

POSITIVE HANDLING (RESTRAINT OF STUDENT) POLICY
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Date	Review Date	Contact
01.09.18	01.09.19	Principal

We acknowledge that Section 93 of the Education and Inspections Act 2006 allows school personnel to use reasonable force to restrain a student from doing, or continuing to do, any of the following:

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

(Department for Children, Schools and Families – The Use of Force to Control or Restrain students)

We understand that there is no legal definition when reasonable force can be used. ‘That will always depend on the precise circumstances of individual 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 misbehaviour’. (Department for Children, Schools and Families – The Use of Force to Control or Restrain students)

We wish to work closely with the students and to hear their views and opinions as we acknowledge and support Article 12 of the United Nations Convention on the Rights of the Child that children should be encouraged to form and to express their views.

Aims

To make school personnel aware that they can use reasonable force to restrain a student only in extreme circumstances.

However, in normal circumstances, no form of physical restraint may be used on students in Newbury Hall. Therefore, we do not offer staff training on restraint and physical intervention Techniques.

If there is, for example, a situation in which two students are squaring up to each other, a member of staff may interpose his or her person if they feel that they can do so without risk to her or himself.

If a student is distraught, violent, or running away, or likely to cause harm to themselves or others, a member of staff may follow closely, and if they should judge it necessary should call the police.

Procedure

Role of the Proprietor:

- delegated powers and responsibilities to the Principal to ensure all school personnel are aware of the policy;
- determining this policy with the Principal
- discussing improvements to this policy during the school year;
- responsibility for ensuring funding is in place to support this policy;
- responsibility for ensuring that this policy is made available to parents;
- reviewing the effectiveness of this policy
- nominated a person to visit the school regularly, to liaise with the Principal and report back to the Proprietor
- responsibility for the effective implementation, monitoring and evaluation of this policy

Role of the Principal:

- ensure all school personnel, students and parents are aware of and comply with this Policy;
- provide guidance and support to all staff;
- provide training for all staff on induction and when the need arises;
- keep up to date with new developments and resources;
- monitor the effectiveness of this policy
- annually report to the Proprietor on the success and development of this policy

Role of the School Personnel:

- comply with all aspects of this policy;
- be aware of their responsibility in assessing risks in particular circumstances;
- make judgements when the use of force is necessary and how much force is to be used;
- report to the Principal all incidents of restraint and record all incidents on the appropriate report form

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Role of the Students

- Students will be made aware of what is acceptable behaviour in Newbury Hall School

Role of Parents:

- be made aware of this policy;
- comply with this policy

The use of force

Minimising the need to use force:

We have the following in place in order to reduce the likelihood of any member of staff using force:

- A calm, orderly and supportive school climate.
- Strong and effective relationships between students and staff.
- An effective staff development programme that develops the skills of positive behaviour Management.
- Identifying when an incident is going to happen.
- Using effective strategies to manage all incidents that occur.
- Informing a disruptive student that force may be used before using it.

All school personnel whose job involves supervising students may use force to restrain a student but only in extreme circumstances.

Deciding whether to use force:

We believe that the use of force and what force to use must always depend on the circumstances of each Incident.

We acknowledge that when faced with an incident there is very little time for school personnel to think before making a quick but effective decision.

However, school personnel must be aware of and consider the following:

- Assessing the seriousness of the incident that if force is not used then it could result in injury, damage or disorder.
- After considering alternatives for dealing with the situation, force is the only justifiable way of achieving a positive result.
- Assessing the number of risks connected with using force compared with using other strategies.

Using force:

When faced with an incident and before force is used, school personnel must:

- act in a calm and measured manner;
- show no anger or frustration;
- tell the student to stop misbehaving or restraint will be used but will stop when the student behaves

School personnel may use the following types of force:

passive physical contact by standing between students or by blocking a student's path;

active physical contact by leading a student by the arm or hand or ushering a student away by placing a hand in the centre of the back. This must only be used in extreme circumstances.

School personnel must make every effort not to harm a student or restrain a student that could be interpreted as sexually inappropriate conduct.

Types of incident

School personnel will have to make decisions when dealing with any of the following incidents:

- **Fighting** - students fighting.
- **Attack** - a student attacks an adult or another student.
- **Damage to property** – a student deliberately damages property or is about to.
- **Injury or damage** – a student causes or is about to cause injury or damage.
- **Absconding** – when a student tries to leave school which could put his/her own safety at risk, the safety of others or the damage to property.
- **Defying an instruction** – when a student persistently refuses to leave a classroom.
- **Disruption of lessons** – when a student’s behaviour seriously disrupts a lesson.
- **Disrupting a school event** – when a student’s behaviour seriously disrupts a school event.

Risk assessments are in place for:

- a variety of potential incidents
- individual activities and students

Recording & Reporting Incidents

Records will be kept of all incidents on the appropriate incident record sheet.

An incident will be recorded on the appropriate report form outlining:

- Student’s name
- Class or form
- Date of incident
- Time
- Location
- Nature of incident
- Details of action taken
- Names of adults present
- Details of injuries
- Details of damage to property
- Incident reported to parents of student(s) involved

Post Incident Report

After an incident has occurred the following procedure will take place:

- First aid if necessary
- Medical help if necessary
- Emotional support to students and school personnel
- Discussions with parents

Complaints and allegations:

- All complaints will be dealt with by using the procedures as stated in Newbury Hall's Complaints Procedures

Monitoring the effectiveness of this Policy:

- Annually the effectiveness of this policy will be reviewed, or when the need arises, and the necessary recommendations for improvement will be made to the Proprietor.

Signed:

Date: 01/09/18

Jon Crocker
Principal