



# Upperby Primary School

## Safer Handling Policy



### **INTRODUCTION**

#### **Legal framework**

This policy complies with the following legislation, including, but not limited to:

The Education Act 2011  
The Children's Act 1989  
The Equality Act 2010

This policy will also have due regard to the following guidance:

DfE 'Use of reasonable force in schools' 2013  
DfE 'Working together to safeguard children' 2015

The school will implement this policy in conjunction with our Child Protection and Safeguarding Policy, Health and Safety Policy, Behaviour Policy and Equality Policy.

At Upperby Primary School we believe that the use of reasonable force is only necessary to prevent a pupil from:

- (a) Committing a criminal offence
- (b) Injuring themselves or others
- (c) Causing damage to property, including their own
- (d) Engaging in any behaviour at school or on school activities/visits which is prejudicial to the welfare of other pupils or staff

There is no legal definition of reasonable force. The Criminal Law Act (1967) allows any person to use such force as is reasonable in the circumstances to prevent an offence (e.g. physical assault) being committed. Reasonable minimal force must be a matter of personal judgement.

#### **The Positive Handling of a child**

Positive handling will always be used as a last resort within school. It requires skill and judgement, as well as knowledge of non-harmful methods of restraining. If practical before intervention, a calm warning or instruction to stop should be given and every attempt made to achieve a satisfactory outcome without physical intervention. In all circumstances help must be sent for, even when immediate intervention is necessary. Positive handling can take a variety of forms - see section titled 'Application of Force'. Staff should always avoid touching / holding a pupil in a way that might be considered inappropriate.

'Reasonable Force' should not be used for trivial misdemeanours and should always be proportionate to the circumstances of the incident. It should be used only to control or restrain and never with the intent to cause pain or harm. It must, therefore, be the minimum needed to achieve the desired result, in any action, due regard has to be taken to the age, understanding and sex of the pupil.

## **General Aims**

The staff at Upperby Primary School recognise that the use of reasonable force is only one of the strategies available to secure pupil safety/well-being and also to maintain good order and discipline.

Our policy on the use of reasonable force is part of our overall pastoral care procedures and closely related to our other safeguarding policies.

## **Positive Handling may need to be used when:**

- The potential consequences of not intervening were sufficiently serious to justify considering use of force
- The chances of achieving the desired result by other means were low
- The risk associated with not using force outweighed those of using force.

## **Application of Force**

Physical Intervention can take several forms. It might involve staff in:

- physically interposing between pupils
- blocking pupil's path
- holding
- pushing or pulling but only in extreme circumstances to avoid danger
- leading a pupil by the hand or arm
- shepherding a pupil away by placing a hand in the centre of the back
- In extreme circumstances more restrictive holds may be needed.

Staff should not act in a way that might be expected to cause injury for example by:

- holding a pupil around the neck or by the collar or in a way that might restrict the ability to breathe
- slapping, punching or kicking
- twisting or forcing limbs against the joint
- tripping up
- holding or pulling by the hair or ear
- holding a pupil face down on the ground

## **Action Steps**

Tell the pupil who is misbehaving to stop and state possible consequences of failure to do so;

If possible always try to summon another adult, they will act as a witness to the incident and will complete a witness report for the record;

Continue to communicate with the pupil throughout the incident;

Make it clear the physical intervention will stop as soon as it ceases to be necessary.

**Appropriate follow up action should be taken, which may include;**

- Providing medical support
- Providing respite for those involved.

\*A calm and measured approach to a situation is needed and staff should never give the impression that they have lost their temper or are acting out of anger or frustration when handling a problem.\*

### **Procedure**

Staff must use minimum force for maximum effect over the shortest time and use only the agreed physical intervention methods.

After an incident staff must complete the 'Report of Incident Involving 'Positive Handling' (Appendix 2). One copy is to be placed in a staff incident file and one copy is to be given to the Headteacher.

Parents must be informed on the same day as the incident of the circumstances which led up to the incident and the outcome. Parents must also be informed of any further action the school intends to take.

