



Bingham Primary School

Policy Document

Policy Name: Positive handling and Restraint – Use of reasonable force

Date: Sept 2023

Review: Sept 2024

Aims:

This policy should be read in conjunction with our behaviour, Safeguarding and exclusion policies.

We follow and adhere to the government guidance : [DfE advice template \(publishing.service.gov.uk\)](https://www.gov.uk/guidance/positive-handling-and-restraint-use-of-reasonable-force)- Use of reasonable force Advice for headteachers, staff and governing bodies July 2013.

This policy is also written in line with Nottinghamshire County Council's policy on the same subject, entitled 'Keeping Classrooms Safe for Learning and Teaching', March 2011.

This policy relates to legislation in The Education Act 1996 and The Education and Inspections Act 2006. This policy also considers the non-statutory advice outlined in the DfE guidance 'Use of Reasonable Force: Advice for head teachers, staff and governing bodies' as well as NCC guidance for schools on the use of restrictive physical interventions.

Key points that are outlined in the advice include:

- All school staff have a legal power to use reasonable force
- 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.

At Bingham Primary and Nursery School, we aim to provide a safe, caring and friendly environment for all our pupils to allow them learn effectively, improve their life chances and help them reach their potential.

We take the safety of our pupils and staff very seriously and believe that all pupils and staff have the right to feel and be safe and happy while at school.

When considering the possibility of physical intervention with a child, all staff will follow the guidelines set down in our policy.

It is recognised in Section 93 of the Education and Inspections Act 2006 that there is a need to intervene when there is an obvious risk of safety to pupils, staff and property, therefore there may be certain circumstances where adults need to make physical contact with a pupil in order to ensure their safety or the safety of others. This will, for the purposes of this policy, be called 'positive handling'.

We define positive handling as the positive application of force with the intention of protecting the child from harming himself or others or seriously damaging property.

The judgement on whether to use physical intervention and what type of physical intervention should be used, should always depend on the circumstances of each case and in the case of pupils with Special Educational Needs, accurate and up to date information about the individual concerned.

Positive handling should avert danger by preventing or deflecting a child's action or perhaps by removing a physical object, which could be used to harm him / herself or others. It is only likely to be needed if a child appears to be unable to exercise self-control of emotions and behaviour.

It is not possible to define in this policy every circumstance in which positive handling would be necessary or appropriate and staff will have to exercise their own judgement in situations which arise within the above categories.

Staff should always act within the School's policy on behaviour and discipline, particularly in dealing with disruptive behaviour. Any member of staff who undertakes a restrictive physical



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intervention should be clear as to why it is necessary and be able to show that it was in the pupil's best interest and that it was reasonable and proportionate - 1 Section 93 of the Education and Inspections Act 2006 Policy for the Restrictive Intervention and Positive Handling of Pupils 4 of 11.

Staff should be aware that when they are in charge of children during the school day, or during other supervised activities, they are acting 'in loco parentis' and should, therefore, take reasonable action to ensure pupils' safety and well-being.

Failure to positively handle a pupil who is subsequently injured or injures another, could, in certain circumstances, lead to an accusation of negligence. At the same time staff are not expected to place themselves in situations where they are likely to suffer injury as a result of their intervention.

Use of Positive Handling:

Positive handling should be applied as an act of care and control with the overarching intention of re-establishing verbal control as soon as possible and, at the same time, allowing the pupil to regain self-control.

It should never take a form which could be seen as a punishment.

Named, trained staff are the only ones authorised to use reasonable force in applying positive handling. Their considered professional judgement as to what constitutes reasonable force depends upon the particular situation and the pupil to whom it is being applied. However, as a general rule, only the force necessary to stop or prevent the behaviour should be used, in accordance with the guidelines below. There are some forms of physical intervention, which may involve minimal physical contact, such as blocking a pupil's path or the staff member physically interposing him or herself between the pupil and another pupil or object. However, in some circumstances, direct physical contact may be necessary. In all circumstances other methods such as de-escalation or emotional coaching, in all situations **positive handling should be a last resort.**

Staff need to make the clearest possible judgements about:

a. The seriousness of the incident, assessed by the effect of the injury, damage or disorder which is likely to result if force is not used. The greater the potential for injury, damage or serious disorder, the more likely it is that using force may be justified.

b. The chances of achieving the desired result by other means.

The lower the probability of achieving the desired result by other means, the more likely it is that using force may be justified.

c. The relative risks associated with physical intervention compared with using other strategies. The smaller the risks associated with physical intervention compared with other strategies, the more likely it is that using force may be justified.

What is positive Handling?

The term 'Positive Handling' includes a wide range of supportive strategies for managing challenging behaviour.

The term 'physical restraint' is used when force is used to overcome active resistance. These are referred to as 'Restrictive Physical Interventions' in the national guidance (DFES/DoH 2002).

A clear and consistent positive handling policy supports pupils who have social, emotional and behavioural difficulties within an ethos of mutual respect, care and safety. Pupils with behavioural difficulties sometimes present a risk to themselves and others. Section 550A of



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the Education Act 1996 describes the circumstances in which teachers and others authorised by the Headteacher may use reasonable force to control or restrain pupils.

Examples of when such action may be reasonable are to prevent injury to people, damage to property or the breakdown of discipline. This policy details how we implement the guidance in our school and Nursery. It should be considered alongside the most recent LA policy statements and recent local and national guidance. It is designed to help staff to ensure that any actions they take are reasonable, proportionate and absolutely necessary.

