

POSITIVE HANDLING TO CONTROL OR RESTRAIN PUPILS POLICY

Northgate Primary School



Approved by:	Northgate Governing Body	Date: February 2021
Last reviewed on:	February 2024	
Next review due by:	February 2026	

This policy is based on a model policy prepared by the West Sussex Education Authority, in consultation with representatives of the teachers' associations, Head teachers' executives

and UNISON and in liaison with West Sussex Social Services and Sussex Police. It is based on advice contained in the Education and Inspection Act 2006 and Use of Reasonable Force July 2013.

This policy supports the Behaviour Policy and contributes to the school's Safeguarding Policy and procedures.

The Legislation

Everyone has the right to defend him or herself against an attack, providing they do not use disproportionate force, or to act in an emergency to prevent injury to a pupil or by a pupil to someone else. Section 93 of the Education and Inspections Act 2006 indicates that teachers and authorised staff may also intervene in less extreme situations.

Schools cannot use force as a punishment – it is always unlawful to use force as a punishment (page 5) July 2013.

Local Authority (LA) Statement of Intent

West Sussex LA recognises that the welfare of the child is paramount and the right of every pupil to be protected from harm and seeks to protect all pupils from any form of physical intervention which is unnecessary, inappropriate, excessive or unlawful.

However, it is also recognised that on occasions and as a last resort, situations may arise where, in order to ensure the welfare and protection of children or other adults, staff may need to use physical restraint.

Staff using reasonable and appropriate physical force, in line with this guidance, will have the support of the LA.

Outline

In relation to physical control or restraint of pupils this policy sets out:

1. Staff authorised to use control or restraint in line with this guidance.
2. What is 'reasonable' force in terms of;
 - a. The circumstances where it may be appropriate; and
 - b. The degree and type of force used
3. The procedures which should be followed when physical restraint is used to control or restrain pupils.

- It is the Head Teacher's responsibility to ensure the members of staff are aware of staff and properly understand what the authorisation entails and that they receive appropriate guidance and training.
- At Northgate Primary School named members of staff have been trained by Team Teach to carry out special restraint techniques in the event of this being necessary for agreed pupils and these are listed in the appendices to this policy.

What is Reasonable Force?

- See Ref July 2013 page 4

What can reasonable force be used?

- See Ref July 2013 pages 4-5

However, members of staff should be particularly cautious about the use of force in nonurgent circumstances like these. Staff should always exhaust all other appropriate behaviour management strategies before ever considering using force.

In situations where there is no direct risk to people or property and the key issue is establishing good order, any action which could exacerbate the situation needs to be avoided. The possible consequences of intervening physically, including the risk of increasing disruption or provoking attack, need to be very carefully evaluated.

- Other than in emergencies, members of staff are not expected to attempt to restrain a child or young person if they may put themselves at risk. However teachers and other school staff have a duty of care towards their pupils and it might be argued that failing to take action (including a failure to use reasonable force) may in some circumstances breach that duty.

What is a 'reasonable' degree / type of force?

Actions considered 'unacceptable' by the LA include:

- holding a pupil around the neck, or by the collar, or in any way that might restrict the pupil's ability to breathe;
- slapping, punching or kicking a pupil;
- twisting or forcing limbs against a joint (e.g. forcing a child or young person's arm up his/her back);

- tripping a pupil;
- holding or pulling a pupil by the hair or ear;
- shaking a pupil;
- tying up or binding a pupil;
- lifting a child or young person off the floor as a means of control;
- exerting excessive pressure on any part of a child or young person's body;
- holding a pupil face down on the ground;
- seated double embrace;
- double basket hold;
- nose distraction technique.

Staff should always avoid touching or holding a pupil in a way that might be considered indecent.

Procedure

The school's policy regarding physical restraint has been agreed with the governing body and the staff and is available to parents for information.

Although this school makes clear through this policy the procedures which should be followed, it is vital that staff exercise sound judgement and act with discretion in reacting to a particular set of circumstances.

Before Intervening

In many instances, particularly where a child has serious and/or complex individual needs, parents will be involved in establishing programmes of behaviour modification with the school. This includes addressing:

- That parents are clear about the circumstances and type of physical intervention that may be necessary;
- That briefings for staff ensure they are aware of what action they should be taking (this may identify a need for training or guidance);

- The arrangements for staff needing to summon additional support; and
- The need to seek medical advice if dealing with pupils who have specific health considerations.

Before using force to control or restrain the member of staff should:

1. (except in emergencies) try to deal with the situation through other behaviour management strategies;
2. (except in emergencies) consider whether they will place themselves at risk of injury by intervening, for example when dealing with older, larger pupils. Where they judge this to be the case teachers should remove other pupils who might be at risk and summon assistance from colleagues, or where necessary the police;
3. tell the child to stop and warn the child of the consequences of his/her behaviour;
4. if at all possible summon additional staff support and tell the child that this has been done. This has the dual purpose of reducing the risk to the member of staff and providing a witness should the situation develop. Until assistance arrives continue to attempt to defuse the situation orally.

