



HUNTERHOUSE COLLEGE

SAFE HANDLING POLICY

Date/Date Reviewed: 2020

Rate Ratified: 15th June 2020

Previous: 2018

Next Review due: 2022

This policy is available in pdf format from the College website

www.hunterhousecollege.org.uk

or on request from the College Office 028 9061 2293

info@hunterhousecollege.belfast.ni.sch.uk

Inclusion & Diversity

The College aims to establish an inclusive community where all students and staff are treated with dignity and respect, regardless of individual differences including, but not limited to, culture, race, religion, beliefs, sexual or gender orientation, appearance and ability.

Rationale:

The College has a responsibility to provide a safe and secure environment for the entire College community and to promote and sustain appropriate behaviour. The policy and our procedures for use of reasonable force/safe handling outlined below have been prepared for the support of all teaching and non-teaching staff. This policy and our procedures have been developed in line with guidance from:

- Pastoral Care in schools: Promoting Positive Behaviour (2001)
- 'Safeguarding and Child Protection – A Guide for Schools' (2017) and accompanying DE Circular 2017/04
- Department of Education document 'Towards a Model Policy in Schools on the Use of Reasonable Force' (August 2002)
- The Department of Education Circular 1999/09 'Use of Reasonable Force'
- Department of Education Circular 2003/13 'Welfare and Protection of Pupils'

This policy has been formulated with due consideration to the following legislation:

- Children (Northern Ireland) Order 1995 – duty to protect and child protection responsibilities/fulfilling responsibility
- Education (Northern Ireland) Order 1998 (Part II Article 4 (1))
- Human Rights Act 1998 – Articles 3 and 5 of the European Convention on Human Rights
- Health and Safety at Work Act (Northern Ireland) Order 1978
- Education (Northern Ireland) Order 2003

Aims:

The following aims underpin the College's policy and practices:

- To create a learning environment in which young people and adults feel safe
- To protect every person in the College community from harm
- To protect all students against any form of physical intervention, which is unnecessary, inappropriate, excessive or harmful
- To develop and implement guidance for staff (teaching and non-teaching) so that they are clear about the circumstances in which they might use reasonable force to restrain students and how such force might be applied.

Definition of Reasonable Force:

The Education (Northern Ireland) 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 him/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 him/herself or others or seriously damaging property but used in a manner 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:

	This means that staff should:
<p>Is it Reasonable to use force? 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 student.</p>	<p>Ask themselves if they would want to be restrained in that way/have their child restrained that way (Reasonable)</p>
<p>Is it Necessary to use force? The use of force can be regarded as reasonable only if the circumstances of the particular incident warrant it. The use of any degree of force is unlawful if the particular circumstances do not warrant the use of physical force. Therefore physical force could not be justified to prevent a student from committing a trivial misdemeanour, or in a situation that clearly could be resolved without force.</p>	<p>Utilise all other available strategies to de-escalate the situation before using force (Necessary)</p>
<p>Is the force used Proportionate? 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.</p>	<p>Use the minimum amount of force for the minimum amount of time to bring a conclusion to the incident (Proportionate)</p>

Practices:

Preventative Strategies

The College actively promotes positive behaviour management strategies (see Positive Behaviour Policy for further information) thus reducing the need for the use of physical intervention, except in an emergency situation. Preventative strategies for inappropriate behaviour(s) are crucial to reduce the risk of an incident reaching crisis point. If dealing with a student in a heightened state of emotion, staff are encouraged to keep in mind their voice, stance and general body language and to utilise all other available strategies to de-escalate the situation before using force. The strategies listed below as examples will be influenced by the age of the student(s) and the context in which they are applied.

- Move calmly and confidently
- Make simple, clear statements
- Intervene early
- Try to maintain eye contact and make use of the student’s name if possible
- If necessary summon help before the problem escalates
- If possible, remove audience from the immediate location

- In situations where alternative strategies have failed, wherever practicable, tell the student(s) involved to stop, and what will happen if they do not

Risk Assessment

Risk assessment is a strategy to prevent the risk of an incident escalating unnecessarily. It is normal practice where a student or a small number of students are known to exhibit disturbing or distressing behaviour. In order for staff to plan accordingly, risk assessment will be considered only for those students who constitute a risk. In this instance the risk assessment will be carried out by the appropriate Senior Manager for Student Progress in partnership with any relevant external agencies.

Individual Risk Assessment is a risk analysis within the College to identify situations where there is an increased risk of incidents involving an individual student or students. It enables the College to plan how to respond if a situation where reasonable force is required arises as and when the College becomes aware that a student is likely to behave in a disruptive way that may require the use of reasonable force. Such planning will address consultation with parents/carers to ensure that they are clear about the specific action the College might need to take; briefing staff to ensure they know exactly what action they should be taking; managing the student, for example, reactive strategies to de-escalate a conflict, and ensuring that appropriate support can be accessed where needed.

