



Positive Handling Policy

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Contents

1 Introduction	3
2 What is reasonable force?	3
3 Who can use reasonable force?	4
4 When can reasonable force be used?	4
5 Use of reasonable force	4
6 Power to search students without consent	5
7 Physical contact with students	5
8 Principles Relating to the Use of Physical Restraint	5
8.1 Operational/Procedural Points Relating to the Use of Reasonable Force	6
9 Student complaints	6
10 Policy Review	7
11 Further Sources of Information	7
Appendix 1	8
INCIDENT RECORD FORM	8
Appendix 2	10
Non-Physical intervention techniques	10

1 Introduction

The policy has been developed in response to joint guidance issued by the DfE and Department of Health, and follows the guidance for The Use of Reasonable Force to Control or Restrain Students¹. The policy has been prepared for the support of all teaching and support staff, who come into contact with students and for volunteers working within the Richmond upon Thames School to explain the school's arrangements for care and control.

This policy should be read in conjunction with all other policies and not as a standalone policy. This policy was produced following guidance from the following publications:

- Use of Reasonable Force Advice for Head Teachers, staff and governing bodies - July 2013
- Education and Inspections Act 2006
- The Education Act 1996 forbids corporal punishment, but allows all teachers to use reasonable force in order to prevent a student from:
 - Harming him/herself or others²
 - Seriously damaging property
 - Committing a criminal offence and
 - Acting in a way that is counter to maintaining good order and discipline at the school.

Our approach: "Prevention is better than cure" We always try to avoid using physical interventions and regard them as a last resort for a very small minority of situations. We provide a carefully planned and differentiated curriculum that provides appropriate levels of challenge to all students, and maintain an effective school behaviour policy that is known and understood by all staff and students.

Positive Handling is then our method of last resort, after all other approaches have been tried or in situations of clear danger or extreme urgency. 95% of crisis situations can be dealt with through calm, dignified and skilled intervention. (The use of non confrontational approaches and understanding of messages received from body language are vital). We utilise only the minimum force required to resolve the situation safely. How we respond always has regard to the circumstances and to the age and understanding of the child or young person.

2 What is reasonable force?

All school staff, like anyone else, are allowed to use reasonable force (the minimum necessary) to defend themselves. We take the view that staff are not expected to put themselves in danger; and that removing students and themselves from a source of danger is a proper thing to do. We appreciate the integrity of our staff and value their efforts to rectify situations that are difficult and in which they exercise their duty of care for their students. However, we do not require them to go beyond what is reasonable. In particular it is acceptable for any member of staff to decide that they will not use physical intervention for personal reasons.

¹ DfE Guidance: <https://www.gov.uk/government/publications/use-of-reasonable-force-in-schools>

² Injury (or harm to self or others) "actual or grievous bodily harm, physical or sexual abuse, risking the lives of or injury to self or others by wilful or reckless behaviour and self-poisoning".

The term, “reasonable force” covers the broad range of actions used by most teachers at some point in their career that involve a degree of physical contact with students.

- Force is usually applied either to control or restrain. This can range from guiding a student 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.
- ‘Reasonable in the circumstances’ means using no more force than is needed.
- As mentioned above, schools generally use force to control students and to restrain them.
 - Control means either passive physical contact, such as Use of Physical Handling standing between students or blocking a student's path, or active physical contact such as leading a student by the arm out of a classroom.
 - Restraint means to hold back physically or to bring a student under control. It is typically used in more extreme circumstances, for example when two students are fighting and refuse to separate without physical intervention.
- School staff should always try to avoid acting in a way that might cause injury, but in extreme cases it may not always be possible to avoid injuring the student.

3 Who can use reasonable force?

- All members of school staff have a legal power to use reasonable force. (Section 93, Education and Inspections Act 2006).
- This power applies to any member of staff at the school. It can also apply to whom the Head Teacher has temporarily put in charge of students such as unpaid volunteers or parents accompanying students on a school organised visit.
- Staff receive positive handling training.

4 When can reasonable force be used?

- Reasonable force can be used to prevent students from hurting themselves or others, from damaging property, or from causing disorder.
- In a school, force is used for two main purposes – to control students or to restrain them.
- 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.

5 Use of reasonable force

Schools can use reasonable force to:

- remove disruptive children from the classroom where they have refused to follow an instruction to do so;
- prevent a student behaving in a way that disrupts a school event or a school trip or visit;
- prevent a student leaving the classroom where allowing the student to leave would risk their safety or lead to behaviour that disrupts the behaviour of others;
- prevent a student from attacking a member of staff or another student, or to stop a fight in the playground
- restrain a student at risk of harming themselves through physical outbursts
- reasonable adjustment will be taken into account for students with disabilities and special educational needs.

