

## Studley St Mary's C.E Academy

# Positive Handling (Use of Restraint) Policy

**Updated: September 2023**

Review frequency	Every 3 years
Review date	Autumn 2026
Date adopted by AGC	
Member of staff responsible	Headteacher

### Links to other policies:

- Behaviour Policy

### Aim:

- This policy has been drawn up in response to the 'Use of Reasonable Force- Advice for headteachers, staff and governing bodies July 2013 (DFE) – please make reference to Section 93 of the Education and Inspections Act 2006.

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### **1 The Law on the Use of Force.**

1.1 School staff have a power to use reasonable force, given the circumstances, in order to prevent pupils from hurting themselves or others, from damaging property, or from causing disorder. ('Reasonable in the circumstances,' means using no more force than is needed.)

1.2. However, all adults in school are advised that they are not required by the school to restrain children under any circumstances.

1.3. There remains a common law and child protection 'duty of care' upon all adults in school to protect the wellbeing of all children within school, and to intervene as they personally feel appropriate in any given set of circumstances. The power of restraint operates in addition to this common law duty of care and in addition also to the common law power of any citizen to use reasonable force in self-defence.

1.4. Headteachers and authorised staff can use reasonable force to conduct a search for prohibited items. These include; knives and weapons; alcohol; illegal drugs; stolen items; tobacco and cigarette papers; fireworks; pornographic images; any item that has been or is likely to commit an offence, cause personal injury or damage to property. Force cannot be used to search for items banned under the school rules.

## **2. Use of Force/Restraint**

2.1 Staff at Studley St Mary's accept that physical restraint is only used as a last resort when the action is in self-defence; where there is a developing risk of injury; significant damage to property; or where a pupil is behaving in a way that is compromising good order and discipline. Other strategies and techniques will be used before the application of restraint. Please refer to the Behaviour Policy for further information on our behaviour expectations and the means by which we seek to reduce the likelihood of situations occurring where the use of force may be necessary.

2.2 Adults in the school, who have completed positive intervention training, are authorised to use reasonable force to control or restrain pupils.

2.3 The headteacher is to keep a record of who is authorised to use force in the school

2.4 Examples of situations where reasonable force might be appropriate are as follows:

- when a pupil attacks a member of staff
- when pupils are fighting
- when a pupil is deliberately damaging property
- when a pupil is causing or is at risk of causing damage or injury by accident, by rough play or by misuse of dangerous materials or objects
- when a pupil is behaving in a way that is seriously disrupting a lesson, school event or school trip.
- when a pupil persistently refuses to leave an area

2.5. The power to restrain pupils applies on the school premises or elsewhere when under school control.

2.6. Any physical intervention used will always be the minimum needed to achieve the desired result.

2.7. If any of the named people are aware a situation is developing, the following steps should be taken in line with the school's behaviour policy, reference should also be made to any positive intervention plans specific to the child.:

- use de-escalation techniques

- tell the pupil to stop, and inform them of the consequences should they continue
- warn the child that physical restraint will be used if they do not do as they are asked
- keep calm
- send for assistance
- send other children away if possible
- tell the pupil that you are restraining him/her to avoid the pupil harming themselves, others or property. Where potential witnesses are present it is helpful if they hear you give this explanation
- physical intervention should be an act of care and control
- use only the minimum force necessary
- attempt to communicate with the child throughout the incident
- be sensitive of your own strength and body weight and to issues of gender
- inform the Headteacher if he or she has not been involved
- record the incident fully in the incident book

## 2.8. Appropriate force includes:

- physically interposing between pupils
- blocking a pupil's path
- using a taught hold
- leading a pupil by the hand or arm
- shepherding a pupil away by placing a hand in the centre of the back
- using more restrictive taught holds in extreme circumstances

2.9 Staff will be made aware of any individual behaviour plans, positive intervention plans or specific needs of pupils, especially for any pupils with disabilities, which may impact on the range, type and appropriateness of any physical intervention.

2.10 Detailed written reports of any occasions where force is used are kept in an incident book which is in the office. This includes:

- Date/Time/Place
- Pupil involved
- Reason force is used
- Details of the incident
- Pupil's response
- Outcome of the incident
- Any injuries sustained
- Identities of witnesses

2.11 The Headteacher will keep such written information securely and monitor the use of restraint. He/she may also be the first to exercise judgement on whether the restraint used was reasonable,

having made initial inquiries, although other procedures will apply if queries or complaints arise.

2.12 The Headteacher will advise the parent/guardian of any incident involving their child either immediately or at the end of the day according to the seriousness of the incident. All complaints about the use of force should be thoroughly, speedily and appropriately investigated. When a member of staff has been accused of using excessive force, procedures for 'Dealing with Allegations of Abuse against Teachers and Other Staff,' will be followed.

2.13 Where a member of staff is assaulted or suffers injury as a consequence of using reasonable force or restraint they are advised to contact their professional organisation or trade union.

### **3. Touching in Other Circumstances**

3.1 Studley St Mary's recognises that touch can often be an effective communication tool. For example:

- when demonstrating a PE skill
- when providing first aid
- comforting a child in distress
- when giving praise or congratulations

3.2 In such situations, staff will apply sound professional judgement – touch will be appropriate and will avoid situations or contact that could be misinterpreted.