



Safer Handling of Pupils Policy

INTRODUCTION

A clear and consistent handling policy supports pupils who have social, emotional and behavioural difficulties within an ethos of mutual respect, care and safety. The policy should be read in conjunction with our Attitude, Behaviour and Discipline policy, Child Protection and Safeguarding Policy and our Special Educational Needs policy. It has been written with reference to The Use of Reasonable Force 2013 non-statutory advice from the Department for Education.

AIMS AND OBJECTIVES

- To ensure teachers fulfil their duty of care: to protect all children against foreseeable risks of personal injury or harm.
- To protect every person in the school community from harm.
- To provide adequate information and training for staff so that they are clear as to what constitutes appropriate behaviour and to deal effectively with violent or potentially violent situations.
- Give examples of circumstances in which physical intervention might be appropriate, and factors that teachers should bear in mind when deciding whether to intervene.
- Clarify the meaning of 'reasonable physical intervention'.
- To protect all pupils against any form of physical intervention which is unnecessary, inappropriate, excessive or harmful.

ROLES AND RESPONSIBILITIES

The *Education and Inspections Act* (2006) allows staff at a school to use a reasonable physical intervention to control or restrain pupils. Where practicable, staff who have undergone specific training in the use of safer handling will restrain pupils.

Teachers and other persons who are authorised by the Head Teacher to have control or charge of pupils should only use such intervention as is reasonable. The provision applies when a teacher, or other authorised person, is on the premises, and when he or she has lawful control or charge of the pupil concerned elsewhere e.g. on a field trip or any authorised out of school activity.

TYPES OF INCIDENT

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

There are a wide variety of situations in which reasonable physical intervention might be appropriate, or necessary, to control or restrain a pupil. They will fall into three broad categories:

1. Where action is necessary in self-defence or because there is an imminent risk of injury to self or others
2. Where there is a developing risk of injury, or significant damage to property
3. Where a pupil is behaving in a way that is compromising good order and discipline

Examples of situations that fall within one of the first two categories:

- a pupil attacks a member of staff, or another pupil
- pupils are fighting
- 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 inappropriate behaviour or by misuse of dangerous materials or objects
- a pupil is running in school in a way in which he or she might have or cause an accident likely to injure him or herself or others
- a pupil absconds from a class or tries to leave school
- a pupil is committing a criminal offence (including behaving in a way that would be an offence if the pupil were not under the age of criminal responsibility)

Examples of situations that fall into the third category are:

- a pupil persistently refuses to obey an order to leave a classroom
- a pupil is behaving in a way that is seriously disrupting a lesson

REASONABLE FORCE

There is no legal definition of ‘reasonable physical intervention’. 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.

In addition to the general power to use reasonable force described above, Head Teachers 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.

Force cannot be used to search for items banned under the school rules eg toys. (See Attitude and Discipline Policy for more information on searches)

The use of physical intervention will always depend on the circumstances of the case. There are two relevant considerations:

- The use of physical intervention can be regarded as reasonable only if the circumstances of the particular incident warrant it. Physical intervention could not be justified to prevent a pupil from committing a trivial misdemeanour, or in a situation that clearly could be resolved without physical intervention.
- The degree of physical intervention employed must be in proportion to the circumstances of the incident and the seriousness of the behaviour or the consequences it is intended to prevent. Any physical intervention used should always be the minimum needed to achieve the desired result.

Whether it is reasonable to use physical intervention, and the degree of physical intervention that could reasonably be employed, might also depend on the age, understanding and gender of the pupil. The use of corporal punishment is not permitted under any circumstances. The law forbids a teacher to use any degree of physical contact which is deliberately intended to punish a pupil, or which is primarily intended to cause pain or injury or humiliation (sections 548 to 550 of the 1996 Education Act and section 93 of the 2006 Education and Inspections Act).

APPLICATION OF PHYSICAL INTERVENTION

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

- physically interposing between pupils or blocking a pupil's path
- leading a pupil by the hand or arm
- shepherding a pupil away by placing a hand in the centre of the back
- in extreme circumstances using more restrictive holds (by trained staff, when possible)

PROCEDURES BEFORE AND DURING PHYSICAL INTERVENTION

Before physically intervening, staff will:

- (remain calm and attempt to engender calm
- (tell the child to stop and explain to them what will happen if they do not

Use a range of non-physical alternatives aimed at calming or defusing situations in order to prevent further escalation. These might include:

- (continuing to speak and listen to the child
- (employing an appropriate level of eye contact during any dialogue
- (diverting, distracting, cajoling or humouring the child where appropriate
- (reasoning with and offering appropriate choices to the child.

Whilst physically intervening, staff will:

- (Use the minimum amount of force required to achieve the desired result.
- (Tell the child that physical restraint will stop as soon as it is no longer necessary
- (Continue to use a range of non-physical alternatives aimed at calming or defusing situations in order to prevent further escalation, as above.

RECORDING INCIDENTS

It is important that there is a detailed written report of any occasion where physical intervention is used. It may help prevent any misunderstanding or misrepresentation of the incident, and where it will be helpful should there be a complaint. Immediately following any incident, the member of staff concerned should tell the Head Teacher or a senior member of staff and provide a written report form as soon as possible afterwards (See appendix 1). These forms and any associated actions are kept on the Child Protection Online Monitoring System (CPOMS).

Incidents involving the use of physical intervention can cause the parents of the pupil involved great concern. It is always advisable to inform parents of an incident involving their child, and give them an opportunity to discuss it.

RISK ASSESSMENTS

If we become aware that a pupil is likely to behave in a disruptive way that may require the use of reasonable force, we will plan how to respond if the situation arises. Such planning addresses:

- Strategies to be used prior to intervention
- Identifying and planning to avoid ‘triggers’ if possible
- 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
- Identification of additional support that can be summoned if appropriate

COMPLAINTS

Complaints following a dispute about the use of physical intervention by an adult should, in the first instance, be referred to the Head Teacher. This will generally result in an investigation, which will take

account of the written or verbal reports which have been collected. Where disputes cannot be resolved informally within school or by the governors, complaints should be pursued in accordance with the school's complaints procedures.

REVIEW

This policy will be reviewed every 3 years by the Safeguarding team of the Governing Body.