



Diocese of Chelmsford Vine Schools Trust

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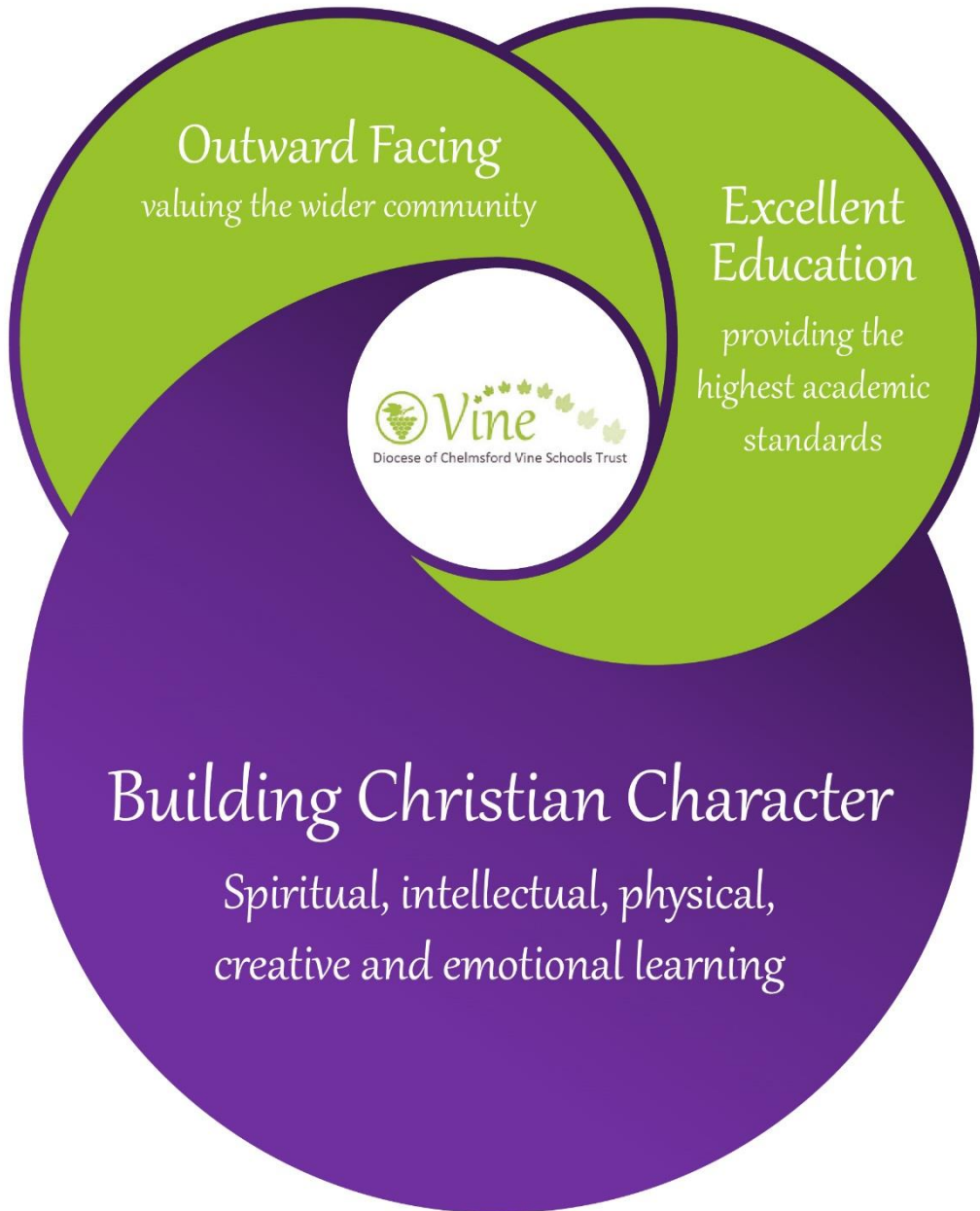
Vine Schools Trust

Positive Handling Policy

This policy is a model policy that must be reviewed and customised by each Vine Academy.

