



POSITIVE HANDLING POLICY

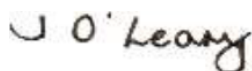
SHINE Multi Academy Trust

Management log

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Signed

Signed



Chair of the board

CEO

Related Policies

Related policies

Policy

Complaints

Child protection and
safeguarding

Offsite Visits

Equality

Exclusions

General Data Protection
Regulation (GDPR)

Health and safety

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Introduction

SHINE and its academies fully recognises the responsibility it has under section 157 of the Education Act 2002 to have arrangements in place to safeguard and promote the welfare of children in our care.

This policy is a trust wide policy and applies to all pupils including those in the Early Years Foundation Stage (EYFS).

Care and consideration will be given to the age of the child when following the guidance in this policy.

This policy applies to all staff, volunteers and contractors, paid and unpaid, working in the school including trustees and governors.

This policy has been written using advice taken from the Department for Education (DfE) guidance “Use of Reasonable Force, Advice for Headteachers, staff and Governing Bodies 2013”.

SHINE and its academies acknowledge their legal duty to make reasonable adjustments for disabled children and children with special educational needs (SEND). Equality Act 2010, SEN and Disability Code of Practice 0-25 years 2015.

Why use positive handling?

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. It is only likely to be needed if a child appears to be unable to exercise self-control of emotions and behaviour. It is not possible to define every circumstance in which physical restraint would be necessary or appropriate and staff will have to exercise their own judgement in situations which arise within the above categories.

Staff should be 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 should, therefore, take reasonable action to ensure pupils’ safety and wellbeing. Failure to positively handle a pupil who is subsequently injured or injures another, could, in certain circumstances, lead to an accusation of negligence. At the same time staff are not expected to place themselves in situations where they are likely to suffer injury as a result of their intervention.

Alternative Strategies

There are some situations in which the need for positive handling is immediate and where there

are no equally effective alternatives (e.g., if a pupil is about to run across a road). However, in many circumstances there are alternatives e.g. use of assertiveness skills such as: An instruction is being repeated until the pupil complies Use of a distracter, such as a loud whistle, to interrupt the behaviour (such as a fight) long enough for other methods of verbal control to be effective Withdrawal of attention (audience) e.g. if an action such as damage to property is threatened Other techniques designed to defuse the situation, such as the avoidance of confrontation, or use of humour (in these cases the incident can be dealt with later when emotions are no longer running high) The employment of other sanctions consistent with the School's policy on Behaviour

Definitions

- **Reasonable force** is defined as using no more force than is needed in the circumstances 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 to control pupils or to restrain them
- **Controlled** means 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
- **Physical restraint** is defined as the positive application of force in order to protect/prevent a pupil from causing injury to themselves or others or seriously damaging property. For example, when two pupils are fighting and refuse to separate without physical intervention
- **Injury** means 'significant injury'; this would include actual or grievous bodily harm, physical or sexual abuse, risking the lives of, or injury to, themselves or others, by willful or reckless behaviour, and self-poisoning. 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
- Staff should **adapt** their approach as necessary and make reasonable adjustments when dealing with pupils who have Special Educational Needs and Disabilities (SEND)

Who can use reasonable force?

Under [Section 93 of the Education and Inspections Act 2006](#), all members of staff have a legal power to use reasonable force.

It can also apply to people whom the headteacher has temporarily put in charge of pupils such as unpaid volunteers or parents accompanying children on a school organised visit.

The decision on whether or not to physically intervene is down to the professional judgement of the member of staff concerned and should always depend on the individual circumstances.

Staff training and authorisation

Headteachers will ensure all staff are provided with essential training in the use of reasonable force. All frontline staff must receive intermediate training delivered during a combination of whole training days, twilight sessions and staff meetings.

The training given to staff includes sections on the background, theory and rationale as well as an understanding of personal space and body language before any physical intervention techniques are taught. This will provide all staff a basic level of training and allows access to advanced techniques as required. The additional advanced training will be made available throughout the year as needs arise. All staff who have satisfactorily completed training are authorised to use physical intervention, by the headteacher. The headteacher may also withdraw the responsibility from some members of staff. A list of staff who have completed this training is held within each academy. Once staff have received their full training, top up training takes place each year, on a rolling programme this is monitored by the academy Headteacher.

