



**Loving God - Caring for Each Other - Achieving Excellence**

# **Positive Handling to Control Policy**

**Approved Date:** December 2024

**Next review due by:** December 2025



## **Introduction**

An effective School Discipline Policy should secure an orderly atmosphere in which effective learning and teaching can take place. There may, however, be rare occasions on which school staff will need to use reasonable physical intervention to control pupils. It should be read in conjunction with the staff code of conduct.

## **Definition**

Physical intervention may be defined as “an action taken by a member of staff or student which uses reasonable, minimal force”.

There is no legal definition of when it is reasonable to use force. That will always depend on the precise circumstances of individual cases. To be judged lawful, the force used would need to be in proportion to the consequences it is intended to prevent. The degree of force used should be the minimum needed to achieve the desired result. Use of force could not be justified to prevent trivial mis-behaviour. However, deciding whether mis-behaviour is trivial also depends on circumstances. For example, running in a corridor crowded with small children may be dangerous enough not to be regarded as trivial.

## **What is reasonable force?**

- The term ‘reasonable force’ covers the broad range of actions used by most teachers at some point in their career that involve a degree of physical contact with pupils.
- Force is usually used either 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 student 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 physical contact, such as standing between pupils or blocking a pupil's path, or active 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 should 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.

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

- All members of school staff have a legal power to use reasonable force.
- This power applies to any member of staff at the school. It can also apply to people whom the headteacher has temporarily put in charge of pupils such as unpaid volunteers or parents accompanying students on a school organised visit.

## **When can reasonable force be used?**



- Reasonable force can be used to prevent pupils from hurting themselves or others, from damaging property, or from causing disorder.
- In a school, force is used for two main purposes – to control pupils or to restrain them.
- The decision on whether or not to physically intervene is down to the professional judgement of the staff member concerned and should always depend on the individual circumstances.
- The following list is not exhaustive but provides some examples of situations where reasonable force can and cannot be used.

## **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.

## **Schools cannot:**

- ***use force as a punishment – it is always unlawful to use force as a punishment.***

## **Focus of the Policy**

1. To protect all staff and students from harm and to protect property.
2. To prevent any behaviour prejudicial to the maintenance of good order and discipline at the school or among its pupils, whether during a teaching session or otherwise.
3. To protect all students against any form of physical intervention which is either unnecessary, inappropriate, excessive or unlawful. Key words in law which must be considered are:  
**Reasonable, Necessary & Proportionate.**
4. To provide adequate information and training for staff so that they are clear as to what constitutes appropriate behaviour and to deal effectively with violent or potentially violent situation

## **Communicating the school's approach to the use of force**

- As is required, we have a behaviour policy, and this policy is known to staff, parents and pupils. The governing body should notify the headteacher that it expects the school behaviour policy to include the power to use reasonable force.



- Although there is no requirement to have a policy on the use of force, it is good practice to set out, in the behaviour policy, the circumstances in which force might be used. It is also clearly stated in this policy.

## **Schools do not require parental consent to use force on a student.**

### **Using force**

A panel of experts identified that certain restraint techniques presented an **unacceptable risk** when used on children and young people. The techniques in question are:

- 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.

*(Physical Control in Care Medical Panel – 2008)*

### **Staff training**

Staff who may be required to use physical force will undergo training, at an appropriate level so that they know how to deescalate a situation as well as carry out of physical force in a proportionate and reasonable way.

### **Telling parents when force has been used on their child**

- It is good practice for schools to speak to parents about serious incidents involving the use of force.
- At Crompton House School, we will inform parents of any issues that have warranted the use of force.
- Page 7 references what to do after an incident and Appendix 1, is a copy of the serious Incident log, A written record of the incident will also be completed in the bound book in the Headteachers office

### **What happens if a pupil complains when force is used on them?**

- All complaints about the use of force should be thoroughly, speedily, and appropriately investigated.
- Where a member of staff has acted within the law – that is, they have used reasonable force in order 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 must not be an automatic response when a member of staff has been accused of using excessive force.
- Schools must 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 teacher, the school should ensure that the teacher has access to a named contact who can provide support.
- Governing bodies should always consider whether a teacher has acted within the law when reaching a decision on whether or not to take disciplinary action against the teacher.
- As employers, schools and local authorities have a duty of care towards their employees. It is important that schools provide appropriate pastoral care to any member of staff who is subject to a formal allegation following a use of force incident.

## **What about other physical contact with pupils?**

It is not illegal to touch a pupil. There are occasions when physical contact, other than reasonable force, with a pupil is proper and necessary.

Examples of where touching a pupil might be proper or necessary:

- 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 during PE lessons or sports coaching.
- To give first aid.

