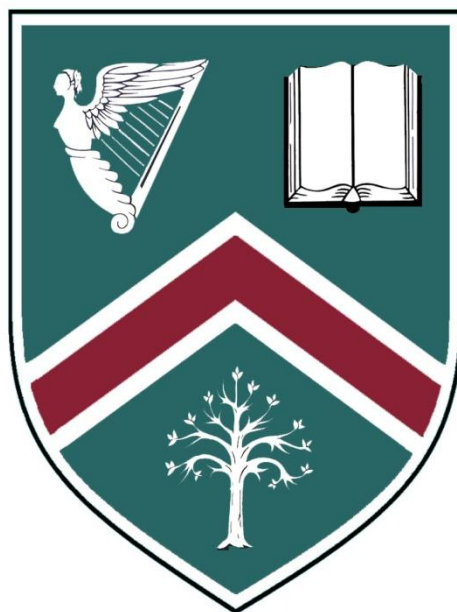


STRATHEARN SCHOOL



SAFE HANDLING AND REASONABLE FORCE POLICY

June 2012

1 Introduction

This policy has been prepared for the support of all teaching and support staff who come into contact with pupils and for volunteers working within the school. The policy is intended to explain the school's arrangements for physical intervention. Its contents are available to parents and pupils.

The policy has been developed in response to the recommendations and guidance set out in the following DENI documents:

'Pastoral Care: Guidance on the Use of Reasonable Force to Restrain or Control Pupils' (Circular 1999/9);

'Pastoral Care in Schools: Promoting Positive Behaviour' (2001);

'Towards a Model Policy in Schools on the Use of Reasonable Force' (August 2002);

'Pastoral Care in Schools – Child Protection: Code of Conduct for Staff' (1999/10);

'Welfare and Protection of Pupils' (Circular 2003/13) and

'Regional Policy Framework on the Use of Reasonable Force / Safe Handling' (2004).

This policy should be read in conjunction with the school's policies on Pastoral Care, Positive Behaviour, Anti-bullying, Child Protection & Safeguarding, Code of Conduct for Staff and Volunteers, Special Educational Needs and Inclusion and Health and Safety.

2 Purpose of the policy

The school believes that good personal and professional relationships between staff and pupils are vital to ensure good order in school. It is recognised that the vast majority of girls¹ in our school respond positively to the discipline and control practised by staff. This ensures the safety and well being of all pupils and staff in school. It is also acknowledged that in exceptional circumstances, staff may need to take action in situations where the use of reasonable force may be required.

Every effort will be made to ensure that all staff in this school:

- (i) clearly understand this policy and their responsibilities in the context of their duty of care in taking appropriate measures where reasonable force is necessary and
- (ii) are provided with appropriate advice to deal with these difficult situations.

Staff have a responsibility to follow the policy and to seek alternative strategies wherever possible in order to prevent the need for physical intervention.

Physical intervention will only be used as a **last resort** when all other behaviour management strategies have failed or when pupils, staff, good order or property are at risk, but should be reasonable and proportionate.

¹ Includes pupils (male and female) who come from another school to be educated in Strathearn School.

3 Key Terms

a) Physical Contact

This may involve situations when physical contact with a pupil may be proper or necessary, e.g., during PE lessons, music or technology and design, or if a member of staff has to give first aid. Touching may also be appropriate where a pupil is in distress or needs comforting.

b) Physical Intervention

This may be used to divert a pupil from a destructive or disruptive action, for example guiding or leading a pupil by hand, arm or shoulder with little or no force.

c) Restrictive Physical Intervention / Reasonable Force

This will involve the use of physical intervention/reasonable force when there is an immediate risk to pupils, staff or risk of significant damage to property. A record of all such incidents will be kept.

4 Underpinning principles

Everyone attending or working in this school has a right to:

- recognition of his/her unique identity;
- be treated with respect and dignity;
- learn and work in a safe environment;
- be protected from harm, violence, assault and acts of verbal abuse.

Pupils attending this school and their parents have a right to:

- individual consideration of pupil needs by staff who have a responsibility for their care and protection;
- expect staff to undertake their duties and responsibilities in accordance with the school's policies;
- be informed about school rules, relevant policies and the expected conduct of all pupils and staff working in the school;

The school will do all it can to ensure that pupils understand the need for and respond to clearly defined limits which govern behaviour in the school.

Parents have committed themselves when enrolling their daughter in the school to ensure the good behaviour of their child and that she follows the school's Positive Behaviour Policy.

5 Staff Authorised to Use Restrictive Physical Intervention

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. The Principal will confirm with all staff those who are authorised to be in charge of pupils at any given time and will make clear in what circumstances and settings staff may use force (see Appendix 1 for further details).

6 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 herself); 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 herself or others or seriously damaging property, but used in a manner which attempts to preserve the dignity of all concerned.

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.

7 Procedures

Reasonable force/safe handling can be used by a teacher or other authorised person(s) on the school premises or when authorised elsewhere eg, supervision of pupils in bus queues, a sporting event or educational trip. Reasonable force will be limited to emergency situations and used only as a last resort when all other behaviour management strategies have been exhausted and where:

- a. action is necessary in self-defence or because there is a risk of injury or of significant damage to property;
- b. a pupil is behaving in a way that is 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 she might cause an accident likely to injure herself 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.

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

If a member of staff makes the decision to use reasonable force, they should always try to summon additional adult support, e.g., by sending a reliable pupil to seek out a member of staff.

8 Forms of Reasonable Force

When other behaviour management strategies have failed, minimum intervention or force will 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 will involve a calm and measured approach at all times appropriate to the particular pupil and be in accordance with the school's agreed strategies and procedures. These are to be found in Appendix 2.

9 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.

10 Record Keeping

All incidents involving the use of reasonable force must be recorded.

The School Principal 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. The Chairperson of the Board of Governors and the Principal will review annually the record of such incidents. 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, preferably on the same day.

Parents/carers will be contacted as soon as possible and the incident explained to them. This and their response will also be recorded.

Staff should keep their own copy of any written report.

11 Complaints

If an incident occurs in Strathearn involving the use of reasonable force/restraint by a member of staff, the procedures governing such incidents will be followed. This will include informing the parent(s)/guardian(s) of the pupil as outlined above.

Anyone who has a concern about how such an incident has been dealt with should contact the School Principal who is the Designated Teacher for Safe Handling and the Use of Reasonable Force.

In the event of a complaint being made, this will be dealt with in accordance with Circular 1999/10, Pastoral Care in Schools – Child Protection.

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

<i>Signed</i> _____	_____	Date _____
<i>Chairman</i>	<i>Principal</i>	

Appendix 1

[From: *Towards a Model Policy in Schools on the Use of Reasonable Force, Appendix to Circular 1999/9*]

GUIDANCE ON THE USE OF REASONABLE FORCE TO RESTRAIN OR CONTROL PUPILS

Who may use reasonable force?

Teachers

1. Article 4 of the Education (Northern Ireland) Order 1998 authorises teachers to use such force as is reasonable in the circumstances to prevent a pupil from:

- committing an 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 during a teaching session or otherwise.

Non-teaching staff

2. Other members of staff at the school are also authorised to use reasonable force in the circumstances described at 1. above, provided they have been authorised by the Principal to have lawful control or charge of pupils. This might, for example, include classroom assistants, midday supervisors, and escorts. In addition the authorisation could extend to education welfare officers and educational psychologists.

3. In determining which non-teaching staff to authorise, Principals will wish to have regard to the roles and responsibilities of the staff concerned. In particular they should consider whether the staff have a responsibility to supervise pupils as part of their normal duties or whether, from time to time, they may have to take on that responsibility when a teacher is not present.

Volunteers

4. Suitably vetted volunteers normally work only under the direction and supervision of a teacher or other member of staff and should not be expected to assume sole responsibility for the safety and well-being of pupils. Where a situation arises, therefore, where the use of reasonable force may need to be exercised, the volunteer should alert the member of staff in charge and defer to his/her judgement as to the appropriate means of handling the situation.

There may, however, be circumstances in which the Principal may need to authorise a volunteer to use reasonable force in exceptional circumstances. These might include school visits, holidays and residential activities where some degree of delegated responsibility may have to be given to the volunteers in the organisation of activities; where a member of school staff may not be readily available to deal with an incident; and where it is possible that significant harm will occur if action is not taken immediately. Where volunteers are so authorised, it is essential that they receive appropriate training and guidance.

5. The key issue is that all non-teaching staff and volunteers must be identified and specifically authorised by the Principal to be in control of or in charge of pupils.

The Principal should clearly inform all persons concerned and ensure that they are aware of and understand what the authorisation entails. Principals may find it helpful to arrange for training or guidance to be provided by a senior member of the teaching staff who has been designated as having special responsibility for this matter and who has already received suitable training on the use of reasonable force. Principals should also keep an up to date list of authorised non-teaching staff and others who are so authorised and ensure that teachers know who they are, for example, by placing a list on the staff room notice board.

Appendix 2

Procedures to be used before and during the application of Reasonable Force by a member of staff in authority

- 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 her that physical contact will stop as soon as she is ready to behave appropriately;
- if the teacher or assistant feels at risk, eg from a large or older group of pupils, send for the nearest staff support.

Forms of Reasonable Force

The forms of reasonable force the school will use will depend on the individual circumstances but may include any of the following:

- separating pupils who are fighting, or who are about to fight;
- blocking a pupil's path;
- holding;
- breakaway techniques (eg if 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; or
- using more restrictive holds (in extreme circumstances).

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 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 injured or may endanger his/her life.