



Stebbing Primary School

Positive Handling Policy & Procedures

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1. Introduction

In Stebbing Primary School, we believe that pupils need to be safe, to know how to behave, and to know that the adults around them are able to manage them safely and confidently. Only for a very small minority of pupils will the use of physical intervention be needed. On such occasions, acceptable forms of intervention are used.

The majority of pupils behave well and conform to the expectations of our school. We have responsibility to operate an effective [child behaviour policy](#) that encompasses preventative strategies for tackling inappropriate behaviour in relation to the whole school, each class, and individual pupils.

All school staff need to feel that they are able to manage inappropriate behaviour, and to have an understanding of what challenging behaviours might be communicating. They need to know what options are available for managing behaviour, and they need to be free of undue worries about the risks of legal action against them if they use appropriate physical intervention. Parents need to know that their children are safe with us, and they need to be properly informed if their child is the subject to the use of reasonable force.

The school's governing body also has the duty to ensure the health, safety and wellbeing of everyone in schools so far as is reasonably practical. (Section 175, Children's Act 202). 1.3. There is a range of legislation and national guidance that informs the duties set out above. This document draws largely on DFE guidance [Use of Reasonable Force](#) (July 2013, reviewed July 2015). This policy should be considered alongside other relevant school policies, specifically [Pupil Behaviour](#), [Anti-bullying](#), [Child Protection](#) and [Health and Safety](#).

2. What is Positive Handling?

'Positive Handling' is the term used to describe interventions where bodily contact using force is used to control or manage a child's behaviour. It refers to any instance in which a teacher or other adult authorised by the Headteacher has to use "reasonable force" to control or restrain pupils in circumstances that meet the following legally defined criteria.

- To prevent a child from committing a criminal offence (this applies even if the child is below the age of criminal responsibility)
- To prevent a child from injuring self or others
- To prevent or stop a child from causing serious damage to property (including the child's own property)
- To stop the child from engaging in any behaviour which is prejudicial to the maintenance of good order and discipline at the school.

There is no legal definition of "reasonable force". However, there are two relevant considerations:

- the use of force can be regarded as reasonable only if the circumstances of an incident warrant it;
- the degree of force must be in proportion to the circumstances of the incident and the seriousness of the behaviour or consequences it is intended to prevent.

Stebbing Primary School will always follow the advice for schools on the [Use of Reasonable Force in Schools](#). We will also follow additional guidance [Reducing the Need for Restraint and Restrictive Intervention](#) for children and young people with learning disabilities, autistic spectrum conditions and mental health difficulties. 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. It does not include other physical contact with children which is proper and necessary and might include:

- holding the hand of a child;
- to comfort a distressed pupil;
- to praise or congratulate a pupil;

- In an emergency situation;
- to demonstrate how to use a musical instrument;
- to demonstrate exercises or techniques during PE lessons or sports coaching;
- to give first aid.

In situations where physical contact between staff and pupils take place, staff must consider the following:

- the pupil's age and level of understanding
- the pupil's individual characteristics and history
- the location where the contact takes place (it should not take place in private without others present).

Physical contact is never used as a punishment, or to inflict pain. All forms of corporal punishment are prohibited. Physical contact will not be made with the participant's neck, breasts, abdomen, genital area, other sensitive body parts, or to put pressure on joints.

3. Who can use reasonable force in schools?

All members of school staff have a legal power to use reasonable force (Section 93, Education and Inspections Act 2006) and must be aware of this policy and its implications.

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.

The use of force is a power, not a duty, so members of staff have discretion whether or not to use it. However, teachers and other school staff have a duty of care towards their pupils and it might be argued that failing to take action (including a failure to use reasonable force) may in some circumstances breach that duty.

4. When can reasonable force be used?

Positive Handling techniques will be used when all other strategies have been considered and therefore only as a last resort.

However there are other situations when physical handling may be necessary, for example in a situation of clear danger or extreme urgency. Certain pupils may become distressed, agitated, and out of control, and need calming with a brief positive handling technique that is un-resisted after a few seconds.

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 use of physical force as a punishment will never be used and is unlawful. Reasonable force is only to be used to avoid harm to the child or other children and where all other strategies have been considered or attempted.

The safety and well-being of all staff and pupils are important considerations. Under certain conditions this duty must be an overriding factor.

5. Use of isolation or seclusion

An isolation which prevents a child from leaving a room of their own free will only be considered in exceptional circumstances. It is an offence to lock a person in a room without a court order except in an emergency, for example where the use of a locked room is a temporary measure whilst seeking assistance. Locked also includes holding a door shut, or someone standing against a door. An emergency is a genuinely unforeseeable event, for example, when a child acts out of character.

Any planned restriction of liberty must be legally justifiable, should be agreed by a multi-disciplinary team and form part of the pupils' behaviour support plan.

Internal exclusions, where children are educated for a short period of time out of their classrooms as a sanction or to minimise disruption, are not a form of seclusion.

6. Training

At least one member of our staff will attend relevant training on positive handling techniques and will keep this training updated. Other staff may receive this training as appropriate.

Staff are aware of the potentially serious risk of injury and even danger to life from the use of non-approved approaches and means of restraint. In particular, a panel of experts (Physical Control in Care Medical Panel, 2008) 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.