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Our Vision and Values



1. Introduction

- 1.1 This policy is to be implemented in conjunction with the DfE non-statutory guidance document 'Use of reasonable force – advice for head teachers, staff and governing bodies' (July 2013 (Revised July 2015)) and Guidance on the use of Physical Intervention provided by Essex County Council (May 2011).

2. Principles

- 2.1 The Situations involving decisions about whether to use force to control or restrain pupils can occur in any school. Both using force and deciding not to can entail significant risks for pupils and staff. This policy, along with the DfE non-statutory guidance, is intended to minimise these risks. As a Church Academy we promote care, consideration and respect for all through our Christian character and values. This policy is written with our Christian duty in mind.
- 2.2 The law states that any member of staff may use reasonable force to prevent a pupil from:
 - 2.2.1 Committing a criminal offence;
 - 2.2.2 Causing personal injury or damage to property;
 - 2.2.3 Prejudicing the maintenance of good order and discipline.
- 2.3 It is always unlawful to use force as a punishment.

3. Objectives

- 3.1 To maintain the safety of pupils and staff by using such force as is reasonable in all the circumstances to prevent pupils from doing, or continuing to do, any of the following:
 - 3.1.1 Committing a criminal offence (including behaving in a way that would be an offence if the pupil were not under the age of criminal responsibility);
 - 3.1.2 Injuring themselves or others;
 - 3.1.3 Causing damage to property (including the pupil's own property);
 - 3.1.4 Engaging in any behaviour prejudicial to maintaining good order and discipline at the school or among any of its pupils, whether that behaviour occurs in the classroom during a teaching session or elsewhere.
- 3.2 To ensure that those exercising the power to use force take proper account of any particular SEN and/or disability that a pupil might have.

4. Minimising the Need to Use Force

- 4.1 At XXXX Church of England Primary School we are committed to creating a calm and safe environment which minimises the risk of incidents arising that might require the use of reasonable force. Force is only used as a last resort and therefore our academies have a variety of effective strategies in place which minimise the need for physical restraint.
- 4.2 Preventative measures include:
 - 4.2.1 The consistent implementation of our Discipline and Behaviour Policy thus maintaining a calm and safe environment; Establishing relationships with pupils as individuals which are built on trust, patience, understanding and the giving of time to talk about issues and feelings;
 - 4.2.2 Teaching pupils to manage conflict and strong emotions through our PSHCE curriculum and XXXX curriculum;
 - 4.2.4 Academy staff who model positive relationships
 - 4.2.4 Working with parents and families to establish positive relationships, shared aims and agreed strategies.
 - 4.2.5 Specific intervention strategies being implemented to support pupils who have been identified as having a particular difficulty in controlling their behaviour;
 - 4.2.6 Ensuring staff are effectively deployed and skilled in de-escalating incidents if they do arise;

- 4.2.7 Assessing situations and being proactive. Only using force when the risks involved in doing so are outweighed by the risks in not using force;
- 4.2.8 Implementing risk assessments and positive handling plans for individual pupils.

