



The Bishop Wheeler Catholic Academy Trust
ST MARY'S CATHOLIC PRIMARY SCHOOL,
A VOLUNTARY ACADEMY

USE OF FORCE/POSITIVE HANDLING PLAN

Review Date: March 2020

Introduction

The policy has been developed in response to The Education and Inspections Act 2006 section 93, which reinforces supersedes and replaces previous guidance. This guidance is also based on the national document 'The Use of Force to Control or Restrain Pupils: Guidance for Schools in England' from 2010 which supersedes other guidance.

The policy should be read in conjunction with other school policies and guidance relating to interaction between adults and pupils.

The policy has been prepared for the support of all teaching and support staff, who come into contact with pupils and for volunteers working within the school to explain the school's arrangements for care and control.

Its contents are available to parents and pupils

This statement includes information on the use of reasonable force to control or restrain pupils.

Objectives

Good personal and professional relationships between staff and pupils are vital to ensure good order in our school. It is recognised that the majority of pupils in our school respond positively to the discipline and control practised by staff. This ensures the well-being and safety of all pupils and staff in school. It is also acknowledged that in exceptional circumstances, staff may need to take action in situations where the use of reasonable, proportionate and necessary force may be required.

St Mary's Catholic Primary School acknowledges that physical techniques are only a small part of a whole setting approach to behaviour management. Every effort will be made to ensure that all staff in this school:

- (i) Clearly understanding this policy and their responsibilities in the context of their duty of care in taking appropriate measures where use of force is necessary.
- (ii) Are provided with appropriate training to deal with these difficult situations.

The Education and Inspections Act 2006 stipulates that reasonable force may be used to prevent a pupil from doing or continuing to do any of the following:

- Self-injuring
- Causing injury to others
- Committing a criminal offence

Engaging in any behaviour prejudicial to maintaining good order and discipline at the school or among any of its pupils, whether the behaviour occurs in a classroom during a teaching session or elsewhere within school (this includes authorised out-of-school activities).

As teaching and non-teaching staff work 'in loco parentis' and have a 'duty of care' towards their pupils, they could be liable for a claim of negligence if they fail to follow the guidance within this policy.

The application of any form of physical control inevitably carries an attached risk of unintended harm and this places staff and the school at risk of potential litigation. It can only be justified according to the circumstances described in this policy. Staff, therefore, have a responsibility to follow this policy and to

seek alternative strategies wherever possible in order to prevent the need for physical intervention. Staff must be aware that they are responsible for:

Assessing risks related to individual circumstances which may arise in the course of their day-to-day duties and making judgements about when the use of force is necessary and the degree of force which may be regarded as necessary to manage a situation.

Staff need to be aware that they are required to justify their decisions in writing through the recording and reporting procedures outlined later in this document.

Underpinning Values

Everyone attending or working in this school has a right to:

- Recognition of their unique identify
- Be treated with respect and dignity
- Learn and work in a safe environment
- Be protected from harm, violence, assault and acts of verbal abuse.

Pupils attending this school and their parents have a right to:

Individual consideration of pupil needs by the staff who have responsibility for their care and protection.

Expect staff to undertake their duties and responsibilities in accordance with the school's policies.

Be informed about school rules, relevant policies and the expected conduct of all pupils and staff working in school.

Expect Support Plans to be designed to achieve outcomes that reflect the best interests of the child whose behaviour is of immediate concern and others affected by the behaviour requiring intervention.

Be informed about the school's complaints procedure. The school will ensure that pupils understand the need for and respond to clearly defined limits, which govern behaviour in the school.

Use of Physical Handling

No legal definition of reasonable force exists, however, for the purpose of this policy and the implementation of it in St Mary's Catholic Primary School:

Positive Handling uses the minimum degree of force necessary for the shortest period of time to prevent a pupil harming himself, herself, others or property.

The scale and nature of any physical intervention must be proportionate to both the behaviour of the individual to be controlled, and the nature of the harm they might cause.

Staff would be expected to follow the pupil's PHP (Positive Handling Plan)/Risk Assessment in the first instance to manage an incident/challenging behaviour.

If this was unsuccessful and the situation continues to escalate, staff would then be expected to request support from a member of the Leadership team and/or a member of staff who has received Restraint Training in the last three years.