Section 93 of the Education and Inspections Act 2006 enables school staff to use such force as is reasonable in the circumstances to prevent a pupil from doing, or continuing to do, any of the following:

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

## **Guidance on Circumstances**

1. Staff will use reasonable, minimal force:



- to prevent a student committing a criminal offence.
- where a person is being assaulted or is in fear of assault (in order to remove that danger);
- where a person is aware that another individual is in immediate danger of being assaulted.
- where a person is willfully damaging property; or
- where a student is engaging in any behaviour prejudicial to maintaining good order and discipline in the school.

2. Force will be used only as a last resort when all other attempts to control a student have failed and every other approach has been considered. Practical methods to de-escalate the situation could include keeping calm, offering verbal prompts, guiding, steering or retreat (if appropriate). Appendix 1 (Guidance on De-escalation from 'Team Teach')

3. The age, understanding, the SEND needs and gender of the pupil should be taken into account in deciding what degree of intervention is necessary, in line with KCSIE.

## **Procedures during Incident**

- Staff should be confident that restraint is the most suitable action, based on the criteria listed above.
- Staff should ensure that they are not alone and that another adult is present. Call for help from SLT if the situation needs physical intervention.
- Staff should try and determine whether weapons may be involved and whether it is necessary to call for police support.
- When possible staff should give a clear verbal warning that restraint is going to be administered.
- Staff must use minimum force for maximum effect over the shortest time and use only the agreed restraint methods.
- Pupil safety is paramount. Staff must be aware of signs of distress such as vomiting, changes in colour, breathlessness.

## **Agreed physical intervention methods**

Reasonable, minimal force may involve staff in:

- physically interposing between pupils;
- holding;
- guiding a pupil by the hand or arm;
- shepherding a pupil away by placing a hand in the center of the back; or
- using more restrictive holds (trained staff only).



Staff should not act in a way that might reasonably be expected to cause injury.

Staff should always avoid touching or holding a pupil in a way that might be considered indecent.

## **Actions after an incident**

- Physical intervention often occurs in response to highly charged emotional situations and there is a clear need for debriefing after the incident, both for the staff involved and the pupil.
- A member of the leadership team should be informed of any incident as soon as possible and will take responsibility for making arrangements for debriefing once the situation has stabilised. An appropriate member of the teaching staff should always be involved in debriefing the pupil involved and any victims of the incident should be offered support, and their parents informed.
- If the behaviour is part of an ongoing pattern, it may be necessary to address the situation through the development of a Pastoral Support Plan or may include an anger management programme, or other strategies agreed by the SENCO.
- It is also helpful to consider the circumstances precipitating the incident to explore ways in which future incidents can be avoided.
- All incidents should be recorded immediately on the Physical Intervention Report Form (appendix 1). All sections of this report should be completed so that in the event of any future complaint a full record is available. A member of the leadership team will contact parents/guardians as soon as possible after an incident, normally on the same day, to inform them of the actions that were taken and why, and to provide them with an opportunity to discuss it.
- The members of staff involved should write an account of the incident in a bound and numbered book that is held centrally. This should be done on the same day as the incident.

## **Relationship to other policies:**

This should be read in conjunction with the School Behaviour Policy, Safeguarding Children Policy and Staff Code of Conduct.

## **Complaints**

A clear physical intervention policy, adhered to by all staff and shared with parents, should help to avoid complaints from parents. It is unlikely to prevent all complaints, however, and a dispute about the use of force by a member of staff might lead to an investigation, either under disciplinary procedures or by the Police and social services department under child protection procedures.

Please see section on Complaints: page 3



It is our intention to inform all staff, pupils, parents and governors about these procedures and the context in which they apply.

*Implementation date:* 1.7.09 (Agreed in principle by Governors. Oldham Legal Team to be consulted)

***Review Date: October 2025***

We will review this after training and legal consultation. There after the policy to be reviewed on a yearly basis.

Document APS-PHtCP&SP2022/October 2023 adopted by Admission and Pupil Support Committee

