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# Brentfield Primary School

Children of Today Champions for Tomorrow

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## Positive Handling Policy

Head Teacher	Mrs N. Harmer
Person Responsible	Ms S. Rawat
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41-43 Meadow Garth, London, NW10 0SL  
Tel: 020 8965 5326  
Email: [admin@brentfield.brent.sck.uk](mailto:admin@brentfield.brent.sck.uk)  
Website: [www.brentfield.brent.sch.uk](http://www.brentfield.brent.sch.uk)

## **Brentfield Primary School**

This policy has been written in accordance with the legislation presented below, Brent local authority guidance (Guidelines on the use of Physical Intervention for Schools') revised in January 2016 and DfE non-statutory guidance (Use of Reasonable Force, 2013)

### **Introduction**

Brentfield Primary School believes that all children should be treated with respect and dignity. Occasionally, incidents may arise at school when staff members will be required to use positive handling to secure pupil safety, prevent serious breaches of school discipline or prevent damage to property.

### **Legislation**

Section 550A of the Education Act 1996, reiterated in Section 93 of the Education and Inspection Act 2006, allows staff to use such force as is reasonable in all the circumstances to prevent a pupil from doing (or continuing to do) any of the following

- committing a criminal offence
- causing personal injury to, or damage to property; or
- prejudicing the maintenance of good order and discipline at the school or among any pupils receiving education in the school, whether during a teaching session or otherwise.

Section 95 of the Education and Inspections Act, 2006 indicates a "member of staff" in relation to a school means:

- any teacher who works in the school, and
- any other person whom the headteacher has authorised to have control or charge of pupils. This may include people to whom the head has given temporary authorisation to have control or charge of pupils, such as unpaid volunteers (for example parents accompanying pupils on school-organised trips.) and
- does not include any pupils.

There is no legal definition of when it is reasonable to use force to restrain a pupil. However, to be judged lawful, the force used must be proportionate.

The Department of Education advice published in 2013 specifies that schools can use reasonable force to:

- remove disruptive children from the classroom where they have refused to follow an instruction to do so;
- prevent a pupil behaving in a way that disrupts a school event or a school trip or visit;
- prevent 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;
- prevent a pupil from attacking a member of staff or another pupil, or to stop a fight in the playground; and
- restrain a pupil at risk of harming themselves through physical outbursts.

## **Who can use reasonable force?**

All members of school staff have a legal power to use reasonable force. It can also apply to people whom the head teacher has temporarily put in charge of pupils such as unpaid volunteers or parents accompanying pupils on a school organised visit.

## **Use of physical intervention**

At Brentfield School physical intervention is applied as an act of care. It is only likely to be needed if a child appears to be unable to exercise self-control of emotions and behaviour and the potential consequences of not intervening are sufficiently serious. Intervention will never take a form which could be seen as a punishment.

Physical intervention may not necessarily involve force, for example it may be used to control pupils, rather than restrain:

- physically standing between pupils;
- leading a pupil by the arm away from a situation, or placing a hand in the centre of the back;
- holding a pupil in a non-confrontational way that does not create additional risk of harm.

When physical restraint becomes necessary:

- Tell the pupil what you are doing and why
- Use the minimum force necessary
- Involve another member of staff, if possible but no other pupils
- Tell the pupil what s/he must do for you to remove the restraint (this may need frequent repetition)
- Do not engaging in a prolonged verbal exchange or attempt to reason with the pupil
- Avoid touching or using physical intervention in a way that could be interpreted as sexually inappropriate conduct
- Use physical interventions that are the least restrictive and maintained for the least amount of time possible.
- Relax your restraint in response to the pupil's compliance

Please note that it is recommended that a distance of 1m+ is maintained where ever practicable but in the likelihood of immediate harm this may not be possible. Staff should position themselves so that there is a reduction in close face-to-face contact. Standing sideways between pupils.

## **Roles and responsibilities**

Staff should be aware that when they are in charge of children during the school day or during other supervised activities they should take reasonable action to ensure pupils' safety and well-being. However, they are not expected to place themselves in situations where they are likely to suffer injury as a result of their intervention.

## **Risk Assessments**

Reasonable measures should be taken to support the needs of pupils, particularly those with special educational needs and disabilities. Risk assessments should be carried out for those pupils who are likely to exhibit behaviour that may increase the likelihood of harm and disruption but this should be considered on a case by case basis (see appendix 1)

## Reporting Incidents, Post-Crisis Support and Learning

Only a court of law can decide what is significant. However, in deciding what a significant incident is, the school will consider the following:

- The pupil's behaviour and level of risk presented at the time of the incident
- The degree of force used
- The effect on the pupil or member of staff
- The child's age

All significant incidents where a member of staff has used reasonable force on a pupil must be verbally reported to a member of the senior leadership team and documented using the school reporting procedures (see appendix 2). Staff may also be advised to log incidents on CPOMS (Child Protection Online Monitoring System). Where possible, electronic entries will be made with the appropriate detail eliminating the need for the completion of incident record forms (see appendix 2).