Only if all of the above have been tried and are unsuccessful, should staff even consider any other form of restraint. The overriding consideration should still be the reasonableness and proportionality of the force used.

All the techniques used take account of the young person's

- Age
- Gender
- Level of physical, emotional and intellectual development
- Special needs
- Social context

They also provide a gradual graded system of response- see appendix. Where behavioural records and/or risk assessment identifies a need for a planned approach, such a plan should be written for individual children and where possible, these will be designed through multi agency collaboration and with parental consent, shared with other agencies/services supporting the child to facilitate consistency of approach so far as is possible.

Minimising the Need to Use Force

At St Mary's Catholic Primary School we constantly strive to create a calm environment that minimises the risk of incidents arising that might require the use of force. In addition to this, pupils who present with persistent challenging behaviour are assigned a key worker who will work in partnership with the Inclusion Leader and Class Teacher in supporting the Support Plan and associated behaviour targets.

Pupils who have issues relating to sensory dysfunction or other conditions that may result in increased anxiety levels, and therefore an increase in the likelihood of challenging behaviour, may have individualised support or programmes to help them to manage this.

Through the PHSE curriculum pupils learn about feelings and managing conflict, where this is appropriate to their level of development. The ethos further promotes independence, choice and inclusion; pupils are given maximum opportunity for personal growth and emotional wellbeing.

All staff are trained in skills to help them to defuse situations before behaviour becomes challenging and how to deescalate incidents should they arise.

Reasonable force will only be used when the risks involved in doing so, are outweighed by the risks involved in not using force

Prevention of unsafe behaviour will be enabled through:

- The deployment of appropriate staffing numbers
- The deployment of appropriately trained and competent staff
- Avoiding situations and triggers known to provoke challenging behaviour
- Creating opportunities for choice and achievement
- Developing staff expertise through a programme of Continuous Professional Development
- Exploring pupils' preferences relating to the way/s in which they are managed
- Staff employ 'defusion' techniques to avert escalation of behaviour into violence or aggression.

Definitions of Positive Handling

Positive Handling describes a broad spectrum of risk reduction strategies. Positive handling is a holistic approach involving policy, guidance, management of the environment and deployment of staff. It also involves personal behaviour, diversion, diffusion, and de-escalation. Risk assessment identifies positive prevention strategies and how a pupil may need to be supported in a crisis.

Physical Contact

Situations in which proper physical contact occurs between staff and pupils. e.g. in the care of pupils and in order to support their access to a broad and balanced curriculum. It would seem reasonable that young children do require opportunities for close contact, as long as this is within public view, sensitively carried out and age/person-appropriate.

Physical Intervention

This may be used to divert a pupil from a destructive or disruptive action, for example guiding or leading a pupil by the arm or shoulder where the pupil is compliant. This technique cannot be emphasised enough and in the hands of a skilful practitioner, many pupils can be deflected from a potentially volatile situation into a less confrontational situation i.e. it may be possible to 'defuse' a situation by a timely intervention.

Physical control/Restraint/Restrictive Physical Intervention

This will involve the use of reasonable force when there is an immediate risk to pupils, staff or property. All such incidents must be recorded on the Positive Handling Form (Appendix 1) and parents must be informed as soon as is practicably possible (Appendix 2). If anyone is injured an accident/incident report must also be completed. Records of incidents must be given to the Headteacher/DHT as soon as possible, and by the end of the school day at the latest.

The level of compliance from the pupil determines whether or not the interaction is an intervention or a control/restraint. Restraint is defined as the positive application of force by staff, in order to overcome rigorous resistance, completely directing, deciding and controlling a person's free movement.

Types of incident

The incidents described in The Education and Inspections Act 2006 the Use of Reasonable Force to Control and Restrain Pupils fall into three broad categories:

- Where action is necessary in self-defence or because there is an imminent risk of injury
- Where there is a developing risk of injury or significant damage to property.
- Where a pupil is behaving in a way that is compromising good order or discipline.

Examples of situations which fall within one of the first two categories are:

- A pupil attacks a member of staff or another pupil;
- Pupils are fighting;
- A pupil is engaged in, or is on the verge of committing, deliberate damage or vandalism to property.