**Date: 14<sup>th</sup> January 2025**

**Signed (Chair).....J Swift...**

**Print: Jonathan Swift**





## CROMPTON HOUSE CHURCH OF ENGLAND SCHOOL

### Appendix 1

Serious Incident Record:		No:		
Name of young person:				
Location of Incident:		Date:		
Full Names of Staff Involved:				
Start Time of Serious Incident:	Duration of Any Restraint:	Any Injuries:	Medical Check:	Incident Reviewed with Young Person:
Hours Minutes	Minutes	Child Other	Offered Accepted	Offered Accepted
Nature of Risk		External Agencies Informed	Supporting Records Completed	
Injury to Person		Medical Staff	Bound	
Damage to property		Parent/Guardian	Book	
Criminal Offence		Social Worker	Accident	
Serious Disruption		Placing Authority	Report	
Absconding		Police	Medical	
Environments and Triggers:				
Describe what was happening and what led up to a dangerous situation:				
Tick the level of potential risk				
<input type="checkbox"/> Low <input type="checkbox"/> Medium <input type="checkbox"/> High				
Tick precisely what the risk was:				
<input type="checkbox"/> Verbal abuse <input type="checkbox"/> Slap <input type="checkbox"/> Punch <input type="checkbox"/> Spit <input type="checkbox"/> Kick <input type="checkbox"/> Hair Grab <input type="checkbox"/> Clothing Grab				
<input type="checkbox"/> Body Holds <input type="checkbox"/> Arm Grab <input type="checkbox"/> Weapons/Missiles				
<input type="checkbox"/> Other (please describe):				



## CROMPTON HOUSE CHURCH OF ENGLAND SCHOOL

Who was at risk?

### Controlling Risk

Describe any changes to you made to routines, personnel or the environment in an attempt to reduce the risk of this happening.

### Diversion, Distractions and De-escalation Attempted

- |   |   |   |   |
|---|---|---|---|
| <input type="checkbox"/> Verbal advice & support        | <input type="checkbox"/> Firm clear instructions      | <input type="checkbox"/> Negotiation        | <input type="checkbox"/> Limited choices  |
| <input type="checkbox"/> Distraction                    | <input type="checkbox"/> Diversion                    | <input type="checkbox"/> Reassurance        | <input type="checkbox"/> Planned ignoring |
| <input type="checkbox"/> C.A.L.M Talking/Space directed | <input type="checkbox"/> Take up time                 | <input type="checkbox"/> Withdrawal offered | <input type="checkbox"/> Withdrawal       |
| <input type="checkbox"/> Transfer Adult Reminders       | <input type="checkbox"/> Reminders about Consequences | <input type="checkbox"/> Humour             | <input type="checkbox"/> Success          |
| <input type="checkbox"/> Other:                         |   |   |   |

### Physical Interventions Strategies Attempted

- |   |                                     |  |                                       |                                       |                                      |
|---|-------------------------------------|--|---------------------------------------|---------------------------------------|--------------------------------------|
| <input type="checkbox"/> Help Hug                             | <input type="checkbox"/> Cradle Hug | <input type="checkbox"/> Wrap                      | <input type="checkbox"/> Sitting Wrap | <input type="checkbox"/> Double Elbow | <input type="checkbox"/> Half Shield |
| <input type="checkbox"/> Sitting Double Elbow (single person) |                                     | <input type="checkbox"/> Single Elbow (Two person) |                                       | <input type="checkbox"/> Sitting      |                                      |



<input type="checkbox"/> Figure of Four (Two person)
<input type="checkbox"/> Other:
<b>Signed:</b>
<b>Dated:</b>

Appendix 1:

## **Strategies suggested by 'Team Teach Ltd'**

- De-escalation Strategies:
- Verbal advice and support
- Firm clear directions Negotiation
- Limited Choices
- Distraction
- Diversion
- Reassurance
- Planned Ignoring
- Contingent Touch
- Calm talking/Stance
- Take-up Time
- Withdrawal offered
- Withdrawal directed
- Change adult
- Reminders about Consequences
- Humour
- Success Reminders
- 

## **Client Help Scripts**

An important part of the programme involves the development of help scripts. These are codes to be used when situations are becoming difficult. The scripts are developed to allow simple messages to be passed without misunderstanding without provoking an argument. The framework avoids the use of “you” and there is a “no blame – no threat” message throughout. The form of words is intended to make it easier to avoid arguments. Similar scripts can be created through the use of symbols and pictures. People respond to their own name, so it is good practice to use the name to get their attention.

*“John...I can see that something has happened”*

Acknowledge there is a problem without allocating blame. Telling a person that you can see they are angry, or even upset, suggests that they are the problem and offers an opportunity for argument – “No



I'm not..." Our aim is to give help and support.

*"...talk and I'll listen..."*

Give the client a direction and the staff a function.

*"Come along, ..."*

Coupled with a non-threatening sideways stance this invites the person to move along with the staff member and presupposes that they are going to resolve the situation peacefully. It offers a way out with dignity.

## **Tone and Quality of Voice**

People who think their pets understand what they are saying may be deluding themselves, but animals do seem to be sensitive to intonation. Intonation is the noise people make when they are speaking. It is the sound a person makes when they speak to a dog that determines whether it wags its tail or cringes. Intonation can convey a lot of information regardless of the words used. When people are anxious, or angry, they tend to talk faster, higher and more loudly. In a crisis staff need to deliberately speak slower, lower and more quietly.