



Greenholm Primary school USE OF POSITIVE HANDLING POLICY

Overarching statement

At Greenholm we are a school that is welcoming, safe and creates an environment which values and supports learning for everyone. We work hard to create an ethos that promotes inclusive practice for all, by providing a consistent and fair approach, which is supportive of the continual emotional development of all and by demonstrating mutual respect, openness and honesty.

ABOUT THIS POLICY

This policy is based on advice given in the non-statutory guidance from the Department for Education and the 2006 Education and Inspections Act. It is intended to provide clarification on the use of force to help school staff feel more confident about using this power when they feel it is necessary and to make clear the responsibilities of school leaders and governing bodies in respect of this power. It should be viewed and understood in conjunction with the school Safeguarding policy, SEND policy and Behaviour Policy.

REVIEW DATE

This guidance will be reviewed annually.

DATE LAST REVIEWED: July 2023

1 What is reasonable force?

- (i) The term 'reasonable force' covers the broad range of actions that involve a degree of physical contact with pupils.
- (ii) We recognise that force is usually used to either 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 student needs to be restrained to prevent violence or injury to themselves or others.
- (iii) 'Reasonable in the circumstances' means using no more force than is needed.
- (iv) The decision on whether to physically intervene is down to the professional judgement of the teacher concerned. Whether the force used is reasonable will always depend on the particular circumstances of the case. The use of force is reasonable if it is proportionate to the consequences it is intended to prevent. This means the degree of force used should be no more than is needed to achieve the desired result.

- (v) At Greenholm, force may be used to control pupils or 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 pupil by the arm out of a classroom.
- (vi) 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.
- (vii) School staff will always try to avoid acting in a way that might cause injury, but in understanding the definition of reasonable force, it may not always be possible to avoid injuring the pupil.

2 Who can use reasonable force?

- (i) All members of school staff have a legal power to use reasonable force¹.
- (ii) This power applies to any member of staff at the school. It can also apply to people whom the head teacher has temporarily put in charge of pupils such as unpaid volunteers or parents accompanying students on a school organised visit.
- (iii) Wherever possible the use of positive handling will be undertaken by staff members who have completed the 'Safer Handling Techniques' training.

3 When can positive handling be used?

- (i) Positive handling can be used to prevent pupils from hurting themselves or others, from damaging property, or from causing disorder.
- (ii) 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. HOWEVER, WHERE POSSIBLE THE HEADTEACHER OR A SENIOR MEMBER OF STAFF SHOULD BE CONSULTED BEFORE DECIDING TO INTERVENE PHYSICALLY.
- (iii) In line with government guidance, the following list is not exhaustive but provides some examples of situations where positive handling can and cannot be used.

Schools can use positive handling to:

- remove disruptive children from the classroom where they have refused to follow an instruction to do so;
- prevent a pupil behaving in a way that disrupts a school event or a school trip or visit;
- 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; and

¹ Section 93, Education and Inspections Act 2006
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- prevent a pupil from attacking a member of staff or another pupil, or to stop a fight in the playground.

4 Pupils with SEND

- (i) The school will have due consideration to the risks posed by the additional vulnerability of pupils with SEND in terms of physical intervention and reasonable force.
- (ii) The SENCO will ensure that the stipulations of the Equality Act 2010 are adhered to in relation to reasonable adjustments, non-discrimination and the Public Sector Equality Duty, and will ensure that staff that come into regular contact with pupils with SEND are aware of the ways in which their needs can be met without reasonable force.
- (iii) The school is aware that pupils with SEND may sometimes experience meltdowns, which can sometimes manifest in behaviour which may be aggressive or seem uncontrollable. Where it is known that a pupil is prone to meltdowns, the SENCO and headteacher will draft a risk assessment to determine planned strategies for managing the pupil's meltdowns that are tailored to the pupil's specific needs, to avoid the use of reasonable force. These risk assessments will be conducted in collaboration with the pupil and their parents, where appropriate. Staff will be aware that restraining a pupil in a way that prevents them from stimming entirely can cause extreme distress and lead to further aggressive behaviour. Self-injurious stimming and tactics to support a pupil to engage in safer stims will be included as part of the pupil's risk assessment.
- (iv) The school will adhere to its Special Educational Needs and Disabilities (SEND) Policy at all times.

4 Communicating the school's approach to the use of force

Schools do not require parental consent to use force on a student however, wherever possible, we will endeavour to develop behaviour plans in conjunction with parents for children who may present behaviours that make them more likely to be subjected to the use of reasonable force.

5 Staff training

At Greenholm all the Leadership team, including the senior lunchtime supervisors and the Before and After School manager have been trained to use POSITIVE HANDLING

TECHNIQUES.

- (i) Whenever positive handling has been used, the school will conduct a debrief with all staff involved. This may involve considering:
 - a. The pupil's behaviour and level of risk presented at the time of the incident
 - b. The degree of force used in line with this policy
 - c. The effect on the pupil or member of staff
 - d. The child's age or any specific needs
 - e. Future support needed for the pupil/s involved to prevent a reoccurrence of positive handling needing to be used

7 Telling parents when force has been used on their child

When an incident has occurred where a child has been subjected to the use of positive handling we will ensure that the parent/s are contacted and informed of what has happened.

When an incident has occurred where a child has been subjected to the use of positive handling we will ensure that the child is briefed on why action was taken by a staff member.

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

- (i) All complaints about the use of force will be thoroughly, speedily and appropriately investigated in line with the school's complaints policy.
- (ii) Where a member of staff has acted within the law – that is, they have used positive handling 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.
- (iii) 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. The school is under no obligation to suspend the member of staff pending investigation.

9 What about other physical contact with pupils?

We recognise that it is not illegal to touch a pupil. There are occasions when physical contact, other than reasonable force, with a pupil is proper and necessary.

- (i) Examples of where touching a pupil might be proper or necessary:

- a. Holding the hand of the child at the front/back of the line when going to assembly or when walking together around the school;
- b. When comforting a distressed pupil;
- c. When a pupil is being congratulated or praised;
- d. To demonstrate how to use a musical instrument;
- e. To demonstrate exercises or techniques during PE lessons sports coaching; and
- f. To give first aid.

School trips

The power may be used where the member of staff is lawfully in charge of the pupils, and this includes while on school trips.