When can reasonable force be used?

The following list gives some suggestions but is not exhaustive:

- to prevent pupils from hurting themselves or others, from damaging property, from committing an offence, or from causing disorder
- to control pupils or to restrain them
- to remove disruptive children from the classroom where they have refused to follow an instruction to do so
- to prevent a pupil behaving in a way that disrupts a school event or a school trip or visit
- to 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
- to prevent a pupil from attacking a member of staff or another pupil, or to stop a fight in the playground
- to restrain a pupil at risk of harming themselves through physical outbursts

When can reasonable force NOT be used?

Reasonable force can never be used as a form of punishment.

Power to search pupils without consent:

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
- any article that has been or is likely to be used to commit an offence, cause personal injury or damage to property

This is detailed in Section 5509ZB(5) of the Education Act 1996.

Guidelines for the use of physical restraint

Professional judgement should be used in circumstances where the use of physical restraint and reasonable force is needed.

Staff should not hesitate to act in an emergency provided they follow the guidelines in this policy. Staff should always satisfy themselves that the action they take would be considered justifiable by a wider audience of professional colleagues.

In any application of physical restraint, the minimum reasonable force should be used to calm down the situation.

Help should be summoned from colleagues. All incidents should be monitored by another member of staff, to ensure their welfare needs are met – such as a drink of water where needed, a change of personnel if necessary etc. This person also acts as an observer to ensure that the intervention is carried out correctly. They can record necessary parts of any conversation, which may later be

relied upon. **Note:** Pupils should never be involved in restraint.

What to do in circumstances when the use of physical restraint and reasonable force is needed:

- approach the pupil calmly but firmly
- where possible, the consequences of refusing to stop the behaviour should be explained and it should be communicated to the pupil that physical contact or restraint will stop as soon as it ceases to be necessary
- a calm and measured approach is required by staff throughout

Method of restraint

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

- Restraint must not:
 - involve hurting the pupil
 - involve deliberately inflicting pain on the pupil
 - restrict the pupil's breathing
 - involve contact with sexually sensitive areas
 - involve locking the pupil in a room
- During any incident the person restraining should:
 - offer verbal reassurance to the pupil
 - cause the minimum level of restriction of movement
 - reduce the danger of any accidental injury
 - cease the restraint if there are any signs of physical distress in the pupil such as sudden change in colour, difficulty breathing or vomiting
- Physical restraint can be:
 - partial – restricting and preventing particular movements
 - total – as in the case of immobilisation
- Physical intervention can take several forms and may 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
- Do:
 - summon help immediately. a pupil can be sent to get another adult.
 - ensure a free passage of air through airways
 - be aware of any feelings of anger
 - 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 that could cause injury
 - monitor the pupil's respiration, circulation and state of consciousness
- Don't:
 - try to manage on your own
 - stop talking, even if the pupil does not reply
 - straddle the pupil
 - push their arms up their back
 - touch the pupil near the throat or head
 - put pressure on joints or on arterial pressure points (inside of upper arm, groin, neck)
 - use facedown holds

Recording Incidents

Minor or everyday use of reasonable force does not need to be recorded. For example, very young children running off in the playground and being guided back to the line by the teacher or teaching assistant.

All more serious incidents involving the use of physical restraint must be reported to the headteacher and the deputy head as soon as possible after the incident. These must be recorded on CPOMS or relevant safeguarding platform using the reason 'Use of Physical Restraint' and recorded in a bound and numbered book.

Telling parents when force has been used on their child

Staff need to use their professional judgement on whether to inform a parent, depending on the seriousness of the incident.

In a serious incident where a member of staff has had to physically restrain a pupil, the parent must be informed on the day and a conversation must be followed up in writing to the parent.

What happens if a pupil complains when force is used on them?

All complaints about the use of force should be thoroughly, speedily and appropriately investigated.

Where a member of staff has acted within the law – that is, they have used reasonable force in order to prevent injury, damage to property or disorder – this will provide a defense to any criminal prosecution or other civil or public law action.

When a complaint is made the onus is on the person making the complaint to prove that their allegations are true – it is not for the member of staff to show that they acted reasonably.

If an allegation of abuse is made against a member of staff, the procedures set out in the Child Protection Policy will be followed.