

Safe Handling/ Reasonable Force Policy



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Nov 2016	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Jan 2017
Jan 2021	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	

This policy and our procedures have been developed in line with guidance from:

- The Department of Education NI circular 1999/9;
- DE document 'Towards a Model Policy in Schools on the Use of Reasonable Force' August 2002;
- Pastoral Care in Schools: Promoting Positive Behaviour (2001);
- DE Circular 2003/13 Welfare and Protection of Pupils;
- DE Circular 2017/04 - Safeguarding and Child Protection in Schools - A Guide for Schools.

The policy and procedures are in line with our mission statement which guides all activities, behaviour, procedures and policies at Glendermott.

PRINCIPLES

Glendermott Primary and Nursery Unit believes that:

- Each child has the right to be educated in a safe and secure environment where each child's moral, intellectual, personal, social and emotional development is promoted.
- Parents and carers are informed and reassured that their children are being educated in a safe, caring and respectful atmosphere.
- All staff have the right to work in a safe and secure environment.

These principles underpin our school ethos and culture.

PURPOSES

The following purposes underpin Glendermott School and Nursery Unit policy and practices to:

- Create a learning environment in which young people and adults feel safe;
- Protect every person in the school community from harm;
- Protect all pupils against any form of physical intervention, which is unnecessary, inappropriate, excessive or harmful.

- Develop and implement guidance for staff (teaching and non-teaching) so that they are clear about the circumstances in which they might use reasonable force to restrain pupils and how such force might be applied.

LEGISLATIVE FRAMEWORK

This policy has been formulated with due consideration to the following legislation:

- Children (NI) Order 1995 – duty to protect and child protection responsibilities/fulfilling responsibility;
- UN Convention On The Rights Of The Child 1989 – (Articles 12, 16 and 19); UK 1991;
- Education (NI) Order 1998 (Part II Article 4 (1)); which requires Boards of Governors to ensure that policies are designed to promote good behaviour and discipline on the part of the pupils;
- Human Rights Act 1998 – Articles 3 and 5 of the European Convention on Human Rights; which provides for the right to education.
- Health and Safety at Work Act (NI) Order 1978;
- Education and Libraries (NI) Order 2003 – Articles 17, 18, 19. which clarifies the powers of members of staff of a grant-aided school regarding the use of reasonable force;

LINKS WITH OTHER POLICIES

- This policy is one of the overall pastoral policies and dovetails into the school's existing behaviour policy, anti-bullying policy, child protection policy, special needs policy, health and safety policy and complaints policy.
- It also takes account of the staff development and welfare policy.
- As well as the learning and teaching policy, the assessment policy and all other curricular policies.

Definition of Reasonable Force

The Education (NI) Order 1998 (part II Article 4 (1)) states:

“A member of the staff of a grant-aided school may use, in relation to any pupil at the school, such force as is reasonable in the circumstances for the purpose of preventing the pupil from doing (or continuing to do) any of the following, namely:

- **committing any offence;**
- **causing personal injury to, or damage to the property of, any person (including the pupil himself); or**

• **engaging in any behaviour prejudicial to the maintenance of good order and discipline at the school or among any of its pupils, whether that behaviour occurs during a teaching session or otherwise.”**

Based on this legal framework, the working definition of “reasonable force” is the minimum force necessary to prevent a pupil from physically harming him/herself or others or seriously damaging property, but used in a manner which attempts to preserve the dignity of all concerned.

Practices

Preventative Strategies

The school actively promotes positive behaviour management strategies, thus reducing the need for the use of any form of physical intervention, except in emergency situations.

Risk Assessment

Risk assessment is one of our preventative strategies to minimise the risk of an incident escalating unnecessarily and will be a normal practice for our school where a pupil or a small number of pupils are known to exhibit disturbing or distressing behaviour (EBD). **Risk assessment will be considered only for those pupils where there is a foreseeable risk and enables the school to plan and train accordingly.** Risk assessment will be considered from two perspectives (a) environmental risk assessment or (b) individual risk assessment. This should form part of the pupil's education plan. (Appendix 1)

Procedures - Support Structures

The following procedures have been agreed by the staff and adopted by the Board of Governors. Parents and pupils will be informed of the school's procedures and support structures within the overall **Pastoral Care Policy**.

Roles and Responsibilities

Reasonable force/safe handling can be used by any member of staff who is authorised by the principal to have lawful control or charge of pupils, including teachers, classroom assistants, supervisory assistants, outreach teachers, Educational Psychologists, after school's activity leaders and coaches. The principal will confirm with all staff those who are authorised to be in charge of pupils at any given time.