Examples of when positive handling/reasonable force might be considered:

Examples of situations that may require positive handling/ restraint are when:

- a pupil attacks a member of staff, or another pupil
- pupils are fighting
- a pupil is causing, or at risk of causing, injury or damage by accident, by rough play, or by misuse of dangerous materials, substances or objects
- a pupil is running in a corridor or on a stairway or outside of school in a way in which he/she might have or cause an accident likely to injure her/himself or others
- a pupil absconding from a class or trying to leave school (NB this will only apply if a pupil could be at risk if not kept in the classroom or at school)
- a pupil persistently refuses to obey an order to leave an area
- a pupil behaves in such a way that seriously disrupts a lesson

Before using restrictive physical intervention staff should, wherever practicable, tell the pupil to stop their specific undesired behaviour and communicate in a calm and measured manner throughout the incident.

At all times, alternatives to positive handling/physical intervention should always be looked at first.

A member of staff who chooses not to make a physical intervention can still take effective action to reduce risk.

They can:

- Ensure that colleagues know what is happening and get help.
- Show care and concern by acknowledging unacceptable behaviour and requesting alternatives using negotiation and reason.
- Give clear directions to the pupils to stop. Policy for the Restrictive Intervention and Positive Handling of Pupils 5 of 11
- Give clear directions to guide the pupil to a safe place.
- Remind them about rules and likely outcomes.
- Remove any audience or take vulnerable pupils to a safer place.
- Make the environment safer by moving furniture and removing objects which could be used as weapons.
- Use 'positive touch' 2 to guide or escort pupils to somewhere less pressurised.

When it has been assessed/ judged that positive handling becomes necessary:

Staff will:

- Tell the pupil what they are doing and why
- Use the minimum force necessary
- Involve another member of staff if possible
- Tell the pupil what s/he must do for staff to remove the restraint (this may need frequent repetition)
- Use simple and clear language
- Follow the agreed holds from the Team Teach Training ONLY.



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- Relax restraint in response to the pupil's compliance

Staff will not:

- Be involved in a prolonged verbal exchange with the pupil
- Attempt to reason with the pupil
- Involve other pupils in the restraint
- Twist or force limbs back against a joint
- Hold the pupil in a way which will restrict blood flow or breathing e.g. around the neck or chest
- Restrain a pupil on the floor as this could restrict breathing
- Restrain a pupil any longer than is necessary to ensure safety.

Staff should be specific in telling the pupil that physical contact or restraint will stop as soon as it ceases to be necessary.

The types of physical intervention could include:

- a. Passive physical contact resulting from standing between pupils or blocking a pupil's path.
- b. Active physical contact such as:
 - i) Leading a pupil by the hand or arm;
 - ii) Ushering a pupil away by placing a hand in the centre of the back;
 - iii) In more extreme circumstances, using appropriate restrictive interventions, which require specific expertise and training.

The restrictive physical interventions authorised by the school are those techniques in which staff have received appropriate training and development through 'Team Teach'.

The core principles of 'Team Teach' include:

- Minimum of two staff involved.
- Last resort minimum force and time.
- Techniques that do not rely on pain or locks and allow for verbal communication.
- Staff safety and protection addressed.
- Planned responses and techniques are written out and included in positive handling plans for individual pupils. Where there is a high and immediate risk of death or serious injury, any member of staff is justified in taking any necessary action (consistent with the principle of seeking to use the minimum intervention required to achieve the desired result.)

Authorisation of staff to use physical intervention and staff development

All members of school staff have legal power to use reasonable force. However, at BPS we want to make sure that we adopt a preventative and pro-active approach and so there are key individual staff who are identified to assist any pupil with a positive handling plan in place. These staff will be called on in an emergency if positive handling or physical restraint are judged absolutely necessary.

Authorisation is given by the Headteacher (or AHT deputising when they are absent).

Information regarding the positive handling strategies, including de-escalation techniques, will be shared with all identified staff. Staff are trained in specific physical interventions and de-escalation strategies through the 'Team Teach' approach. Once staff have received their full training, refresher training will take place 2-3 years following initial training.

Actions After An Incident



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Positive handling often occurs in response to highly charged emotional situations and there is a clear need for debriefing after the incident, both for the staff involved and the pupil. A member of the leadership team should be informed of any incident as soon as possible and will take responsibility for making arrangements for debriefing once the situation has stabilised.

An appropriate member of the teaching staff should always be involved in debriefing the pupil involved and any victims of the incident should be offered support, and their parents informed.

If the behaviour is part of an ongoing pattern it may be necessary to address the situation through the development of a behavioural support plan, which may include an anger management programme, or other strategies agreed by the SENCO. It is also helpful to consider the circumstances precipitating the incident to explore ways in which future incidents can be avoided. All incidents should be recorded immediately on CPoms which will capture the date and time in an un-editable chronology.

A full narrative of the incident must be submitted including:

- A description of what happened prior to the hold, outlining why the physical intervention was deemed necessary. This includes where, when, which children directly involved, any injury or damage sustained prior to intervention;
- Adults present who saw the incident;
- The exact holds used – how long held for, everything that was said to the child and that they said;

The record needs to be highly comprehensive so that a full record is available in the event of a future complaint.

A member of the leadership team will contact parents as soon as possible after an incident, normally on the same day, to inform them of the actions that were taken and why, and to provide them with an opportunity to discuss it.

The school LSB will be informed of the number of physical interventions on an annual basis

Risk Assessments

We believe that it is far more important to be proactive than reactive to be able to support our most vulnerable pupils before they ever get to the point where positive handling becomes necessary.

For those pupils assessed as being at risk of restrictive physical intervention Positive Handling Plans will be developed. These plans outline what techniques should/should not be used, however the primary and first response will be appropriate de-escalation strategies.

Such planning will address:

- Management of the pupil (e.g. reactive strategies to de-escalate a conflict, holds to be used if necessary)
- 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 (this may identify a need for training or guidance)
- Identification of additional support that can be summoned if appropriate
- Completion of a pupil risk assessment.