These techniques, and any other techniques that impact on the airway, breathing or circulation, will not be used in school

Training in practical techniques of physical intervention is required for staff where there is a significant likelihood of them needing to intervene physically due to the nature of the pupil (or pupils) that they are working with. Where there is an identified need for such training, staff will be trained by an approved instructor. Audited need forms the basis for the training which should be specific to each setting.

NB: there is no legal requirement for staff to be trained in the use of practical techniques so staff may exercise their legal right to physically intervene even if they have not had such training. However, they would still need to demonstrate that their intervention was reasonable and proportionate. A plan would then need to be formulated in order to address this potential need for recurring restrictive physical intervention specific to the needs of the child.

7. Recording and reporting of incidents

All incidents involving the use of physical force to restrain will be recorded in detail using the form in Appendix 1.

- Notes will be made immediately following, or as soon as possible after the incident (i.e. before the end of the day of the incident) by the staff member involved in the original incident.
- Notes will also be made in the same way by any other members of staff involved (i.e. as witnesses or additional providers of support). The notes will be signed and dated on the same day.
- Pupil witnesses may also be asked to provide a written account if appropriate.
- Parents/ carers will be informed after all incidents where restraint is used. Staff, in consultation with the headteacher, will make a judgement about whether parents are informed about incidents where other use of force has been used for control.

Where children have known challenging behaviour and a risk assessment and behaviour support plan is in place, if possible, this will be done in consultation with parents.

8. Post incident support

- We will ensure that the pupil and the member of staff have immediate access to first aid for any signs of injury. This must be recorded following the school's first aid recording policy.
- We will give the pupil time to become calm while staff continue to supervise him/her. When the pupil regains complete composure (this may be up to several hours after the incident or the next day), a senior member of the most suitable member of staff) will discuss the incident with the pupil (if applicable) and try to ascertain the reason for its occurrence.
- The pupil will be given an opportunity to explain things from his/her point of view. We will take all necessary steps to re-establish the relationship between the pupil and the member(s) of staff involved in the incident.
- All members of staff involved will be allowed a period to debrief and recover from the incident. This may involve access to external support. The headteacher (or his/her nominee) will provide support to the member of staff involved.
- The circumstances of the incident will be discussed with the headteacher in a supportive manner and behaviour support plans or risk assessments will be written/amended as needed, in consultation with the class teacher.
- Dissemination of any revised information will be included as part of the school's normal schedule of meetings and via email.

9. Developing an individual Child Positive Handling Plan at Stebbing Primary School

If a pupil is identified for whom it is felt that Restrictive Physical Intervention is likely, then An Individual Positive Handling Plan will be completed. This Plan will help the pupil and staff to avoid difficult situations through understanding the factors that influence the behaviour and identifying the early warning signs that indicate foreseeable behaviours that may be developing. The plan will include:

- Involving parents/carers and pupils to ensure they are clear about what specific action the school may take, when and why.
- A risk assessment to ensure staff and others act reasonably, consider the risks, and learn from what happens.
- A record to be kept in school of risk reduction options that have been examined and discounted, as well as those used, and shared with staff.
- Techniques for managing the pupil's behaviour i.e. strategies to de-escalate a conflict, and stating at which point a Restrictive Physical Intervention may be used
- Identifying key staff who know exactly what is expected. It is best that these staff are well known to the pupil.
- Ensuring a system to summon additional support
- Identifying training needs.
- A school may also need to take medical advice about the safest way to hold a child with specific medical needs.

10. Responding to complaints

It is intended that by adopting this policy and keeping parents and governors informed we can avoid the need for complaints. All disputes which arise about the use of force by a member of staff will be dealt with according to Child Protection and Safeguarding policies.

The following guidance on complaints following a restrictive physical intervention is from the section within the DfE 2013 document.

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 should refer to the “Dealing with Allegations of Abuse against Teachers and Other Staff” guidance (see the ‘Further sources of information’ section below) where an allegation of using excessive force is made against a teacher. This guidance makes clear that a person must not be suspended automatically, or without careful thought.
- 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.
- The Governing Body 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.

Appendix 1: Record of Use of Reasonable Force



Stebbing Primary School Use of Reasonable Force Report Form

Name of pupil(s) restrained	
Date of the incident	
Time of the incident	
Location of the incident	
Name of the person who restrained	
Name of other staff or pupils who witnessed the incident	
The reason the use of reasonable force / physical restraint was necessary	
Details about the incident: Please include information about the following: <ol style="list-style-type: none">1. What was the behaviour of the pupil which led up to the incident?2. What attempts were made to resolve the situation?3. What was said by staff and pupils?4. What degree of force was used?5. How it was applied?6. How long it was used for?7. What was the pupil's response and the eventual outcome?8. Give details of any injuries suffered by either staff or pupils9. Give details of any damage to property10. Give details of any medical treatment required (an accident form must also be completed)11. Details of any follow-up, including contact with the parents/carers of the pupil(s) involved12. any other relevant details e.g., the involvement of any other agency, e.g., the Police	
Details of any injuries suffered to pupil / another pupil / member of staff:	

Details of any damage to property	
Name and role:	
Signature	
Date:	