Procedures

There may be circumstances when a member of staff may have to decide between making an intervention/using reasonable force by placing him/herself in a dangerous situation or standing back and thereby allowing colleagues or pupils to face a potential danger. There will always be an element of personal judgment in these decisions and there is the possibility of someone being injured. However, it is reasonable to expect a member of staff to engage in some risk where there is evidence of danger to others and intervention has a good chance of being effective.

Staff should not, however, put themselves in personal danger merely to safeguard property.

Reasonable force/safe handling can be used by a teacher or other authorised person(s) on the school premises or when authorised elsewhere e.g. supervision of pupils in bus queues, a field trip, on other authorised out of school activities such as a sporting event or educational trip.

Reasonable force should be limited to emergency situations and used only as a last resort when all other behaviour management strategies have been exhausted, and where:

- action is necessary in self defence or because there is imminent risk of injury to another pupil or person;
- there is a developing risk of injury to another pupil or person, or significant damage to property;
- a pupil is behaving in a way that is seriously compromising good order and discipline.

Examples that fall into the above categories are:

- a pupil attacks a member of staff, or another pupil;
- pupils are fighting;
- a pupil is causing, or at risk of causing, injury or damage by accident, by rough play, or by misuse of dangerous materials, substances or objects;
- a pupil is running in a corridor or on a stairway in which s/he might cause an accident likely to injure her/himself or others;

- a pupil absconds from a class or tries to leave school (Note: this will only apply if a pupil could be at risk if not kept in the classroom or at school);
- a pupil persistently refuses to obey an order to leave a classroom;
- a pupil is behaving in a way that is seriously disrupting a lesson.

Forms of Reasonable Force

When all other approved behaviour management strategies have failed - it should be the minimum intervention or force that should reasonably be employed depending on the **age, sex, physical strength, size, understanding, medical condition and any special needs of the pupil** and used in a way that **preserves the dignity and respect of all concerned**. The use of reasonable force/ safe handling should involve calm and measured approach at all times appropriate to the particular pupil and be in accordance with the following procedures:

- tell the pupil to stop the inappropriate behaviour;
- ask the pupil to behave appropriately, clearly stating the desired behaviour;
- tell the pupil that physical intervention will take place if inappropriate behaviour continues;
- during the incident repeatedly reassure the pupil and tell him/her that physical contact will stop as soon as he/she is ready to behave appropriately;
- if the teacher, classroom assistant or supervisory assistant feels at risk, eg from a large or older group of pupils, send for the nearest staff support.

The forms of reasonable force the school will use will depend on the individual circumstances, and require the use of appropriate professional judgement throughout. The Governors recognise that a course of action which may constitute a reasonable use of force in one situation, may be unreasonable in another.

Forms of interventions employed by staff for the purposes of Safe Handling of Children may include (dependent upon individual circumstances)

- separating pupils who are fighting, or who are about to fight;
- blocking a pupil's path;
- holding;
- breakaway techniques (eg when a member of staff is grabbed by a pupil);
- leading a pupil by the arm;
- shepherding a pupil away by placing hands on the backs of elbows;
- The use of more restrictive holds should only be used in extreme circumstances. Specific team Teach holds for named pupil and named staff.

Nursery, early years and special school staff will be involved in activities that require safe handling on a regular basis for educational, therapeutic, health and safety purposes. Forms of Safe Handling which are appropriate for Nursery and Foundation classes may (in addition to the above) include:

- teaching a child to hold an adult's arm appropriately whilst walking down a corridor or a staircase; or on a visit outside school;
- reacting instinctively to a situation by holding or restraining a child who is running onto a busy road;
- physically prompting a young child as part of an educational or behaviour programme; or
- assisting a child with toileting.

Health and Safety

When using reasonable force/physical intervention/restraint/safe handling, the pupil's health and safety must always be considered and monitored.

Physical interventions should involve the minimum amount of force necessary to resolve the situation and calm the pupil.

Limits on the Use of Force

The law strictly prohibits the use of force, which constitutes the giving of corporal punishment. The use of force as a punishment or to intentionally cause pain, injury or humiliation would contravene our Child Protection Policy.

Staff should never act in a way that might reasonably be expected to cause injury, for example by:

- holding around the neck;
- any hold that might restrict breathing;
- kicking, slapping or punching or using any implement;
- forcing limbs against joints;
- tripping;
- holding or pulling by the hair;
- holding the pupil face down on the ground;
- staff should also avoid touching or holding a pupil in any way that might be considered indecent.