The SLT and staff will evaluate the incident of 'Positive Handling' to inform future management of pupils in similar situations.

Staff involved will be debriefed following an incident and kept informed of any future action which relates to it.

The Chair of Governors will be informed on the day of any incident.

### **Recording Incidents**

Staff should record (Appendix 2) all incidents of physical intervention in accordance with School Policy and report these to the Headteacher.

### **Complaints**

We all have a duty of care to the young people in our school and cannot escape our legal responsibilities by avoiding taking appropriate and necessary action. Involving parents when an incident occurs with their child, together with a clear policy adhered to by staff, should help to avoid complaints by parents. It will not prevent all complaints, however, 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.

Staff, subjected to physical violence or assault, have the right to be supported in making a formal complaint to the police, and, if necessary, taking private action against an assailant.

It is our intention to inform all staff, pupils, parents and governors about these procedures and the context in which they apply.

We will remind staff that adhering to the principles and procedures referred to in this policy statement, is part of effective practice and should minimise risk to young people in our care and enhance your own self – protection.

### **Information for Parents**

In keeping with our home/school partnership, we will inform all parents/carers of our policy on positive handling. This will highlight:

- Our emphasis on care and protection for everyone within our community.
- Our belief that physical intervention may be needed on very rare occasions
- Our endeavour to handle situations with care and responsibility
- Our intent to apply follow-up and repair strategies.
- When staff are authorised to use reasonable physical intervention
- What steps will be taken after an incident has been dealt with.
- The responsibilities of staff, pupils, and parents/carers in resolving situations.

## **Positive Handling Policy**

### **Appendix 1**

All teachers need to be aware of strategies and techniques for dealing with difficult pupils and steps which can be taken to defuse and calm a situation.

- ✓ Move calmly and confidently
- ✓ Make clear, simple statements
- ✓ Intervene early.
- ✓ Try to maintain eye contact
- ✓ If necessary summon help before the problem escalates
- ✓ Remove audience from the immediate location.

There are situations where staff may consider not intervening without help: Assistance may be sought, for example, when dealing with;

- an older pupil
- a physically large pupil
- more than one pupil
- when the teacher believes that he/she may be at risk of injury.

In those circumstances where a member of staff considers it inappropriate to restrain a pupil without help they may:

- Remove other pupils who might be at risk;
- Summon assistance from colleagues;
- Inform the pupil(s) that help will be arriving;
- Until assistance arrives, the member of staff should continue to attempt to defuse the situation orally, and try to prevent the incident from escalating.

## Appendix 2

### RECORD OF PHYSICAL INTERVENTION

<b>Date of Incident:</b>	<b>Time of Incident:</b>
<b>Location of Incident:</b>	
<b>Pupil Name:</b>  <b>Class:</b>	<b>DOB:</b>
<b>Member(s) of Staff involved (directly or as witnesses)</b>	
<b>Details of other pupils involved (directly or as witnesses), including any attempts to de-escalate and warnings given that force might be used.</b>	
<b>Reason for using force and description of force used:</b>	

<b>Outcome of Physical Intervention:</b>
<b>Description of any injury sustained by pupil and / or teacher and any subsequent treatment:</b>
<b>Follow up, including post-incident support and any disciplinary action against pupils:</b>
<b>Date parent / carer informed of incident:</b>  <b>Time:</b>
<b>By whom informed:</b>
<b>Outline of parent/carers response:</b>
<b>Signature of staff completing report: Role:</b>  <b>Date:</b>
<b>Signature of Headteacher:</b>  <b>Date:</b>

**Monitoring and Review**

This policy is monitored on a regular basis by the head teacher, who reports to governors about the effectiveness of the policy on request. The safer handling policy is the governors' responsibility and they review its effectiveness. They do this by discussion with the head teacher. The policy will be reviewed every two years.

This policy was agreed by the governing body on 18th November 2020

Date of next review November 2022.