

# St Mary's Primary School and Nursery Unit



## Safe Handling & Reasonable Force Policy

## **SAFE HANDLING POLICY**

### **MISSION STATEMENT**

St Mary's Primary School and Nursery Unit accepts and shares the responsibility of nurturing in our children the values, attitudes, beliefs and practices of our Catholic faith with home and parish. We wish to promote a way of life inspired by the life and teachings of Christ. We work as a team to provide a stimulating environment, in which each child can feel safe, secure, happy and cared for. A 'child centred' approach is adopted in all issues. Excellent relationships and effective communication with all partners involved in the education of our pupils is viewed as central to achieving our vision and aims.

In order to fulfil our mission statement we have a duty to provide a safe and secure environment for the entire school community – pupils and staff; and, to promote and sustain appropriate behaviour.

This policy has taken into consideration;

- Health and Safety at Work (NI) Order 1978
- United Nations Convention on the Rights of the Child (Articles 12, 16, 19); International 1989 (UK-1991);
- Children (NI) Order 1995 – duty and responsibility to protect
- Education (NI) Order 1998 (Article 3) – promotion of good behaviour and discipline;
- Education (NI) Order 1998 (Article 4) – powers to use reasonable force;
- Education and Libraries (NI) Order 2003 (Articles 17, 18, 19) – duties of governors to safeguard and promote the welfare of pupils;
- Human rights Act 1998 (Articles 3 + 5) – the right to education.

This policy has been developed in line with guidance from:

- DENI Circular 1999/9
- DE document "towards a Model Policy in Schools on the Use of Reasonable Force"
- Pastoral care in Schools – Promoting Positive Behaviour
- Pastoral care in Schools – Child Protection paragraphs 69 – 72
- DENI Circular 2003/13 Welfare and Protection of Pupils

### **LINKS WITH OTHER POLICIES**

This policy is one of the whole school pastoral policies and dovetails into the St Mary's existing Positive Behaviour Policy, Anti-Bullying Policy, Child Protection Policy, Special Needs Policy, Health and Safety Policy, Complaints Policy, Teaching and Learning Policy and Curricular Policies.

### **AIMS**

- To create a learning environment in which young people and adults feel safe
- To protect every person in the School community from harm
- To protect all pupils against any form of physical intervention which is unnecessary, inappropriate, excessive or harmful

- To put in place guidance for staff (both 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 reasonable force might be applied.

## **PREVENTATIVE STRATEGIES**

St Mary's actively promotes positive behaviour management strategies thus reducing the need for the use of any form of physical intervention, except in emergency situations. Preventative strategies for inappropriate behaviour(s) are detailed in our schools Positive Behaviour Policy especially – defusing and de-escalating conflict/confrontation or aggression.

### **Risk Assessment**

Risk assessment is one of our preventative strategies to minimise the risk of an incident escalating unnecessarily, 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. In order to minimise the risk of incidents escalating unnecessarily due to lack of foresight, planning and training, staff will carry out a risk assessment (APPENDIX 1) under one of two headings:

1. **Environmental Risk Assessment**; - situations or locations with the potential for increased risk - seek representative staff and pupil opinion - recommend to the Board of Governors appropriate supervision arrangements.
2. **Individual Risk Assessment**; - identify pupils whose behaviour gives cause for concern - consult with parents - advise staff of what action to effect in terms of managing such pupils and situations - consider the provision of additional support.

These arrangements are established to minimise the likelihood of action being required. However, in the event of restraint being required, the absolute minimum amount must be exercised to diffuse any given situation.

## **DEFINITION OF REASONABLE FORCE**

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.

The use of reasonable force will always depend on the circumstances of the case and staff should take the following into consideration:

- whether it is reasonable to use force, and the degree of force that could reasonably be employed, given the age, sex physical strength, size, understanding, medical conditions and any special educational needs of the pupil; the use of force can be regarded as reasonable only if the circumstances of the particular incident warrant it. Physical force could not be justified to prevent a pupil from committing a trivial misdemeanour, or in a situation that clearly could be resolved without force,
- the degree of force employed should be in proportion to the circumstances of the incident and the seriousness of the behaviour or the consequences it is intended to prevent.

Any force used should always be the minimum needed to defuse the situation.

## **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, eg teachers, classroom assistants, supervisory assistants. The principal will confirm with all staff those who are authorised to be in charge of pupils at any given time.

## **USE AND FORMS OF REASONABLE FORCE**

In a situation where other behaviour management strategies have failed to resolve the problem, or are inappropriate (eg in an emergency), there are a wide variety of circumstances in which reasonable force might be appropriate, or necessary, to restrain or control a pupil. They will fall into three broad categories:

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

Examples of situations that fall into one of the first two 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 a way in which he/she might have or cause an accident likely to injure him- or herself or others;
- a pupil absconds from a class or tries to leave school (NB this will only apply if a pupil could be at risk if not kept in the classroom or at school).

Examples of situations that fall into the third category are:

- 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.

Physical intervention can take a number of forms. It might involve staff:

- physically interposing between pupils;
- blocking a pupil's path;
- holding;
- pushing;
- pulling;
- leading a pupil by the arm;
- shepherding a pupil away by placing a hand in the centre of the back; or
- (in extreme circumstances) using more restrictive holds.

In exceptional circumstances, where there is an immediate risk of injury, a member of staff may need to take any necessary action that is consistent with the concept of "reasonable force", for example, to prevent a young pupil running off a pavement onto a busy road, or to prevent a pupil hitting someone, or throwing something.

