



# Positive Handling

## Use of Reasonable Force

This policy is written in accordance with relevant legislation, regulations and guidance including the most recent examples from the Department for Education, Department of Health and the Health and Safety Executive. For young people over the age of 16 years, the Mental Capacity Act must also be considered.

### **Introduction**

The policy has been prepared to support all staff who will come into contact with children and for volunteers/work place students working within the school to explain the school's arrangements for the use of positive handling for care and control. The purpose is to give good staff the confidence to act in the best interests of the child. The paramount consideration is to safeguard the welfare of the child and to safeguard the welfare of staff and others working in school who act in good faith.

### **Duty of Care**

All staff have a duty of care towards the children and young people they look after, their colleagues and others, under Health and Safety Legislation. They have a responsibility to familiarise themselves with policies and risk assessments, and participate in necessary training. They should look out for obvious hazards and reduce foreseeable risks wherever possible.

The Children Act 1989 makes clear that in any decision involving a child the paramount consideration must be the child's welfare. Staff need to carefully consider what is in the best interest of the child, and other children, both in the short term and the longer term.

In exceptional circumstances, staff may need to act in the best interest of the child and the use of reasonable force may be required to achieve this. Uplands Manor Primary School acknowledges that physical interventions which use varying degrees of reasonable force are only a small part of a whole setting approach to behaviour management.

Good practice indicates that parents and carers should be involved in the behavioural management of their child. They should be made aware of the school's policy regarding restraint of pupils who exhibit disruptive, self-injurious or violent behaviour.

### **Legal Justification for Use of Reasonable Force**

DfE guidance regarding Use of Reasonable Force in Schools, gives examples of the types of circumstances in which use of reasonable force may be legally defensible.

- Hurting themselves or others
- Damaging property
- Causing disorder

The paramount consideration is for staff to work in the best interests of the child. Reasonable force will only be used once all planned strategies have been used or when no other effective alternatives are available.

## **Identifying Hazards and Assessing Risks**

It is essential to make risk assessments when considering the use of reasonable force. Staff should balance the risk of taking action against the risk of not taking action. This principle can easily be applied to situations where staff need to decide whether to use de-escalation or physical contact.

Some risks can be identified prior to certain situations, based on the knowledge of the child and their personality or needs. If a risk is already known, then a planned risk assessment needs may be put in writing. If physical touch or restraint is required, a Positive Behaviour Support Plan can be recorded by staff who work closely with the child, using their knowledge of the child's behaviour and the environment they are working in.

However, it is not always possible to predict all risks relating to a specific behaviour of a child. When an unforeseeable risk presents itself a "dynamic risk assessment" will be undertaken. This means that staff do a mental risk assessment and then act in the best interests of the child.

Risk assessments should focus on the most likely and serious risks. Formal risk assessments should be clear and concise so that staff can recall useful information. Information should be explicit and honest.

Parents need to be informed and involved with this process as they need to be notified of why and how reasonable force is being used in the best interests of their child. Where possible the child's views should be sought and included in the risk assessment.

Assistance can be sought from other members of staff to help reduce the risk. Physical intervention is seen as a proactive response to meet individual pupil needs and any such measures will be most effective in the context of the overall ethos of the school, the way that staff work together as a team, share their responsibilities and the holistic behaviour management strategies that are used.

## **Use of Reasonable Force for Control**

The DfE splits reasonable force into passive physical contact, which describes circumstances 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.

## **Use of Reasonable Force for Restraint**

Restraint involves the restriction of freedom and movement in circumstances in which the child is resisting. It is reasonable to use proportionate force when there is a significant risk to children, staff or property. It should be used as a last resort when no effective alternatives are available. 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. All incidents involving restraint must be recorded and reported. The level of force and/or positive handling techniques used towards the child determines whether or not it is classified as restraint.

## **Staff Training and Authorised staff**

All staff have a duty of care to keep children and other adults safe and so have authorisation to use reasonable force to ensure this is maintained.

Some staff, likely to be those working with children with identified needs, will have undertaken Safety Intervention (Crisis Prevention Institute) training, which is updated annually, to enable them to safely employ appropriate strategies and techniques needed.

## **Reporting and Recording**

Whenever a physical intervention has been used a record of the incident needs to be kept and parents must be informed. This is then logged on SIMS and stored by the Inclusion and Pastoral Lead. It should be considered reasonable and good practice for staff to collaborate when recording an incident in order to ensure the most accurate and complete record possible. Records should normally be completed within 24 hours, but the welfare of those involved takes precedence over paperwork.

A Health and Safety Accident/Incident Form will be completed and returned to the Authority in situations where injury has occurred to either members of staff or pupils. Where staff have been involved in an incident they should be given time to recover and have access to support such as counselling and debriefing.

## **Support for staff and children after an incident**

The Inclusion and Pastoral Lead will ensure that each incident is reviewed and take action as necessary, such as:

- Reviewing the child's behaviour support plan / risk assessment
- Reviewing curriculum access
- Reviewing staffing levels
- Considering the Involvement of outside agencies
- Reviewing provision

## **Learning from incidents**

Incidents provide opportunities for adults to learn and adapt. Staff should explain the reasons for any use of reasonable force according to the level of understanding of the child. They should clearly distinguish between restraint, which is designed to keep people safe, and sanctions or consequences. Staff should reinforce simple messages:

- We hold children to keep them safe from harm
- We hold children to prevent them doing something they will regret
- We care about children too much to let them be out of control

## **Linked Policies**

- Behaviour Policy
- Safe Touch Policy
- Safeguarding Policy