The use of reasonable force is only to be employed in exceptional circumstances or an emergency where a pupil appears to be unable to exercise self-control of emotions and whose behaviour is presenting a threat to himself/herself or others. A member of staff should not intervene in an incident without help if there is a risk that he/she may be seriously injured or may endanger his/her life.

Record Keeping

All incidents involving the use of reasonable force must be recorded in the schools agreed pro-forma "**Record/Report of the use of Reasonable Force**". The school will keep an accurate up-to-date record of all such incidents. Immediately following any incident, the member of staff concerned must inform the Principal or a senior member of staff and provide the contemporaneous written record/report. (Appendix 2 Incident Record Form)

The Chairperson of the Board of Governors and the Principal will review **annually** the entries in the incident book. Records of incidents will be kept until the date of the child's twenty-first birthday. In the event of the young person being over 18 when they leave school, records should be kept for 3 years after their date of leaving. Confidentiality and the young person's right to privacy will need to be ensured.

The pupil's views should also be recorded as soon as possible, preferably on the same day. Ref Appendix 2 Specimen Incident Record Form.

Post-Incident Management

The use of physical intervention can be upsetting to all concerned, therefore, it is important to ensure that staff and pupils are given emotional support and where required basic first-aid treatment. Immediate action should be taken to ensure that medical help is accessed for any injuries that require more than basic first-aid. All injuries should be reported and recorded in accordance with the school's procedures - parents/carers must be informed and allowed an opportunity to discuss.

Where it is clear that the teacher/member of staff concerned needs further support, advice or training, the Principal should take prompt action to ensure it is provided.

Contacting Parents

Parents/carers should be contacted as soon as possible and the incident explained to them. This must also be recorded in the "**Record/Report Of The Use Of Reasonable Force**" as defined in the school policy. Any complaint from a parent will be dealt with within the school's complaints policy/procedures as detailed below.

Complaints

If an incident occurs in Glendermott Primary and Nursery Unit involving the use of reasonable force/restraint by a teacher, the procedures governing such incidents should be followed. This will include informing the parent(s)/guardian(s) of the child as outlined above.

In the event of a subsequent complaint made against a member of staff either by or on behalf of the child, this will be dealt with in accordance with the School's Complaints Policy/Procedure and in accordance with the Circular 1999/10, Pastoral Care in Schools - Child Protection.

Staff who themselves are subject to physical violence or assault should be supported, as appropriate, in taking any necessary action against an assailant.

Training and Development

Mr Duddy is in charge with special responsibility for providing guidance to other staff on the use of reasonable force/safe handling and for implementing and supporting the school's procedures. In his absence Mrs Page will take on this role.

All staff will have awareness-raising of issues relating to the use of reasonable force/safe handling, procedures and practices relating to behaviour management and child protection policy and procedures. All staff will receive appropriate training and development, in line with the school's staff development policy, in the use of preventative strategies and approaches for managing difficult situations when they may arise.

Risk Assessment

A small number of pupils may exhibit disturbed or distressing behaviour which may require some form of physical intervention by staff. To minimise the risk of incidents escalating unnecessarily due to lack of foresight, planning and training, schools should carry out a risk assessment from two perspectives:

- environmental risk assessment; and
- individual risk assessment.

Environmental Risk Assessment

- Identify situations or locations where there is increased risks of incidents happening.
- Analysis of past incidents to identify medium to high risk locations.
- Staff and pupils consulted.
- Individual pupil consulted.
- Decide the appropriate type and level of supervision.
- Principal and SMT to make recommendations to Board of Governors on type and level of supervision to minimise risk.
- Implement plan.
- Review plan.

Individual Risk Assessment

Where a school is aware that a pupil is likely to behave in a disruptive way that may require the use of reasonable force/safe handling, the school should plan its response by:

- consulting the pupil, as appropriate;
- consulting the parents - specific action the school may need to take;
- briefing staff - what action they should be taking (may require training or guidance);
- managing the pupil - e.g. reactive strategies to de-escalate a conflict;
- ensuring that additional support can be summoned wherever possible;
- implementing plan and review;
- reviewing Plan.

Risk Reduction

Risk reduction should include:

- proactive measures to support the child effectively and prevent difficulties emerging;
- early interventions to help the child in difficult situations and avert problems; and
- planned measures to manage the child and others safely, when unavoidable difficulties arise.

Appendix 2

USE OF SAFE HANDLING REPORT FORM

<u>Child(ren):</u>
<u>Brief outline of circumstances:</u>
<u>Child(ren) account of their actions:</u>
<u>Outcome of incident:</u>
<u>Names of witness(es):</u>
<u>When parents were informed of incident:</u>

_____ Class Teacher

Date/Time of Incident _____

_____ Principal

Date/Time Received _____