The senior leadership team will take responsibility for making arrangements for debriefing once the situation has been managed. During the debriefing, it is beneficial to consider the circumstances precipitating the incident to explore ways in which future incidents can be avoided.

If the behaviour is part of a continuing pattern then it may be necessary to involve the school Inclusion team to implement a behaviour plan.

Parents should be informed of any occasion where significant physical intervention has been necessary and the reason for the action clearly explained. The law states that each parent must be informed of a significant incident, except in cases where harm might result for the child.

## Complaints

In the event of a complaint being received by the school in relation to the use of force by staff, the matter will be dealt with in accordance with procedures for handling allegations against members of staff.

## Review

This policy will be reviewed at least every year or in the event of a change in legislation or need.

## Useful Information

- Accident & Incident Reporting in Brent Council
- Brent Guidelines on the use of Physical Intervention for Schools' (2011) Revised in January 2016.
- Education and Inspections Act 2006
- <http://www.legislation.gov.uk/ukpga/2006/40/contents>
- Guidance on the Use of Restrictive Physical Interventions for Staff Working with Children and Adults who display Extreme Behaviour in Association with Learning Disability and/or Autistic Spectrum Disorders (DfE 2002)
- Guidance on the Use of Restrictive Physical Interventions for Pupils with Severe Behavioural Difficulties (2003)
- Lone Working - Brent Council
- Managing Violence and Aggression in the Workplace – Brent Council
- [Section 550A of the Education Act 1996: The Use of force to Control or Restrain Pupils July 1998](#) – DfE
- Use of Reasonable Force in Schools, DfE guidance 2013 (Revised 2015)

## Appendix 1

**Behaviour Risk Assessment**

Pupil Details		
Name of Child		
Teacher and Class		
SEN	Yes <input type="checkbox"/> No <input type="checkbox"/>	
Identification & Assessment of Risk		
Describe the foreseeable risk Verbal aggression (threatening, swearing), physical aggression (kicking, biting etc.), property destruction, running away from immediate environment, running off site, refusal to move, use of equipment as weapon (throwing or hitting), use of weapon Other (please specify)		
How likely it is that the risk will arise?	Record an informed estimate of the likelihood that the behaviour will occur 1 2 3 4 5 6 7 8 9 10 Low -----High	
List who is affected by the risk	The Pupil	Yes <input type="checkbox"/> No <input type="checkbox"/>
	Staff	Yes <input type="checkbox"/> No <input type="checkbox"/>
	Visitors/ Public when outside of school	Yes <input type="checkbox"/> No <input type="checkbox"/>
	Other pupils	Yes <input type="checkbox"/> No <input type="checkbox"/>
	The physical environment/ property	Yes <input type="checkbox"/> No <input type="checkbox"/>
In which situations does the risk usually occur? Transition times, unstructured activities, periods of increased pressure (assessments, routine/ home circumstance change), spaces which involve close physical proximity, particular pupils/adults (please specify), other (please specify)		
Agreed Measures & Support Plan		
Focus of measures	Measures to be employed	
Proactive intervention to prevent risks	•	
Early intervention strategies to respond to early warning signs or an escalating situation	•	
Reactive interventions to respond to adverse outcomes	•	
Staff Training Issues		

Identified training needs		Date of training / completion
Communication of Risk Management Strategy		
Plans and strategies shared with:	Communication Method	Date
Additional Comments/Actions:		
•		
Review Date:		

Private and Confidential			
Date form received		Form received by	
Logged on system / Filed			

## Appendix 2

### Incident Record Form

Name of person completing report			
Date of incident			
Approx. time of incident			
Location of incident			
Name of staff Involved (directly or as witnesses)			
Name of pupils involved (directly or as witnesses)			
Medical attention required?	Yes <input type="checkbox"/> No <input type="checkbox"/>	Reasonable force used?	Yes <input type="checkbox"/> No <input type="checkbox"/>
Details		Details	

Incident Details
(what happened, how it happened, factors leading to the event, etc. Be as specific as possible, include any attempts to de-escalate and any warnings given if reasonable force used)
Continue overleaf if necessary

Signature		Date	
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Please note: names of pupils should be removed if the completed form is sent to parents and the names of members of staff should only be included with their consent.

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Post Incident Record Form



Name of person completing report			
Post incident support required?	Yes <input type="checkbox"/> No <input type="checkbox"/>	Those with parental responsibility informed?	Yes <input type="checkbox"/> No <input type="checkbox"/>
Details		Details	
External agency contact	Yes <input type="checkbox"/> No <input type="checkbox"/>	Identified Triggers?	Yes <input type="checkbox"/> No <input type="checkbox"/>
Details		Details	

Private and Confidential

Additional Information

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Continue overleaf if necessary

Signature

Date