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, e.g. Teachers, Classroom Assistants, Supervisory Assistants, as stated in The Education (NI) Order 1998 (Article 4).

The College will endeavour to ensure that all staff know and understand their roles and responsibilities in relation to the management of students. Legislation allows 'members of staff' to use 'reasonable force' and defines a member of staff as 'any teacher who works at the school and any person who, with the authority of the Principal, has lawful control or charge of pupils at the school'. However, in an emergency, if it is likely that a student will sustain an injury or injure another student or adult, any member of staff can intervene and use reasonable force, to protect a student, other staff or defend themselves.

The College will ensure that staff are kept informed of planning in relation to individual students who may pose serious behavioural problems. The College SENCO will also keep staff informed about students with Special Educational Needs who may require special attention with regard to their physical management. This information will be recorded on the SEN register, IEP and/or Behaviour Plan. Staff should consult with the SENCO regarding any concerns which they have about the physical management of students with SEN.

Reasonable force should not be used automatically in every situation nor should it be used as a form of discipline. In a non-urgent situation, reasonable force should only be used when other behaviour management strategies have failed.

The right of a teacher or other person to use reasonable force applies where the student concerned is on the College premises **and/or** when he/she has been authorised to have lawful control or charge of the pupil concerned elsewhere, e.g. supervision of students in bus queues, on a field trip, or other authorised out of school activity such as a sporting event or educational visit.

Reasonable force should be limited to emergency situations and used only as a last resort when all

other behaviour management strategies have been exhausted and where:

- Action is necessary in self-defence or because there is imminent risk of injury to another student or person
- There is a developing risk of injury to themselves, another student or person, or significant damage to property
- A student is behaving in a way that compromises order and discipline

Action Steps

If the preventative strategies have failed and the situation has escalated towards crisis point, the following action steps can be utilised. The strategies listed below as examples will be influenced by the age of the student(s) and the context in which they are applied:

- Tell the student who is misbehaving to stop and tell him/her the possible consequences of failure to do so
- If possible, summon another adult
- Continue to communicate calmly with the student 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 or respite for those involved and 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.

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

- remove other students who might be at risk
- summon assistance from colleagues
- inform the student(s) that help will be arriving
- continue to attempt to defuse the situation orally, and try to prevent the incident from escalating.

Decision Making

A member of staff may have to decide between making an intervention using reasonable force by placing him/herself in a dangerous situation or standing back and thereby allowing colleagues or students to face potential danger. There will always be an element of personal judgement in these decisions.

However, it is reasonable to expect a member of staff to engage in some risk where there is evidence of danger and intervention has a good chance of being effective. Staff should not, however, put themselves in personal danger merely to safeguard property.

Forms of Reasonable Force

Possible forms of reasonable force used by the College will depend on individual circumstances and may include:

- Separating students who are fighting or who are about to fight
- Blocking a student's path
- Holding a blazer or bag
- Breakaway techniques (e.g. when a member of staff is grabbed by a student)
- Leading a student by the arm
- Shepherding a student away by placing hands on the backs of elbows

Health and Safety

When using reasonable force/physical intervention/restraint/safe handling, the student's health and safety must always be considered.

Physical interventions should involve the minimum amount of force necessary to resolve the situation and calm the student.

Limits on the Use of Force

The law strictly prohibits the use of force which constitutes corporal punishment. The use of force as a punishment or to intentionally cause pain, injury or humiliation contravenes our Safeguarding and 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
- Adopting 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 student face down on the ground

Staff should also avoid touching or holding a student in any way that might be considered indecent.

Record Keeping

All incidents involving the use of reasonable force must be recorded. Line management and lines of reporting with regard to the use of reasonable force should be the same as those for safeguarding and child protection.

The 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 the Designated/Deputy Designated Teachers for Child Protection and provide a written record/report.

The Chairperson of the Board of Governors and the Principal will review annually the entries in the incident book. Records of incidents will be kept in line with the College's usual data retention procedures (see the Disposal of Records Schedule for more information). Confidentiality and the student's right to privacy will be ensured.

The student's view should also be recorded as soon as possible, preferably on the same day.

Parents/carers should be contacted as soon as possible and the incident explained to them (with an interpreter if necessary). This must also be recorded. Any complaint from a parent/carer will be dealt with according to the College's Complaints and Concerns Policy.

Links to Other Policies:

POSITIVE BEHAVIOUR POLICY

SAFEGUARDING POLICY

SUSPENSION AND EXPULSION POLICY

DEALING WITH INCIDENTS OF ACTUAL OR SUSPECTED SUBSTANCE ABUSE POLICY

DISPOSAL OF RECORDS SCHEDULE

COMPLAINTS AND CONCERNS POLICY

SEN POLICY
CRITICAL INCIDENT POLICY