Schools cannot:

- use force as punishment – it is always unlawful to use force as a punishment.

It is unacceptable and likely to be illegal or grounds for disciplinary action for staff to use any physical intervention designed to cause pain or injury including: any form of corporal punishment, slapping, punching or kicking; holding by the neck or collar, or otherwise restricting the ability to breath; holding by the hair or an ear; twisting or forcing limbs against a joint; tripping up a student or holding an arm out at neck or head height to stop them; holding a student's face down on the ground or sitting on them; shutting or locking a student in a room, except in extreme situations whilst summoning support. Staff should also avoid touching or holding a student in a way that might be considered indecent. The dignity of students is vital, and we need to foster their self respect.

Using Physical Intervention Except in cases where there is immediate danger we would try other ways of resolving or de-escalating a situation.

These could include:

1. Calmly re-stating the rules and expectations for the situation;
2. Removing other students from the situation and thus from danger of from being an audience;
3. Use of physical proximity, but not in a threatening way;
4. Encouraging the student to withdraw to a safer and calmer situation;
5. Calling another adult for support or to take over.

6 Power to search students without consent

In addition to the general power to use reasonable force described above, the Head Teacher and authorised staff can use such force as is reasonable given the circumstances to conduct a search for the following 'prohibited items':

- knives and weapons;
- alcohol;
- illegal drugs;
- stolen items;
- tobacco and cigarette papers;
- fireworks;
- pornographic images;
- any article that has been or is likely to be used to commit an offence, cause personal injury or damage to property.

Force cannot be used to search for items banned under the school rules.

7 Physical contact with students

It is not illegal to touch a student. There are occasions when physical contact, other than reasonable force, with a student is proper and necessary. Examples of where touching a student might be proper or necessary:

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

8 Principles Relating to the Use of Physical Restraint

- Reasonable force must only be used as a last resort when other strategies have failed. It must serve to defuse or prevent a violent, or potentially violent situation. It must not be used purely to force compliance with staff instructions when there is no immediate risk to people or property.
- Staff should have good grounds for believing that immediate action (reasonable force) is necessary in order to prevent a student from injuring him/herself or others, or causing serious damage to property.
- Where possible, staff should take steps in advance to avoid the need for reasonable force, e.g. through dialogue and diversion. The student should be warned orally that physical restraint will be used unless s/he desists.
- Physical restraint must not be used in anger. When it becomes apparent that the student is not responding to verbal instructions and a violent incident is imminent, the member of staff, wherever possible, should call for assistance before engaging in reasonable force.
- When it becomes necessary to restrain a student, the member of staff must, if possible, continue to talk to the student in a calm manner, offering choices and time for the student to become calm.
- The age and competence of the student must be taken into account in deciding what degree of intervention is necessary.
- Only the minimum force necessary, to prevent physical injury or damage, should be applied. Particular care must be taken to avoid inflicting any unnecessary pain or injury.
- Use of force must not involve deliberately painful or dangerous procedures. It must:
 - Never interfere with breathing, blood supply or genital areas;
 - Never involve holding the head, throat or fingers.
 - Be discontinued as soon as the situation is deemed safe.
- As soon as it is safe, use of force must be gradually relaxed as the student regains self-control.
- A student must never be asked to apply reasonable force to another student.

8.1 Operational/Procedural Points Relating to the Use of Reasonable Force

- The circumstances and reason for using reasonable force must be recorded immediately, or as soon as possible, but ideally no later than the next working day.
- The member of staff must inform the Head Teacher or other member of the senior leadership team as soon as possible of the incident - within 24 hours
- The student's views should also be recorded as soon as possible, preferably on the same day.
- The Head Teacher should discuss the incident with the teacher within 24 hours.
- Counselling may be needed for staff who, following the incident are distressed.
- Following the incident the student should be counselled on the reasons why it was necessary to restrain him/her.
- Students will be interviewed about the reasons that led to the incident and the circumstances that followed. The interviewer must be a senior member of staff who was not directly involved in the incident.