Whilst Intervening

The member of staff must:

1. employ minimum force for the minimum period necessary to restrain the pupil;
2. keep talking to the pupil, making it clear to him/her that the physical contact or restraint will stop as soon as it ceases to be necessary;
3. avoid threatening or committing any act of punitive violence;
4. keep his/her temper under control;
5. have regard to others in the vicinity.

After Intervening

1. Report the necessity of intervention to a senior manager.
2. Every incident should be recorded using on an ABC form, which then should be attached to CPOMS.

3. **If the incident results in injury an 'Accident/Incident Reporting FormHSW3' must be completed.** This can be instead of, or in addition to, the 'Use of Physical Restraint' form.

The management of the school will:

1. Initiate appropriate follow-up with the child/young person involved and others present if appropriate.
2. Notify parents/carers of the action taken and initiate appropriate follow-up (paragraph 30).
3. Offer support, as appropriate to staff involved.
4. Investigate incidents (not minor or trivial) and evaluate them in the light of the school's risk assessment procedures, disseminating any conclusions reached.

Complaints / Allegations

Involving parents when an incident occurs with their child, and adherence to the school's policy about physical contact with pupils, should help to avoid complaints from parents. Clearly it will not prevent all complaints and a dispute about the use of force by a member of staff might lead to an investigation, either under disciplinary procedures or by the Police and Social Services Department under child protection procedures.

Northgate Primary School will use "The Schools' Personnel Manual" (Appendix 8.4) 'Employees in Schools Facing an Allegation of Physical/Sexual Abuse: Procedures and Guidelines' which offers advice to the Head Teacher and members of staff should the use of physical restraint lead to an allegation of physical abuse which is to be investigated under disciplinary procedures.

Keeping Children Safe in Education July 2015 gives guidance about investigations under child protection procedures and include advice relating to allegations against staff.

Training

Northgate Primary School will make use of behaviour management courses as and when considered appropriate by the Head Teacher and senior management team.

Behaviour management courses are available through West Sussex INSET provision and can be accessed in the normal way. Courses in the avoidance and diffusion of aggression are also available and can be accessed as necessary.

The following trainers are considered by the LA to offer appropriate guidance in managing behaviour and **specific training on the use of reasonable force to restrain or control pupils**. They can be approached directly regarding individual or school based training. They will normally expect that candidates have experience dealing with restraint.

- **SCIP** Training (Strategies for Crisis Intervention and Protection)
- **Team Teach**, (INSET county run courses)

Further sources of Information

The LA leaflet 'Guidance for School on Relationships with Children and Young People' provides a code of conduct regarding the wider issues of physical contact and relationships with pupils. Copies of this are available from the Head Teacher.

Appendix 1

RISK ASSESSMENT

This pro forma has been adapted from the DfE Pro Forma on the DfE website

School: Northgate Primary School

Pupil:

Class Teacher:

Teaching Assistant:

Assessment of Risk	
In which situations does the risk usually occur?	

How likely is it that the risk will arise?	
If the risk arises, who is likely to be injured or hurt?	
What kinds of injuries or harm are likely to occur?	
How serious are the adverse outcomes?	

Proactive Interventions to Manage Risk:	
Signs	Interventions
	<u>Things to avoid:</u>

Early Interventions to Manage Risk:	
Signs	Interventions
Stage 1	

Stage 2	
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Reactive Interventions to Respond to Adverse Outcomes:	
Signs	Interventions
Stage 3	<ul style="list-style-type: none"> <input type="checkbox"/> Adults must decide which action(s) below will ensure XXX, the other children and adults are kept as safe as possible: <ul style="list-style-type: none"> <input type="checkbox"/> Make the environment as safe as possible <input type="checkbox"/> Remove other children if not possible to remove XXX <input type="checkbox"/> Leave room if unsafe to stay; observe from a distance <input type="checkbox"/> Remove XXX from the room to a Safe Area using Team Teach holds: <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Single Elbow <input type="checkbox"/> Double Elbow – one person <input type="checkbox"/> Double Elbow – two people <input checked="" type="checkbox"/> T-Wrap <input type="checkbox"/> Small Child Escort <input type="checkbox"/> Response to Deadweight <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Take to Chairs
	<ul style="list-style-type: none"> <input type="checkbox"/> Release hold when XXX has calmed and is likely to be safe

Stages 4 and 5 – Recovery and Depression

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- Support members of staff who have had to work with XXX during Stage 3 and 4 by allowing them to take a break

Stages 6 – Follow-Up

For staff

- Consider ways to respond next time
- Allow staff members to talk through what happened and how they feel

For pupil

Communication of Behaviour Management Plan and School Risk Management Strategy:

Plan and strategies shared with:	Communication method:	Date actioned:
<ul style="list-style-type: none"> • Teaching staff • Support staff • Office staff 	<ul style="list-style-type: none"> • Plan shared at the next available meeting • Copy to be kept in: <ul style="list-style-type: none"> ○ staffroom (in folder) ○ main office ○ every classroom ○ supply packs – cover staff’s attention should be brought to copy of plan before they begin to teach 	

Staff Training Issues

Identified training needs:	Training provided to meet needs:	Date training completed:

□	□	□
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Signatures:

Date: