



1. Purpose

The purpose of this policy is to make clear the position of the school with regards to necessary physical interventions and to safeguard the well-being of students and staff when a situation or incident requires the use of physical intervention.

It is the objective of The McAuley Catholic High School to maintain consistent and safe practices in the use of handling, reasonable force & restraint.

2. Definition of Terms:

Handling – refers to any physical intervention applied by a member of staff where it is necessary to make physical contact with a student in order to manage their conduct, or ensure their own or others' safety. Handling strategies may be restrictive or non-restrictive and include shepherding, guiding, supporting, blocking, confining, holding and, in the most extreme cases, restraining.

Use of Reasonable Force – is the application of appropriate and proportionate force required to achieve the required outcome from the handling strategy employed (see above) without further endangering the student, member of staff, or others present at the time of physical intervention.

Restraint - is the positive application of force in order to actively prevent a child from causing significant injury* to him/herself or others or seriously damaging property.

*Significant Injury would include: actual or grievous bodily harm, physical or sexual abuse, risking the lives of, or injury to, themselves or others by wilful or reckless behaviour, and self-poisoning. It must be shown that on any occasion where physical restraint is used there were strong indicators that if immediate action had not been taken, significant injury would have followed.

3. Use of reasonable force:

Section 93 of the Education and Inspections Act 2006 and further guidance issued by the DfE in July 2013 (*Use of reasonable force - Advice for head teachers, staff and governing bodies*) 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:

3.1 committing any offence (or, for a pupil under the age of criminal responsibility, what would be an offence for an older pupil);

3.2 causing personal injury to, or damage to the property of, any person (including him/herself);

or

3.3 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.

4. The staff to which this power applies are defined in Section 95 of the Act as:

4.1 Any teacher who works at the school, and

4.2 Any other person whom the head teacher has authorised to have control or charge of pupils,

4.3 it does not include any students who are in a supervisory role in school e.g. Buddies.

4.4 The statutory power conferred by Section 93 is in addition to the common law power of any citizen in an emergency to use reasonable force in self-defence, to prevent another person from being injured or committing a criminal offence. There is no legal definition of when it is reasonable

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to use force and each case must be judged on its circumstances and those exercising the power to use force must also take proper account of any particular special educational need and/or disability. The types of force which are deemed to be reasonable are:

- passive physical contact resulting from standing between two pupils or blocking a pupil's path;
- active physical contact such as leading a pupil by the hand or arm; ushering a pupil away by placing a hand in the centre of his/her back; or, in more extreme circumstances, using appropriate restrictive holds.

4.5 Decisions on whether circumstances justify the use of reasonable force will depend on:

- the seriousness of the incident,
- the chances of achieving the desired result by other means,
- the relative risks associated with physical intervention compared to using other strategies.

4.6 Where possible a clear, oral warning to the pupil that force may have to be used should be given.

Examples of situations that particularly call for judgements of this kind are:

- a pupil attacking another pupil or member of staff;
- pupils fighting and hence causing risk of injury to themselves or others;
- a pupil committing, or on the verge of committing, deliberate damage to property;
- a pupil is causing, or is at risk of causing, injury or damage by accident, rough play, or by the misuse of dangerous objects or materials;
- a pupil persistently refuses to follow an instruction to leave the classroom;
- a pupil is behaving in a way that seriously disrupts a lesson; or
- a pupil is behaving in a way that seriously disrupts a school sporting event or school visit.

5. Implementation of Physical Intervention:

5.1 All members of staff working with students at the school are authorised to handle, use reasonable force, or restrain students if/when such physical intervention is necessary.

5.2 No member of staff is required to employ any physical intervention strategy if they are not comfortable or confident to do so effectively.

5.3 No member of staff should intervene physically if they have reason to believe that to do so would worsen the situation/incident that is taking place.

5.4 In all circumstances where physical intervention is or may become required members of staff should ensure that adult assistance is requested before intervention, although it is understood that circumstances may lead to the need for intervention prior to the assistance arriving.

5.5 Staff considering handling, use of reasonable force, or restraint must provide opportunity for the student to alter their behaviour/actions before employing a physical intervention strategy and should continue to make instructions to the student and details of their intended interventions clear.

5.6 The method of physical intervention employed must use the minimum reasonable force for the minimum length of time (additional guidance regarding what intervention is and is not appropriate is given in Appendix A).

6. Searching Students

6.1 On occasion, a member of staff may have reasonable grounds to suspect that a student is in possession of an item or items which contravene school regulations and could potentially cause harm to the student or others. Under these circumstances The Education Act 2011 extends the power of staff to search students without their consent.

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7. Other physical contact with pupils

7.1 The DfE says that it is not illegal to touch a pupil and that there are occasions when physical contact with a pupil is 'proper and necessary'.

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

- When comforting a distressed pupil.
- When congratulating or praising a pupil.
- When demonstrating how to use a musical instrument.
- When demonstrating exercises or techniques during PE lessons or sports coaching.
- When giving first aid.

8 Reporting incidents

8.1 It is strongly advised that restraining a student is the last possible resort and should only be used in the scenarios outlined above. All staff must record any incident whereby they have restrained a student .

8.2 All incidents must be recorded as an, "incident ", on CPOMS and sent immediately to the head teacher or Mrs F Newsome (DSL) . Parents will be informed as soon as possible by the Headteacher or one of his deputies

8.3 Staff should record:

- Time
- Place
- Incident in detail
- Names of witnesses

All staff are strongly advised to join a professional union to support them in the event of any malicious allegation.

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