, or if the behaviour of the child seriously disrupts good order in the school or causes damage to property, staff may need to take steps to intervene physically. In such circumstances staff will follow the school policy for managing such situations. Central to this policy is the understanding that any physical intervention used by staff must be in accord with the idea of ‘reasonable force’ and used only as a last resort once all other strategies have been exhausted.

Reasonable Force

What is reasonable force?

The term ‘reasonable force’ covers the broad range of actions used by most staff 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 student needs to be restrained to prevent violence or injury.

‘Reasonable in the circumstances’ means using no more force than is needed. As mentioned above, schools generally use force to control pupils and to restrain them. 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.

Who can use reasonable force

- All members of school staff have a legal power to use reasonable force
- 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 students on a school organised visit.

When can reasonable force be used?

- Reasonable force can be used to prevent pupils from hurting themselves or others, from damaging property, or from causing disorder.
- In a school, force is used for two main purposes - to control pupils or to restrain them.
- The decision on whether or not to physically intervene is down to the professional judgement of the staff member concerned and should always depend on the individual circumstances

What constitutes as reasonable force must always be a matter of professional judgement. No two situations are ever similar in all respects, still less the children in our care.

The following guidelines may be used to inform professional judgement

- Where force is applied it should be done in a manner that attempts to **reduce** rather than **provoke** a further aggressive reaction.
- The number of staff involved should be the minimum necessary to restrain the child, whilst minimising injury to all parties.
- The more serious the danger the greater degree of force which may be used to avoid such danger.

Intervention

All staff should work together at all times to encourage the maintenance of the school's positive learning environment.

Unacceptable pupil behaviour in the classroom is initially the responsibility of the class teacher, since it may result from learning difficulties, teaching style, or pupil grouping which can be altered. There is a professional obligation upon teachers and other staff to examine their preparation of a lesson, classroom organisation, and classroom performance.

All staff have a duty of care and must do what is reasonable in the circumstances to safeguard and promote all pupils' welfare.

Types of incidents where the use of force may be necessary can be illustrated within three broad categories:

1. Action due to imminent risk of committing an offence.
2. Action due to developing risk of personal injury, or damage to the property of, any person (including the pupil).

3. Action where a pupil is behaving in a way that is compromising good order and discipline.

Examples of such incidents include

- A pupil attacks a member of staff or another pupil.
- A pupil is engaged in, or is on the verge of committing, deliberate damage or vandalism to property
- 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 manner which may cause an accident likely to injure themselves or others
- A pupil absconds from a class or tries to leave the school premises (NB this will only apply if a pupil could be at risk if not kept in the classroom or at school)
- A pupil persistently refuses to obey a direction to leave the room
- A pupil is behaving in a way that is seriously disrupting a lesson.

What does it mean to restrain a child?

Positive Handling is the positive application of force with the intention of protecting the child from harming himself or others or seriously damaging property. The proper use of Positive Handling requires skill and judgement, as well as knowledge of non-harmful methods of restraining.

The decision to use Positive Handling as restrictive physical intervention must take account of the circumstances and be based on **an assessment of the risks associated with the intervention compared with the risks of not employing a restrictive intervention**. The physical intervention must also only employ a reasonable amount of force - that is the minimum force needed to avert injury or damage to property, or to prevent a breakdown in discipline - applied for the shortest period of time.

Why use restraint

Positive Handling should avert danger by preventing or deflecting a child's action or perhaps by removing a physical object, which could be used to harm him/herself or others. Positive Handling skillfully applied may be eased by degrees as the child calms down in response to the physical contact. It is only likely to be needed if a child appears to be unable to exercise self-control of emotions and behaviour.

Accepted Physical Interventions

A calm and considered approach to any situation is paramount. If circumstances justify, staff can

- ✓ Physically interpose between pupils, blocking a pupils path
- ✓ Lead a pupil by the arm
- ✓ Hold a pupil

Staff should not act in a way that reasonable force may cause injury

- Holding a pupil around the neck, collar or other way that might restrict breathing
- Slapping, punching or kicking a pupil
- Twisting or forcing limbs against joints
- Holding a pupil by the hair or ear
- Holding a pupil face down on the ground.

Points to consider before intervening

- ✓ Where possible, before intervening physically, staff should make it clear to the pupil to stop misbehaving and what will happen if the behaviour continues
- ✓ On commencing physical intervention staff should continue to talk calmly to the pupil indicating the need for the pupil to regain self-control and thus the intervention can cease
- ✓ Sometimes a member of staff should not intervene in an incident without help (unless it is an emergency). The member of staff may remove other pupils from the area before summoning assistance.
- ✓ Physical intervention is not considered in isolation in school. It is but one strategy available to staff and should always be seen as the last resort when all other strategies have failed. Emergency interventions will involve staff using where necessary a combination of behaviour management strategies. Physical intervention will occur when all other strategies have been exhausted or the incident requires a rapid physical response (for example a child running on to a road).

NB 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 when handling a problem.

Risk Assessment

In the case of physical intervention staff will make a risk assessment at the time comparing the risks associated with intervention against the risks of not intervening (see Appendix 1).