5. Deciding Whether to Use Force

- 5.1 Staff should only use force when:
 - 5.1.1 The potential consequences of not intervening are sufficiently serious to justify considering the use of force;
 - 5.1.2 The chances of achieving the desired result by other means are low;
 - 5.1.3 The risk associated with not using force outweighs those of using force
- 5.2 Knowledge of individual pupils is crucial, especially pupils with disabilities and SEND to ensure that pupils are treated reasonably.
- 5.3 There is no precedent – all cases are independent of each other and depend on the circumstances of each child and each situation.
- 5.4 There are a wide variety of situations in which reasonable force might be appropriate, or necessary, to control or restrain a pupil. They will fall into three broad categories:
 - 5.4.1 Where action is necessary in self-defence or because there is imminent risk of injury;
 - 5.4.2 Where there is a developing risk of injury, or significant damage to property;
 - 5.4.3 Where a pupil is behaving in a way that is compromising good order and discipline.
- 5.5 Examples of situations that fall within one of these are:
 - 5.5.1 Removing disruptive pupils from the classroom where they have refused to follow an instruction to do so;
 - 5.5.2 Preventing a pupil behaving in a way that disrupts an academy event, trip or visit;
 - 5.5.3 Preventing a pupil leaving the classroom where allowing the pupil to leave would risk their safety or lead to behaviour that disrupts the behaviour of others;
 - 5.5.4 Preventing a pupil from attacking a member of staff or another pupil, or to stop a fight in the playground;
 - 5.5.5 Restraining a pupil at risk of harming themselves through physical outbursts.
- 5.6 It is important to note that whether it is reasonable to use force, and the degree of force that could reasonably be employed, might also depend on the age, individual needs, understanding and gender of the pupil.
- 5.7 Staff will also be advised that:
 - 5.7.1 Pupils should be given a clear verbal warning before any kind of force is used.
 - 5.7.2 Any type of force or restraint which may result in injury to a pupil should only be used in extreme emergencies.
 - 5.7.3 As far as possible, they should not use force unless, or until, another responsible adult is present to support, observe and call for assistance.

6. Staff Authorised to Use Force

- 6.1 All teachers at XXXX will be authorised to use reasonable force to control or restrain pupils. Other staff will also be allowed to do so, in the same way as teachers, provided they have been authorised by the Headteacher to have control or charge of pupils. These will include HLTAs, teaching assistants and midday supervisors. This authorisation will be on a permanent basis.
- 6.2 In most cases it is expected that only staff that have received training in positive handling should use reasonable force, unless this is not possible.
- 6.3 Other members of staff such as site management and administrative teams also have the power to use reasonable force if a circumstance should arise in which immediate action should be taken.
- 6.4 In some circumstances voluntary helpers, including people accompanying pupils on visits, exchanges or holidays organised by the school, may be put in charge of pupils temporarily and therefore may be granted temporary authorisation to use reasonable force. The Headteacher

will explicitly inform the people concerned and ensure that they are aware of, trained and properly understand what the authorisation entails. An up-to-date list of authorised people will be kept to ensure the teachers know who they are.

- 6.5 The provision applies when a teacher, or other authorised person is on the academy premises and when he or she has lawful control or charge of the pupil concerned elsewhere e.g. on a field trip or other authorised out of academy activity.

7. Recording, Reporting and Monitoring Incidents

- 7.1 All incidents of force or restraint must be recorded internally in the Bound and Numbered Book. The record must be made as soon as possible after the incident.
- 7.2 Where appropriate, the Headteacher will report to other external agencies such as other local authority children's services, the Essex Children's Safeguarding Board, or the Health and Safety Executive.
- 7.3 Any recorded incidents will be reported to parents after discussion with the headteacher, or SLT member.
- 7.4 The number and type of incident will be reported to, and monitored by, the Local Board/Local Governing Body at least annually.

8. Post-Incident Support

- 8.1 Staff and pupils involved in incidents will be provided with support as soon as possible after the incident in whatever way is felt appropriate after discussion with a member of the SLT. The support may include the meeting of immediate physical needs (medical help if necessary), help in the rebuilding of relationships or the opportunity to discuss the lessons that may be learned from the incident.

9. Complaints and Allegations

- 9.1 Complaints or allegations of misconduct made following an incident will be treated under the academy's Complaints Policy.

10. Further Information

- 10.1 Further information:
DfE Guidance 'Use of reasonable force Advice for headteachers, staff and governing bodies'
https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/444051/Use_of_reasonable_force_advice_Reviewed_July_2015.pdf

'Guidance on the use of Physical Intervention, including other physical contact in all Education Establishments in Essex Local Authority' produced by Essex County Council.

http://schools.essex.gov.uk/pupils/sen/Documents/Physical_Intervention_guidance.doc

11. Review

- 11.1 This policy will be reviewed every three years.
- 11.2 Next Review Summer 2020.