- Staff should be provided with opportunities to discuss incidents involving restraint and their subsequent feelings. Where it is clear that the teachers need further advice/training, the Head Teacher should take prompt action to see that it is provided.
- Parents/carers will be informed when reasonable force has been used and will be given the opportunity to discuss the matter with the school.
- Trustees made aware of any incident at the next Safeguarding meeting

9 Student complaints

- All complaints about the use of force should be thoroughly, speedily and appropriately investigated.
- Where a member of staff has acted within the law – that is, they have used reasonable force 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.
- 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.
- Suspension must not be an automatic response when a member of staff has been accused of using excessive force. Schools should refer to the “Dealing with Allegations of Abuse against Teachers and Other Staff” guidance (see the “Further sources of information” below) where an allegation of using excessive force is made against a teacher. This guidance makes clear that a person must not be suspended automatically, or without careful thought.
- Schools must consider carefully whether the circumstances of the case warrant a person being suspended until the allegation is resolved or whether alternative arrangements are more appropriate.
- If a decision is taken to suspend a teacher, the school should ensure that the teacher has access to a named contact that can provide support.
- Governing bodies should always consider whether a teacher has acted within the law when reaching a decision on whether or not to take disciplinary action against the teacher.
- As employers, schools and local authorities have a duty of care towards their employees. It is important that schools provide appropriate pastoral care to any member of staff who is subject to a formal allegation following a use of force incident.

10 Policy Review

This policy will be reviewed every two years.

11 Further Sources of Information

Other departmental advice and guidance you may be interested in

- [Guidance on the Use of Restrictive Physical Interventions for Staff Working with Children and Adults who display Extreme Behaviour in Association with Learning Disability and/or Autistic Spectrum Disorders \(2002\)](#)
- [Guidance on the Use of Restrictive Physical Interventions for Pupils with Severe Behavioural Difficulties \(2003\)](#)
- [Screening, searching and confiscation – advice for headteachers, staff and governing bodies.](#)
- [Dealing with allegations of abuse against teachers and other staff – guidance for local authorities, headteachers, school staff, governing bodies and proprietors of independent schools Associated resources](#)

(Other links)

- [Police and Criminal Evidence Act 1984 \(PACE\) Code G: Revised Code of Practice for the Statutory Power of Arrest by Police Officers](#)

Appendix 1

INCIDENT RECORD FORM

This form should be completed following an incident involving the use of reasonable force and kept by the school for future reference.

Name(s) of Student(s)

Form Group

Gender

Date

Time

Location of incident

Nature of incident: *verbal abuse, threatening behaviour, refusal, kicking, punching, bullying, fighting, other (please specify below):*

Involving: *staff, students, property, equipment, other (please specify below):*

Why was Reasonable Force Necessary?

Clearly define the circumstances that led to the incident, describing the student's behaviour, the danger perceived, and the restraint used.

Why was Reasonable Force Necessary?

(Continue on a separate sheet if necessary)

Further action taken by the Head Teacher

Tick as appropriate

- | | |
|--|--|
| <input type="checkbox"/> Recorded in the Accident Book (Arbor) | <input type="checkbox"/> Racial Incident Recorded |
| <input type="checkbox"/> Accident Form completed | <input type="checkbox"/> Parent / Carer contacted |
| <input type="checkbox"/> Recorded as an assault | <input type="checkbox"/> Police / others contacted |
| <input type="checkbox"/> Child protection | <input type="checkbox"/> LEA informed |

Name of member of staff report:

Signature of member of staff reporting: Date:

Appendix 2

Non-Physical intervention techniques



Appear calm and relaxed.

Appear afraid and unsure of yourself;
Appear bossy, arrogant;
Assume and 'I do not care about you' attitude.

Keep the pitch and volume of your voice down.

Raise your voice.

Feel comfortable with the fact that you are in control (if you are in control of yourself, you control the situation).

Project a calm and assured feeling that you will see the situation through to peaceful end, no matter what happens.

Appear to expect an attack.

Talk with the student.

Give commands;
Make demands.

Be very matter of fact if the student becomes agitated;
Be sensitive and flexible:
Be flexible yet consistent;
Be aware of body language;
Monitor breathing (chest movements) which can telegraph aggressive responses.

Make threats (especially any that you are not absolutely sure that you can follow through);
Maintain continuous eye contact;
Gesticulate (this may provoke confrontation).

Stay close to the student and attend to him/her

Turn your back; invade the student's personal space.

Be patient;
If a student's agitation increases to the verge of attack:
✓ Acknowledge his/her feelings;
✓ Continue with a matter of fact attitude;
✓ Always leave the student an avenue of escape.

Display emotion;
Argue;
Corner the student physically or psychologically.

Where possible, remain seated as long as the student does;
Stand to one side;
Give the student more space if appropriate.

Give up.

Seek to relax your muscles and keep them under control.

Tense your muscles.

Appendix 3

Positive Handling Training

Staff Name	Training Date