Reporting and Monitoring Incidents

Reporting and monitoring is of paramount importance to ensure protection for staff and pupils and to maintain a record of incidents so that times/areas that incidents occur can be tracked and thus inform school policy and practice.

Recording

Staff should record all incidents of physical handling/restraint in accordance with School Policy and report these to the Headteacher (see Appendix 2).

Details should include:

- Name of pupil(s)
- Staff member(s) involved
- Factors necessitating physical intervention
- The strategies which were employed prior to using physical intervention
- How physical intervention was effected
- Outcome of restraint
- Any other action taken in the management of the incident
- Parents/carers should be contacted as soon as possible and the incident explained to them. This action should also be recorded.

COMPLAINTS

We all have a duty of care to the young people in our school and cannot escape our legal responsibilities by avoiding taking appropriate and necessary action. Involving parents when an incident occurs with their child, together with a clear policy adhered to by the staff, should help to avoid complaints from parents. It will not prevent all complaints, however, and a dispute about the use of force by a member of staff might lead to an investigation, either under disciplinary procedures or by the Police and social services department under child protection procedures.

Staff, subjected to physical violence or assault, have the right to be supported in making a formal complaint to the police and, if necessary, taking private action against an assailant.

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 on a yearly basis.

Remember that adhering to the principles and procedures referred to in this policy statement is part of effective practice and should minimise risk to young people in our care and enhance our own self-protection.

Communicating the school's approach to the use of force

- Every school is required to have a behaviour policy and to make this policy known to staff, parents and pupils. The governing body should notify the headteacher that it expects the school behaviour policy to include the power to use reasonable force.

- There is no requirement to have a policy on the use of force but it is good practice to set out, in the behaviour policy, the circumstances in which force might be used. For example, it could say that teachers will physically separate pupils found fighting or that if a pupil refuses to leave a room when instructed to do so, they will be physically removed.
- Any policy on the use of reasonable force should acknowledge their legal duty to make reasonable adjustments for disabled children and children with special educational needs (SEN).
- Schools do not require parental consent to use force on a student.
- Schools should not have a ‘no contact’ policy. There is a real risk that such a policy might place a member of staff in breach of their duty of care towards a pupil, or prevent them taking action needed to prevent a pupil causing harm.
- By taking steps to ensure that staff, pupils and parents are clear about when force might be used, the school will reduce the likelihood of complaints being made when force has been used properly.

Reviewed	Autumn 2020
Next Review	Autumn 2022

Appendix 1 Strategies

All staff need to be aware of strategies and techniques for dealing with difficult pupils and steps, which they can take to defuse and calm a situation.

- Move calmly and confidently.
- Make simple, clear statements.
- Intervene early.
- Try to maintain eye contact.
- If necessary summon help before the problem escalates.
- Remove audience from the immediate location.

There are situations where staff should not intervene without help
--

Assistance should be sought when dealing with:

- A physically large pupil,
- More than one pupil, or
- When the member of staff believes that s/he may be at risk of injury.

In those circumstances where the member of staff has decided that it is not appropriate to restrain the pupil without help they should:

- Remove other pupils who might be at risk,
- Summon assistance from colleagues,
- Where necessary, telephone the police,
- Inform the pupil(s) that help will be arriving,
- Until assistance arrives, the member of staff should continue to attempt to defuse the situation orally, and try to prevent the incident from escalating.

The method of restraint employed must use the minimum force for the minimum time and must observe the following requirements:

Restraint must NOT:

- Involve hitting the pupil;

- Involve deliberately inflicting pain on the pupil;
- Restrict the pupil's breathing; o Involve contact with sexually sensitive areas.

During any incident the restrainer should:

- Offer verbal reassurance to the pupil;
- Cause the minimum level of restriction of movement;
- Reduce the danger of any accidental injury.

Physical intervention can take several forms. It might involve staff:

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

Some Dos and Don'ts

DO

- Be aware of any feelings of anger
- Summon help •
- Continue to talk to the pupil in a calm way
- Provide a soft surface if possible •
- Be aware of any accessories worn by you or the pupil
- Hold the pupil's arms by his/her sides

DON'T

- Try to manage on your own
- Stop talking even if the pupil does not reply
- Straddle the pupil
- Push arms up the back
- Touch the pupil near the throat or head
- Put pressure on joints

Appendix 2: Reporting and Recording Proforma

St. Joseph's Catholic Primary School - Record of physical intervention	
Date of incident: Time of incident:	
Pupil Name:	Dob:
Member(s) of staff involved:	
Adult witnesses to restraint:	
Pupil witnesses to restraint:	
Outline of event leading to restraint - including other strategies tried and reasons for using Positive Handling rather than another strategy:	
Outline of incident of physical intervention (including physical intervention method used):	

Outcome of restraint:	
Description of any injury(ies) sustained by injured pupil and any subsequent treatment:	
Date parent/carer informed of incident:	Time:
By whom informed:	
Outline of parent/carer response:	
Signature of staff completing report:	Date:
Signature of Teacher-in-charge:	Date:
Signature of Head SMT member	Date:
Brief description of any subsequent inquiry/complaint or action:	

