



Ryhope Infant School Academy

Positive Handling Policy

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Ratified by: Governing Body – June 2019

Signed: 
Chair of Governors

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Purpose of policy

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 behaviour management practised by staff. This ensures the well-being and safety of all pupils and staff in Ryhope Infant School Academy. 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. Ryhope Infant School Academy acknowledges that physical techniques are only a small part of a whole setting approach to behaviour management.

Every effort will be made to ensure that all staff in this school/provision:

- Clearly understand this policy and their responsibilities in the context of their duty of care for taking appropriate measures where reasonable force is necessary.
- Provided with appropriate training to deal with these difficult situations.

Definitions:

Reasonable force - No legal definition of reasonable force exists. However, for the purpose of this policy and the implementation of it in Ryhope Infant School Academy:

- Positive handling uses the minimum degree of force necessary for the shortest period of time to prevent a pupil harming him/herself, others or property.
- The scale and nature of any physical intervention must be proportionate to both the behaviour of the individual to be controlled, and the nature of the harm they might cause.

Physical contact - Situations in which proper physical contact occurs between staff and pupils, e.g. in the care of pupils with learning disabilities; in games/PE; to comfort pupils.

Physical intervention - This may be used to divert a pupil from a destructive or disruptive action, e.g. guiding or leading a pupil by the hand, arm or shoulder with little or no force.

Physical control/restraint - This will involve the use of reasonable force when there is an immediate risk to pupils, staff or property. It is important to note that the use of 'reasonable force' should be seen as a "last resort".

The level of compliance from the pupil determines whether or not the interaction is an intervention or a control/restraint.

KEY POINTS

This policy uses edited information from DFE Guidance '**Use of reasonable force**' Advice for headteachers, staff and governing bodies.

- School staff have a power to use force and lawful use of the power will provide a defence to any related criminal prosecution or other legal action.
- Suspension should not be an automatic response when a member of staff has been accused of using excessive force.

- Senior school leaders should support their staff when they use this power.

Underpinning values

Everyone attending or working in this school has a right to:

- Recognition of their unique identity.
- Be treated with respect and dignity.
- Learn and work in a safe environment.
- Be protected from harm, violence, assault and acts of verbal abuse.

Pupils attending this school and their parents have a right to:

- Individual consideration of pupil needs by the staff who have responsibility for their care and protection.
- Expect staff to undertake their duties and responsibilities in accordance with the school's policies.
- Be informed about school rules, relevant policies and the expected conduct of all pupils and staff working in school.
- Be informed about the school's complaints procedure.

The school will ensure that pupils are given support to understand the need for and respond to clearly defined limits, which govern behaviour in the school.

Care and safety of all children and staff

- Children attending Ryhope Infant School Academy will always be managed with care and support, to enable them to access learning safely and to keep others safe too.
- During any time that a child's behaviour interrupts their own learning or that of others then staff will make a professional judgement as to how to manage the situation.
- A clear and effective behaviour management system is in place which clearly explains the process (see Behaviour Policy)
- All children are taught and are expected to adhere to the school rules at all times and engage in their learning safely.
- When a child's behaviour escalates staff will follow procedures from the policy and the guidance for positive handling/restraint, for which all staff access training.
- De-escalation techniques will be put into action prior to handling, unless there is a danger to others then a quicker response will be implemented to keep everyone safe.
- At times a child may require moving to a safer area until they can calm and start to regulate their disruptive/dangerous actions. The child will be monitored at all times and incidents recorded appropriately.
- Any response to extreme behaviour should be **reasonable and proportionate**.

What is reasonable force?

- The term 'reasonable force' covers the broad range of actions used by staff that involve a degree of physical contact with pupils.

- Force is usually used either to control or restrain. This can range from guiding a child to safety by the arm through to more extreme circumstances such as breaking up a fight or where a child 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 children 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 child by the arm.
- Restraint means to hold back physically or to bring a child under control. It is typically used in more extreme circumstances, for example when a child is hurting another child or damaging school property.
- 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 in order to keep them/others safe.

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 children and with the Headteacher's permission.

When can reasonable force be used?

- Reasonable force can be used to prevent children 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.

Schools can use reasonable force to:

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

School cannot:

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

Communicating the school's approach to the use of force

- A behaviour policy is available to all staff, parents and children. The governing body expects the school behaviour policy to include a statement related to the handling of children. The school's behaviour policy states:
 - School staff have a power (not a duty) to use force and lawful use of the power will provide a defence to any related criminal prosecution or other legal action.
 - 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.
 - It is good practice for schools to speak to parents about serious incidents involving the use of force and to consider how best to record such serious incidents.

This means that:

- Teachers may physically separate pupils found fighting or; if a pupil refuses to leave a room when instructed to do so, they may be physically removed by leading them out of a classroom.

The school has a legal duty to make reasonable adjustments for disabled children and children with special educational needs (SEN) when using reasonable force. The judgement on whether to use force should not only depend on the circumstances of the case but also on information and understanding of the needs of the pupil concerned.

Staff training

- School ensures that all staff members receive the appropriate training required for them to safely handle children and to keep all children and staff safe both in and out of the setting, while in school care.

Team Teach

Staff access Team Teach training delivered by accredited trainers and recommended by Sunderland Local Authority. The training is updated biannually.

Team Teach provides positive handling strategies and techniques, to complement the behaviour management approaches and strategies reflected in the School Behaviour Policy. Further details of the Team Teach approach can be found on the Team Teach website (www.team-teach.co.uk).

Informing parents when force has been used on their child

- It is good practice that staff speak to parents about serious incidents involving the use of positive handling as well keeping effective and accurate records within the recommended bound book. Parents are also informed in writing.
- In deciding what is a serious incident, teachers should use their professional judgement and consider the:
 - pupil's behaviour and level of risk presented at the time of the incident;

- degree of handling used;
- effect on the pupil or member of staff; and
- the child's age.

Complaints

- All complaints about the use of force will 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 defence 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 his/her allegations are true – it is not for the member of staff to show that he/she has acted reasonably.
- Suspension must not be an automatic response when a member of staff has been accused of using excessive force. Schools should refer to the “Dealing with Allegations of Abuse against Teachers and Other Staff” guidance (see the ‘Further sources of information’ section below) where an allegation of using excessive force is made against a teacher. This guidance makes clear that a person must not be suspended automatically, or without careful thought.
- Schools must consider carefully whether the circumstances of the case warrant a person being suspended until the allegation is resolved or whether alternative arrangements are more appropriate.
- If a decision is taken to suspend a teacher, the school should ensure that the teacher has access to a named contact who can provide support.
- Governing bodies should always consider whether a teacher has acted within the law when reaching a decision on whether or not to take disciplinary action against the teacher.
- As employers, schools and local authorities have a duty of care towards their employees. It is important that schools provide appropriate pastoral care to any member of staff who is subject to a formal allegation following a use of force incident.

Review

Policies will be reviewed/ amended on an annual basis to meet the needs of the children attending Ryhope Infant School Academy.