



Uffington Church of England Primary School

'Optimum Solum Satis Est' – 'Only the best is good enough'

POSITIVE HANDLING AND PHYSICAL INTERVENTIONS POLICY

Introduction

Uffington Church of England Primary School recognises that there is a need, reflected in common law, to intervene when there is an obvious risk of safety to its pupils, staff and property.

The School is committed to ensuring that all staff and adults with responsibility for children's safety and welfare will deal professionally with all incidents involving aggressive or reckless behaviour, and only use positive handling as a last resort in line with DfE and Lincolnshire County Council advice. If used at all it will be in the context of a respectful, supportive relationship with the pupil. We will always aim to ensure minimal risk of injury to pupils and staff.

This policy must be read and implemented in conjunction with the whole school Behaviour Policy and approach to behaviour management.

What the law says:

School staff can use such force as is reasonable in the circumstances to prevent a pupil from doing, or continuing to do, any of the following:

- Committing any offence (or, for a pupil under the age of criminal responsibility, what would be an offence for an older pupil);
- Causing personal injury to, or damage to the property of, any person (including the pupil him/herself); or
- Prejudicing the maintenance of good order and discipline at the school or among any pupils receiving education at the school, whether during a teaching session or otherwise.

Definitions of 'school staff':

- Any teacher who works at the school; and
- Any other person whom the head has authorised to have control or charge of pupils.
This:
 1. includes support staff whose job normally includes supervising pupils, such as teaching assistants, learning support assistants, learning mentors and lunchtime supervisors.
 2. can also include people to whom the head has given temporary authorisation to have control or charge of pupils, such as paid members of staff whose job doesn't normally involve supervising pupils (e.g. catering or premises staff) and unpaid volunteers (e.g. parents accompanying pupils on school-organised visits).

This power may be used where a pupil (including one from another school) is on school premises or in the lawful control or charge of the member of staff – e.g. on a school visit.

Reasonable force:

- There is no legal definition of when it is reasonable to use force. That will always depend on the precise circumstances of individual cases. To be judged lawful, the force would need to be in proportion to the consequences it is intended to prevent.
- The degree of force should be the minimum needed to achieve the desired result.
- Use of force could not be justified to prevent trivial misbehaviour. However, deciding whether misbehaviour is trivial also depends on circumstances e.g. running in a corridor crowded with small children may be considered dangerous.
- Proper account must always be taken of any particular special educational need and/or disability that a pupil might have – there are two key duties under the Equality Act 2010:
 1. not to treat a disabled pupil less favourably because of his/her disability, than someone to whom that reason does not apply, without justification; and
 2. to take reasonable steps to avoid putting disabled pupils at a substantial disadvantage to pupils who are not disabled (reasonable adjustments).

The statutory power described above is in addition to the common law power of any citizen - in an emergency - to use reasonable force in self-defence, to prevent another person from being injured or committing a criminal offence.

Reasonable force may also be used to search pupils, without their consent, for weapons, however, schools are strongly advised not to search pupils where resistance is expected, but to call the police.

It is always unlawful to use force as a punishment.

Pupils with SEN and/or disabilities:

- Where an individual pupil may be at greatest risk of needing restrictive physical interventions, this will be planned for in consultation with the pupil and his/her parents, following an individual risk assessment.
- The positive handling plan will be set out the techniques that should be used, and those that shouldn't normally be used
- The plan will be compatible with the pupil's statement and properly documented with the pupil's records.
- Staff who will come into contact with the pupil aware of the relevant information in the plan, i.e.
 - Triggers known to provoke difficult behaviour, preventive strategies and what de-escalation tactics most likely to work
 - Triggers known to provoke a violent reaction, including relevant information relating to similar incidents in the past

- Where physical intervention is likely to be needed, detail specific strategies & techniques that have been agreed by staff, parents and pupil.
 - Decide which staff members should be called for the individual pupil concerned – not necessarily to take the action, but to be involved in the follow-up process.
- Pupils known to be at risk will be taught how to communicate in times of crisis and what strategies they can use. All staff working with the pupil will be made aware of these strategies.

Situations where staff should not normally intervene without help:

Help may sometimes be needed in dealing with a situation involving an older pupil, a large pupil, more than one pupil, or if the authorised member of staff believes s/he may be at risk of injury. For such situations, staff should call for help quickly. Steps should also be taken to remove other pupils who might be at risk as quickly as possible.

Recording and Reporting Incidents:

Systematic records of every significant incident in which force has been used must be kept. Records of incidents should include the following information:

- the name(s) of the pupil(s) involved
- when and where the incident took place
- why the use of force was deemed necessary
- details of the incident, including all steps taken to diffuse the situation and resolve it without force and the nature of the force used
- the pupil's response
- the outcome of the incident
- a description of any injuries suffered by the pupil or others and/or any property damaged during the incident.

A model recording form can be found as an appendix to this policy. Records should be signed by all staff who witnessed the event and given to the Headteacher for secure filing. Such records can be used to provide evidence of defensible decision-making in case of a subsequent complaint or investigation.

When recording such incidents, staff should bear in mind that, if this information is passed to the police, it may be included in a Disclosure and Barring Service screening. Records of such incidents will be kept until the member of staff involved has reached retirement age or for 10 years from the date of the allegation if that is longer.

After any recordable incident, parents will be informed as soon after the event as possible. Governors will also be informed in due course.

Any injuries to staff or pupils will be reported to the Health & Safety Executive's Contact Centre – www.hse.gov.uk/riddor/index/htm

Dealing With Complaints and Allegations:

If a specific allegation of abuse is made against a member of staff then the school will follow the guidance set out in *Safeguarding Children and Safer Recruitment in Education* and contact the Lincolnshire Safeguarding Team - 01522 554674. Other complaints will be dealt with in accordance with the school's complaints policy, contacting the Local Authority and Schools' Liaison Officer for advice as necessary – 01522 552030.

Monitoring and Review

The Headteacher and Governing Body will review this policy on an annual basis as part of the annual Health and Safety Self-Assessment.

This policy is based upon 'The use of force to control or restrain pupils' – non-statutory guidance, DCSF 2007 and guidance from Lincolnshire County Council.

Policy reviewed by the Governing Body	July 2015
Policy reviewed by the Governing Body	July 2016
Policy reviewed by the Governing following accredited TEAM TEACH training for all staff	July 2017
Next review	July 2018

Use of Force to Control or Restrain Pupils: Incident Record

Name of pupil on whom force was used by a member of staff:
Date, time and location of incident:
Names of staff involved (directly or as witnesses):
Details of pupils involved (directly or as witnesses), including whether any of the pupils involved were vulnerable for SEN, disability, medical or social reasons:
Description of incident by the staff involved, including any attempts to de-escalate and warnings given that force might be used:
Reason for using force and description of force used:
Any injury suffered by staff or pupils and any first aid and / or medical attention required:
Reasons for making a record of the incident:
Follow up, including post-incident support and any disciplinary action against pupils:
Any information about the incident shared with staff not involved in it and external agencies:

When and how those with parental responsibility were informed about the incident and any views they have expressed:

Has any complaint been lodged? (*details should not be recorded here*)

Report compiled by:

Name and role:

Signature:

Date:

Report countersigned by:

Name and role:

Signature:

Date: