

Walton and Lees Hill Primary School

## HEALTH & SAFETY POLICY - PART 3

# POSITIVE HANDLING, SUPPORT AND PHYSICAL INTERVENTION PROCEDURES

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## REVIEW SHEET

Each entry in the table below summarises the changes to this policy and procedures made since the last review (if any).

Version Number	Version Description	Date of Revision
1	Original	Sept 2013
2	Reformatted only	Feb 2014
3	Updated to include minor changes the Statutory Framework for EYFS due to come into force in September 2014 and the newly published DfE 'Keeping Children Safe in Education' April 2014 and the supporting guidance Keeping Children Safe in Education – Information for all School and College Staff, April 2014.	April 2014
4	Update to reference DfE Behaviour and Discipline in Schools - A Guide for Head teachers and School staff - Reviewed Sept 2014	Oct 2014
5	Updated to reflect DfE 'Keeping Children Safe in Education' March 2015 and the supporting guidance Keeping Children Safe in Education – Information for all School and College Staff, March 2015.	May 2015
6	Updated to take account of DfE 'Keeping Children Safe in Education' July 2015 and the supporting guidance Keeping Children Safe in Education – Information for all School and College Staff, July 2015.	Oct 2015
7	Updated as a result of DfE Behaviour and Discipline in Schools – Advice for Head teachers and School Staff, January 2016	Mar 2016
8	References to DfE 'Keeping Children Safe in Education' updated to September 2016	Aug 2016
9	Minor updates to reflect the DfE Statutory Framework for EYFS, 2017 which came into force on 03 April 2017	Mar 2017
10	Minor updates to reflect changes in DfE guidance	Nov 2017
11	Minor update to reflect DfE Screening, Searching and Confiscation – Advice for Head teachers, School Staff and Governing Bodies, January 2018	Jan 2018
12	References to DfE 'Keeping Children Safe in Education' September 2018 and DfE Working Together to Safeguard Children, July 2018 updated	Sept 2018
13	Updated references to DfE 'Keeping Children Safe in Education' September 2019	Sept 2019
14	Updated in line with 'Keeping Children Safe in Education' Sept 2020	Nov 2020
15	Updated in line with 'Keeping Children Safe in Education' Sept 2021 and inserted links to statutory or advisory documents	Jan 2022
16	Updated in line with KCSiE 2022 and amended DfE guidance on Behaviour in Schools – July 2022	Sept 2022
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# POSITIVE HANDLING, SUPPORT AND PHYSICAL INTERVENTION PROCEDURES

## 1. Introduction

In their advice on 'Ensuring Good Behaviour in Schools', the Department for Education (DfE) have set out the legal powers and duties that govern behaviour in schools which includes the use of reasonable force. In their guide 'Behaviour and Discipline in Schools' the DfE clarifies the legal provisions on school discipline which provides staff with the power to use reasonable force to prevent pupils committing an offence, injuring themselves or others or damaging property, and to maintain good order and discipline in the classroom.

To maintain the safety and welfare of our pupils, it may sometimes be necessary to use reasonable force on a pupil, as permitted by law.

The Governing Body have taken account of advice provided by the DfE – '[Use of reasonable force in schools - advice for head teachers, staff and governing bodies](#)' and the school's public sector equality duty set out in section 149 of the Equality Act 2010.

WLHS has drawn these procedures from the guidance issued by the DfE:

- [DfE Use of reasonable force in schools: advice for head teachers, staff and governing bodies](#)
- [DfE Behaviour and discipline in schools: guidance for governing bodies](#)
- [DfE Behaviour in schools: advice for head teachers and school staff](#)
- [DfE Searching, screening and confiscation: guidance for schools](#)
- [Suspension and permanent exclusion from maintained schools, academies and PRUs in England, including pupil movement - Guidance for schools](#)
- [DfE Statutory Framework for Early Years Foundation Stage](#)
- [DfE Keeping Children Safe in Education](#), and Part 1 - Information for all School and College Staff
- [DfE Working Together to Safeguard Children](#)
- [DfE Mental Health and Behaviour in Schools](#)
- [Guidance for Safer Working Practice for those working with Children and Young People in Education Settings/Code of Conduct for Staff](#)
- DoH - [Reducing the Need for Restraint and Restrictive Intervention \(Special education settings only\)](#)

## 2. Objectives

The key objective of this document is to outline the school's procedures on positive handling, support and physical intervention including the use of force to control or restrain pupils.

The school recognises that school staff have a legal power to use force and that the lawful use of this power will provide a defence of any related criminal prosecution or other legal action if it can be demonstrated that the use of force was reasonable in the circumstances.

Reasonable force will only be used as a last resort after de-escalation techniques have failed. School staff are made aware that they will have to justify their actions if they ever use reasonable force in the course of their duties.

The school has a duty to maintain the safety of pupils and staff, to prevent serious breaches of school discipline and to prevent serious damage to property. To achieve this, reasonable force will only be used when the risks involved in so doing, are outweighed by the risks involved in not using force. In such circumstances, only the minimum amount of force necessary to the circumstances will be used; not only should any force be proportionate, but it should be for the minimum amount of time necessary to the circumstances.

## 3. Background: what the law says

Section 96 of the Education and Inspections Act, 2006, enables school staff to use reasonable force to prevent a pupil from:

- committing a criminal offence (or for a young person under the age of criminal responsibility, what would be an offence in an older pupil);
- causing personal injury or damage to property;
- prejudicing the maintenance of good order and discipline at the school or among the pupils receiving education at the school, whether during a teaching session or otherwise.

The staff to which this power applies are:

1. Any member of staff;
2. Any other person whom the Head teacher has authorised control or charge of pupils (*authorisation does not necessarily need to be given in writing*). This can include people to whom the Head teacher has given temporary authorisation to have control or charge of pupils such as unpaid volunteers (for example parents accompanying pupils on school-organised visits).

This power does NOT under any circumstances include pupils or those under the age of 18 on placement or work experience.

The power may be used where the pupil (including a pupil or student from another school) is on the school premises or elsewhere in the lawful control or charge of the staff member, for example, on an off-site visit.

If staff or other authorised persons must use force, they must use techniques and methods with which they are familiar, confident and are permitted by the school. Any force employed, should be reasonable and proportionate and, where possible, it should reflect the person's previous training in the appropriate use of restrictive physical interventions.

As required under Section 246 of the Apprenticeships, Skills, Children and Learning Act, 2009, each significant incident in which a member of staff uses force on a pupil, must be reported as soon as practical, to the Head teacher or to the Designated Safeguarding Lead (DSL) with responsibility for safeguarding so that the parent of the pupil can be informed. However, senior staff must not report the incident to a parent if it appears to the staff member that so doing would be likely to result in significant harm to the pupil. If this is the case, and reporting to the parent is likely to result in significant harm, the incident must be reported to the Local Authority where the pupil normally lives.

#### **4. What is meant by 'reasonable force'**

There is no statutory definition of 'reasonable force'. Whether the force used is reasonable will depend on the circumstances of individual cases. The test is whether the force used is proportionate to the circumstances. The degree of force would be the minimum needed to achieve the desired result. Use of force could not be justified to prevent trivial misbehaviour. Further guidance on the circumstances where reasonable force might be used is included below.

The statutory power conferred by section 93 of the Education and Inspections Act is in addition to the common law power of any citizen in an emergency to use reasonable force in self-defence or to prevent another person being injured or committing a criminal offence. On preventing injury or damage to property, the statutory power is similar in scope to the common law power, except it is only available to people authorised to have control or charge of pupils. Section 93 makes it clear that authorised staff may use force to prevent behaviour that prejudices the maintenance of school discipline regardless of whether that behaviour would also constitute a criminal offence.

In its non-statutory guidance '[Use of Reasonable Force in Schools](#)', the DfE states:

- The term 'reasonable force' covers the broad range of actions used by teachers at some point in their career that involve a degree of physical contact with a pupil.
- Force is usually used to control or restrain. This can range from guiding a pupil to safety by the arm through to more extreme circumstances such as breaking up a fight or where a pupil needs to be restrained to prevent violence or injury.
- 'Reasonable in the circumstances' means using no more force than is needed.

- As mentioned above, schools generally use force to control pupils and to restrain them. Control means either passive or physical contact, such as standing between pupils; blocking a pupil's path; or physical contact such as leading a pupil by the arm out of a classroom.
- 'Restraint' means to hold back physically or to bring a pupil under control. It is typically used in more extreme circumstances, for example, when two pupils are fighting and refuse to separate without physical intervention.
- School staff are expected to always try to avoid acting in a way that might cause injury, but in extreme cases it may not always be possible to avoid injuring the pupil.

### **It is always unlawful to use force as a punishment**

#### **Other physical contact with pupils**

It is not illegal for staff to touch pupils. There are occasions when physical contact, with a pupil is proper and necessary. Examples of where touching a pupil might be proper and necessary:

- Touching a pupil on the arm, hand or shoulder to indicate when to stand still, move forward or backwards e.g. in a crowd, queue, assembly;
- Holding the hand of the child at the front/back of the line when going to assembly or when walking together around the school;
- When comforting a distressed pupil;
- When a pupil is being congratulated or praised;
- To demonstrate how to use a musical instrument;
- To demonstrate exercises or techniques in PE or sports coaching;
- To support pupils with disabilities;
- To administer first aid.

The above is not exhaustive.

## **5. When the use of reasonable force might be appropriate**

The use of force is a rare occurrence in the school. It will be used only as a protective measure and never as a disciplinary penalty. The judgement on whether to use force and what force to be used should depend on the circumstance of the case or information about the individual concerned.

The decision on whether to physically intervene is down to the professional judgement of the staff member or authorised adult concerned.

Decisions on whether the precise circumstances of an incident justify the use of force must be reasonable. Typically, such decisions must be made quickly, with little time for reflection.

Examples of situations that particularly call for judgement of this kind include action to:

- remove disruptive children from the classroom where they have refused to follow an instruction to do so;
- prevent a pupil from behaving in such a way that seriously disrupts a lesson;
- 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;
- prevent a pupil committing deliberate damage to property;
- prevent a pupil from causing injury or damage, e.g. by accident, or rough play; pushing and shoving in a crowded situation or by misuse of dangerous materials or objects;

In circumstances where a pupil who is absconding from class, detention or school other than the authorised time, it would only be justifiable to prevent this if allowing a pupil to leave:

- entails serious risks to a pupil's safety (taking account of age and understanding) to the safety of other pupils or staff or of damage to property;

- leads to behaviour that prejudices good order and discipline, such as disrupting other classes.

In the above examples the use of force is likely to be construed as reasonable (and therefore lawful) if it was clear that the behaviour was **sufficiently dangerous and disruptive** to warrant physical intervention of the degree applied and could not realistically be dealt with by any other means.

Reducing the likelihood of situations arising when the use of force may be required:

- a) There are many ways in which the school has minimised the likelihood of situations where the use of force may be required. The school's ethos is designed to create a calm, orderly and supportive school climate as well as fostering positive relationships in the school community. Explicit boundaries for pupils are detailed in the Behaviour Policy and procedures.
- b) Staff are trained in positive behaviour management embedded in Team Teach training programme which includes techniques to manage individual incidents including de-escalation of situations.
- c) Staff experiencing difficulties with pupils who are refusing to comply with instructions and disrupting lessons, have a variety of strategies to use including requesting a pupil to leave a room, sending the pupil to the quiet room. To de-escalate situations, staff are expected to summon assistance from pastoral staff or senior management if they encounter particularly challenging situations or a pupil refuses to comply with an instruction to leave a classroom or other area.

## 6. The different approaches which may be used prior to force being used

Where possible, before using force and depending on the circumstances staff will:

- engage the pupil in a calm measured tone, setting out how the pupil could choose to modify their behaviour;
- distract the pupil: for example, when pupils are fighting, by shouting or blowing a whistle;
- if any angry pupil has moved away: decide whether they are a risk to themselves and others before deciding to follow/detain;
- remove other pupils who might be at risk;
- summon assistance;
- telephone the Police if appropriate;
- warn the pupil that force might be necessary;
- use the minimum amount of force necessary.

*Any force will be proportionate to the level of risk and will be reduced at the earliest possible time.*

Staff will not, as far as possible, use force unless or until another responsible adult is present to support, observe and call for assistance.

In school, force might be used:

- to control pupils with passive physical contact e.g.
  - standing between pupils;
  - blocking a pupil's path.
- to control pupils with active physical contact e.g.
  - leading a pupil by the hand or arm;
  - ushering a pupil away by placing a hand in the centre of the back.
- to control pupils with more forceful action e.g.
  - in stopping a fight when the protagonists refuse to separate and are pulling/pushing.

## 7. What is not an acceptable use of force

Use of more restrictive holds that require specific expertise or training.

The following are not acceptable in any circumstance:

- Holding a pupil around the neck, or the collar/tie or in any other way that might restrict the pupil's ability to breathe.



- Pushing the pupil's head downwards, or sitting, kneeling or resting on the pupil.
- Pushing or holding the pupil on the floor either in a sitting or lying position.
- Slapping, punching or kicking a pupil.
- Twisting or forcing a limb; forcing a limb against the joint or behind a back.
- Tripping up a pupil.
- Pulling ears; and generally pulling hair.
- Touching or holding in any way that might be interpreted as sexually inappropriate conduct.

In addition, the following are considered to have unacceptable risk when used on children or young people and are not allowed:

- The 'seated double embrace' which involves two members of staff forcing a person into a sitting position and leaning them forward, while a third monitors breathing.
- The 'double basket hold' which involves holding a person's arms across their chest.
- The 'nose distraction technique' which involves a sharp upward jab under the nose.

Staff will avoid acting in a way that might reasonably be expected to cause injury. If this has not been possible, and a pupil sustained an injury because of the use of force by a member of staff, that member of staff may be called upon to justify his/her actions.

Staff must always consider their own safety and that of others in deciding how to act in such situations. Staff should also consider calling for assistance before intervening if they have reason to believe that they would be at risk of injury if intervening alone.

Any force should be limited and removed as soon as possible.

## 8. Placing physical intervention in context

Physical Intervention is not to be seen in isolation. It is but one strategy available to staff and should always be a last resort when all other strategies have failed. Physical interventions can be placed in two broad categories:

### **Emergency interventions:**

Emergency interventions will involve ideally a minimum of two staff employing, where necessary, one or a combination of the strategies taught to school staff from a recognised training provider e.g. Team Teach in response to an incident. This will occur when all other strategies have been exhausted or the incident requires a rapid physical response (for example a child running on to the road).

### **Planned interventions:**

Planned interventions involve a minimum of two staff employing, where necessary, one or a combination of the strategies taught to school staff from a recognised training provider e.g. Team Teach as an agreed response to an identified behaviour. This will be documented in the Positive Handling Plan which must form part of the pupil's Behaviour Management Plan and will be reviewed along with 6 monthly IEPs. Permission of parents will be sought before initiating this as an accepted response. The Behaviour Management Plan will list the accepted strategies to be used as well as strategies that may be used beforehand e.g. de-escalation techniques.

Strategies can be divided into those that are preventative and those that are reactive.

Preventative Strategies need to be:

- Clear and understood by all those who come into contact with the individual.
- Based on thoughts/discussion about possible reasons for challenging behaviour.
- Where possible the functional opposite of the behaviour (functionally incompatible) we are trying to stop, e.g. as simple as if a pupil is constantly hitting someone else then we need to aim for them to be sat in their seat (if they are in their seat they can't be hitting someone).

Reactive Strategies need to be:

- Clear and understood by all those who come into contact with the individual.
- Manageable.

- Focussed on the behaviour not the child.
- Flexible.
- Aimed at De-escalation.

## 9. Recording and reporting significant incidents

The school does not require parental consent to use force on a pupil. The school has a duty to record and report to parents all *significant* incidents where a member of staff has used force on a pupil.

The member of staff involved must report the matter to the Head teacher or DSL and make a written record of the incident using a [Record of Positive Physical Handling or Intervention](#) sheet as soon as practicable.

The Head teacher, in consultation with DSL and/or SENDCo, will decide whether an incident is significant or not.

The following would be considered significant:

- Incidents where unreasonable force has been used.
- Incident where substantial force has been used.
- Use of any restraint.
- Incidents where the child or 'handler' has been injured because of the intervention.
- If the child was very distressed.

In determining whether incidents are significant the following will be considered:

- The pupil's behaviour and level of risk presented at the time.
- The degree of force used and whether it was proportionate in relation to the behaviour.
- The effect on the pupil or member(s) of staff.

School staff should also consider the age of the pupil, any SEN or disability and any other social factor.

Sometimes an incident may not be significant in isolation but may form part of a pattern of repeated behaviour and records should therefore be kept.

## 10. Recording a significant incident

Any incident that involves the use of force should be investigated in the same way as other incidents in the school. All accounts of the same incident should be recorded including those of the pupil(s) involved.

The member of staff involved in using force should complete the [Record of Positive Physical Handling or Intervention](#) as soon as practicable after the incident. He/she may also be required to write a detailed report on the matter as a part of a wider incident. The member of staff may consult their union for advice should they wish. The DSL should check this report and provide the member of staff concerned with a final version for their records. A copy will be placed on the staff member's file.

Reports by other staff and pupils should then be attached to the report. This information will be part of a pupil's records.

## 11. Children with identifiable behaviour difficulties

Children who may have identifiable behaviour difficulties such as those associated with Special Educational Needs and Disabilities or are experiencing a mental health problem or be at risk of developing one, or any undiagnosed but identified behaviour difficulties will be treated in ways advised by specialists in this field. We will also consider our duties under the Equality Act 2010 in relation to making reasonable adjustments and our Public Sector Equality Duty. By planning positive and proactive behaviour support, for instance through drawing up individual behaviour plans for more vulnerable children, and agreeing them with parents, and where necessary, the Virtual Head teacher for children looked or previously looked after, we can reduce the occurrence of challenging behaviour and the need to use reasonable force.

Staff working with LAC or PLAC will be made aware (on a need to know basis) of any history which might affect the individual response to a challenging situation leading to physical intervention and any specific positive handling techniques required or more importantly those techniques which should never be used.

All staff should adopt a positive approach to improving behaviour to reward effort and build self-esteem. Staff should work in partnership with those who know the child to:

- find out why the child behaves as he/she does;
- understand the factors that influence a child's behaviour;
- identify early warning signs that indicate foreseeable behaviours are developing.

This approach will help to ensure that early and preventative intervention is the norm. It should reduce the incidence of extreme behaviour and make sure that the use of physical intervention is rare.

If a child's behaviour deteriorates so that he/she is a danger to himself or others it may be necessary to use restrictive physical interventions to prevent him/her hurting him/herself or others. These interventions would be emergency measures or interventions if all other routes have been exhausted.

## 12. Assessing and managing risks for children who present challenging behaviours

The term 'risk' refers to any circumstances which could lead to adverse outcomes for the child or others.

Risk assessment and management is a process that helps staff to consider risk issues, to act reasonably and to learn from everyday practice.

Whenever it is foreseeable that a pupil might require a restrictive physical intervention, a risk assessment will be carried out which identifies the benefits and risks associated with the application of different intervention techniques with the pupil. Assessing and managing risk is central to the process of deciding whether to use physical force and ensuring that it is both **reasonable** and **proportionate** to the circumstances. Where it is known that a pupil is likely to present severe behaviour difficulties, a formal assessment of the risks involved will assist staff in judging the benefits and risks of any proposed intervention for staff, the pupil concerned and others. This risk assessment must be undertaken by a competent person i.e. one who knows the process of risk assessment and who has sufficient knowledge about the pupil and his/her behaviour to enable them to make objective decisions on the appropriate control measures to utilise. Where risks are thought to be serious for the child or others, a written assessment of the risks and the considered control measures, which may be required to reduce the risk to the child and others, should be made. Risk reduction options will be considered such as situations that may provoke difficult behaviour, preventative strategies and de-escalation strategies that are most likely to work, what is likely to trigger a violent reaction and specific strategies and techniques agreed by staff and parents which will be used if necessary and an agreed 'Behaviour Management Plan' (BMP) and where necessary, a 'Positive Handling Plan' (PHP) produced.

Once agreed the BMP and PHP will be shared with all those responsible for implementing or monitoring the impact of the plan including:

- the child (where he/she has the appropriate level of understanding);
- his/her parents;
- school staff and other adults working in the school on a need to know basis;
- other professionals involved with the child.

The BMP and, where required, the PHP will be agreed by parents and evaluated termly. A [completed \(example\) risk assessment or Behaviour Management Plan template](#) is available from the KAHub along with a [model Blank BMP](#). This model Behaviour Management Plan incorporates, where required, the individual's Positive Handling Plan. The BMP must be signed and dated by the assessor. Alternatively, blank copies of all three parts of the BMP can be downloaded from the KAHub.

### How to complete a Risk Assessment/Behaviour Management Plan (BMP)

#### Part A

Part A of the BMP is a list of the benefits and drawbacks relating to all the possible options which could be considered as control measures for dealing with the behaviour of an individual pupil. This Part of the Plan

is not generally seen by parents or others but is merely a brainstorming tool devised by school staff in order that the most appropriate options can be chosen for a pupil. It also provides evidence of the options which have been properly considered as control measures even though some of them may not be appropriate or used for a pupil.

Some school staff have used this form as a template for the BMP for all pupils and have extensive options on Form A which they then use to choose the most appropriate option for inclusion in Part B.

### **Part B**

Part B of the BMP is the Management Plan or Risk Assessment for an individual pupil. The sections correspond with those on Form A but schools will complete the sections with the options and control measures taken from those considered in Part A. Some or all the options will be used to complete Part B. Once this form has been completed, schools should ensure that it is agreed by the parents (and, where appropriate, the pupil him/herself) and other parties involved in the education of the individual pupil.

It is important that any additional control measures identified are discussed with the school designated SENDCo, Special Needs Service, Learning Support Service and/or other organisations, so that assistance can be given to ensuring that all reasonable control measures are in place for the individual pupil. The additional control measures required may also be in the form of issues relating to the school environment i.e. alterations to the building.

Part B of the BMP will then form part of the overall IEP for the pupil concerned and will be subject to the general annual review process, although earlier review may be necessary.

### **Part C**

Part C of the BMP is completed **only** when staff have received training in positive handling techniques and will include the preferred handling techniques to be used for the named pupil in the event of a serious escalation of challenging behaviour and when all other methods of control e.g. de-escalation have failed.

## **13. Power to search pupils using reasonable force**

The school follows the DfE advice when using the powers to confiscate items from pupils.

Further information on the grounds for using reasonable force for searching, screening and confiscation can be found in our school Behaviour Policy and procedures.

## **14. Staff training**

All members of staff will receive training about the use of reasonable force appropriate to their role to enable them to carry out their responsibilities. This will include training on any restraint techniques which must not be used because they are known to present an unacceptable risk when used on children and young people. Some staff will receive additional training on the appropriate techniques which may be used to physically restrain pupils. The training will be to an approved nationally acceptable level and will be regularly refreshed.

## **15. Medicines**

If medicine is used to reduce or control risks, the details should be recorded in the Behaviour Management Plan. Discussions with parents or those with parental control will ensure that any medicine is administered at the correct time (both during and out of school hours) and will reduce the risk of medicine 'wearing off' before the subsequent prescribed administration time.

## **16. Information to parents**

In accordance with current good practice, the school will speak to parents about serious incidents involving the use of force and will record such serious incidents. In the case of a 'Looked After or previously Looked After child', the Local Authority will also be informed.

**Exception:** if it is likely that reporting an incident to a parent will result in significant harm to the pupil then the school will follow its Child Protection procedures and contact Cumberland Safeguarding Hub for

advice (Tel: 0333 240 1727). This may be because a child could be chastised inappropriately and/or excessively or there may be other safeguarding reasons.

All incidents when 'physical restraint' as opposed to 'physical control' is used will be recorded as soon as possible and details passed on to the Head teacher (or deputy in the absence of the Head teacher) who will follow up the incident where necessary. The following must be recorded:

- all incidents where unreasonable use of force is used;
- any incident where substantial force has been used e.g. physically pushing a pupil out of a room;
- use of restraint;
- all incidents where either the child or the 'handler' is injured because of the intervention;
- an incident where a pupil is clearly distressed though clearly not overreacting.

In all instances of the use of physical restraint, parents will be informed the same day, by phone, and invited into the school to discuss the incident unless to do so would result in significant harm to the pupil, in which case, the incident will be reported to the Social Care Team at the Local Authority.

A report to the parents will be made by a member of the Senior Leadership Team. Parents will generally be contacted by telephone in the first instance with the information followed up in writing. Information will include the following:

- When and where the incident took place.
- Why it was decided that force had to be used.
- The strategies used to try to avoid having to use force.
- What force was used.
- Whether there were any injuries.
- What follow up action (support and/or disciplinary) is being undertaken in respect of their child.

Ordinarily, the names of those involved in the incident will not be disclosed to the parent. A standard follow-up letter will be sent with a copy of these procedures.

All injuries will be reported and recorded in accordance with school procedures.

## **17. After the incident**

- The school will follow its standard procedure of investigating/evaluation of the incident, including seeking first aid or ambulance support as appropriate for all injured parties and reporting relevant injuries as appropriate.
- The staff member(s) involved will have the opportunity to discuss, reflect on and learn from this incident with the support of a senior member of staff and will be offered further support to deal with any emotional stress or loss of confidence should they wish.
- Pupils involved in the incident as witnesses will be offered reassurance.
- All parties, including witnesses (where appropriate), will be asked to write a report on the incident.
- Members of staff involved may wish to report the matter to the Police and may wish to seek the advice and support of their trade union representative.

If the reason for the incident was the pupil's behaviour, then sanctions, including exclusion, will be considered in line with the Behaviour Policy and procedures. Pupils will also be encouraged to repair any relationships that have been damaged.

## **18. Police involvement**

There may be rare occasions when school staff feel that they require the support of the Police. This will depend on the seriousness of the circumstances and will be determined by the Head teacher or nominated person.

In all circumstances where the Police or other agencies are involved, we will consider the safeguarding and welfare needs of the pupil first. Agencies, including the Police will be challenged on what their intentions are in relation to the pupil prior to any interview or search taking place. A parent or an appropriate adult, designated by the Head teacher will be present in order to ensure the welfare of the pupil concerned.

Exclusion is a matter for Head teachers and each case should be judged on its respective merits.

## 19. Complaints and allegations

- All complaints about the use of force will be thoroughly, speedily and appropriately investigated.
- Where a member of staff has acted within the law – that is, they have used reasonable force to prevent injury, damage to property or disorder – this will provide a defence to any criminal prosecution or other civil or public law action.
- When a complaint is made the onus is on the person making the complaint to prove that his/her allegations are true – it is **not** for the member of staff to show that he/she has acted reasonably.
- Suspension will not be an automatic response when a member of staff has been accused of using excessive force (refer to DfE statutory guidance '[Keeping Children Safe in Education](#)') where an allegation of using excessive force is made. This guidance makes clear that a person must not be suspended automatically, or without careful thought.
- We will consider carefully whether the circumstances of the case warrant a person being suspended until the allegation is resolved or whether alternative arrangements are more appropriate.
- If a decision is taken to suspend a member of staff, we will ensure that the individual has access to a named contact who can provide support.
- Our Governing Body will always consider whether a member of staff has acted within the law when reaching a decision on whether or not to take disciplinary action against the individual.
- We have a duty of care towards our employees. We will provide appropriate pastoral care to any member of staff who is subject to a formal allegation following a use of force incident.
- If a specific allegation is made against a member of staff as a result of an incident in which force has been used, we will follow our Managing Allegations against Staff procedures found in the school Child Protection Policy and procedures and advice on the [Cumbria SCP website](#).

Any other complaint will be dealt with in accordance with the School's Complaints Procedures.