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, such as the examples below, will not be permitted under any circumstances:

- holding a pupil round the neck, or by the collar, or in any other way that might restrict the pupil's ability to breathe;
- slapping, punching, kicking or using any implement on a pupil;

- throwing any object at a pupil;
- twisting or forcing limbs against a joint;
- tripping up a pupil;
- holding or pulling a pupil by the hair or ear;
- holding a pupil face down on the ground.

When used, physical intervention should avert danger by preventing or deflecting a pupil's action or perhaps by removing a physical object which could be used to harm him/herself or others. It should, at all times, be carefully applied and may be eased by degrees as the pupil calms down in response to the physical contact. The child should be advised throughout that physical intervention will cease when he/she calms down.

The use of restraint is only likely to be needed in exceptional circumstances if a pupil appears to be unable to exercise self-control of emotions and behaviour and is presenting a threat to him/herself or others. The use of reasonable force should involve a calm and measured approach at all times and be in accordance with agreed strategies.

## **PREVENTATIVE STRATEGIES**

All teachers need to be aware of strategies and techniques for dealing with difficult pupils and steps, which they can take to defuse and calm a situation. The strategies listed below as examples will be influenced by the age of the pupil(s) and the context in which they are applied.

- Move calmly and confidently;
- Make simple, clear statements; Tell the pupil who is misbehaving to stop and tell him/her the possible consequences of failure to do so;
- If necessary summon help before the problem escalates;
- Intervene early;
- Try to maintain eye contact;
- If possible, remove any audience from the immediate location.
- Continue to communicate in a calm manner with the pupil throughout the incident;
- Make it clear that physical intervention will cease as soon as it is no longer necessary;
- Appropriate follow-up action should be taken, which may include:  
Providing medical support; Providing respite for those involved; Accessing external advice/support.

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.

There may be times when members of staff should not intervene in an incident without help (unless it is an emergency)

## **INTERVENTION GUIDELINES**

There are situations where staff should not intervene without help. Assistance should be sought when dealing, for example, with:

- A physically large pupil;
- Situations involving a large number of pupils;
- When the staff member believes that he/she may be at risk of injury.

In those circumstances where the member of staff has decided that it is not appropriate to restrain the pupil without help, he/she should:

- Remove other pupils who might be at risk;
- Summon assistance from colleagues;
- Where necessary, contact the police;
- Inform the pupil(s) that help will be arriving;
- Continue to attempt to defuse the situation orally, and try to prevent the incident from escalating.

Legal Position Governors, staff, parents and pupils are involved in the review of this policy. New staff should be given a copy of the policy.

The School SENCO should keep staff informed about pupils with special educational needs who may require special attention with regard to their physical management.

Staff will consult with the SENCO regarding any concerns that they have about the physical management of pupils with special educational needs.

## **RECORD KEEPING**

All incidents involving the use of reasonable force must be recorded in a detailed, contemporaneous written report in accordance with School procedures. The School will keep an up-to-date record of all such incidents. Such records may be required for future reference. Immediately following any such incident, the member of staff concerned should inform the Designated Teacher and the Principal and provide a written report. (APPENDIX 2)

Parents/carers will be contacted as soon as possible by one of the designated teachers and the incident explained to them. This action will also be recorded in an incident book. Staff should keep their own copy of any written report.

## **COMPLAINTS**

If an incident occurs in the school involving the use of reasonable force by a member of staff, the procedures governing such incidents should be followed. This will include informing the parent(s) / guardian(s) of the child. In the event of a subsequent complaint made against a member of staff either by or on behalf of the child, this should be dealt with in accordance with the school's complaints procedures.

## **SUMMARY**

Although it is anticipated that incidences involving the use of reasonable force or physical intervention will be infrequent, all staff will be trained on St Mary's Policy and Procedures relating to the use of reasonable force and physical intervention through this policy statement as well as procedures and practices relating to School discipline and child protection procedures on an annual basis.

Policy agreed by staff Sept 2020

Date for Review: Sept 21

**APPENDIX 1**

**ENVIRONMENTAL RISK ASSESSMENT  
INDIVIDUAL RISK ASSESSMENT**



Pupil Name
Year Group
Assessor
Date
ACTIVITY

What health and safety hazards arise or could arise from the behaviour/needs of this pupil?

What risks do they pose and to whom?	LEVEL OF RISK: High/ Medium/Low	What has been done so far to remove or reduce the risks/triggers?

What further action is required to reduce the risk further?

**LIST ANY ACTIVITIES WHICH CANNOT BE SAFELY MANAGED, AS FAR AS IT IS POSSIBLE TO FORESEEN.**

Any further comments

Relevant staff informed? YES/NO

Signed:

Signed:

Date:

**Appendix 2**  
**RECORD OF THE USE OF REASONABLE FORCE**



Pupil name:	Date of Birth:
Date of incident:	Time of incident:
Member(s) of staff involved:	
Adult witness(es) to incident:	
Pupil(s) witness to incident:	
Outline of event leading to incident, including place where incident occurred, description of pupil's behaviour and steps taken to defuse the situation other than physical intervention:	
Outline of incident including reason for use of reasonable force, how it was applied and for how long:	
Measures taken following the incident (eg respite for pupil(s), support for teacher(s):	
Description of any injury(ies) sustained by anyone, any subsequent treatment and any damage to property:	

Brief description of any subsequent inquiry/complaint or action:	
Date parent/carer informed of incident:	Time:
By whom informed:	
Outline of parent/carer response:	
I confirm that my use of reasonable force was taken only after all other means had been tried and that my use of force was fully in accordance with the school's policy.	
Signature of staff completing report:	Date:
Signature of designated teacher to whom Incident was reported:	Date:
Signature of Principal:	Date: