

# SAFE HANDLING POLICY

## 2023-24

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Reviewed November 2022

**ST CIARAN'S COLLEGE**

*Including Everyone, Inspiring all to Succeed*



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## RELATED POLICIES

This Policy therefore complements and supports a range of school policies including:

- Anti-Bullying Policy
- Attendance Policy
- Complaints Policy
- Data Protection Policy
- Privacy Notice
- Retention and Disposal of Records Policy
- Positive Behaviour Policy
- Educational Trips Policy
- Health and Safety Policy
- Policy on Safeguarding
- Intimate Care
- Relationship and Sexuality Education Policy
- Drugs Education Policy
- Use of Mobile Phone/Camera
- Learning Support Policy
- First Aid and Administration of Medicine Policy
- E safety and Acceptable Use of Internet and Digital Technologies Policy.

These policies are available to parents and any parent wishing to have a copy should contact the school office or visit the school website at [www.stciaransballygawley.org](http://www.stciaransballygawley.org)

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# SCHOOL SAFEGUARDING TEAM

The following are members of the school's Safeguarding Team:

- Chair of the Board of Governors- Mrs D. McSorley
- Designated Governor for Child Protection- Mrs M. Rafferty
- Principal- Mr P. Lavery
- Designated Teacher- Mr B. Rodgers
- Deputy Designated Teachers- Mrs C. McGirr, Mrs S McMahon

## RATIONALE

It is our responsibility to provide a safe and secure environment for the entire St Ciaran's College community (pupils and staff) and to promote and sustain appropriate behaviour. The policy and our procedures for use of reasonable force/safe handling 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) Pastoral Care in schools – Child Protection: Code of Conduct for Staff (1999/10)
- Department of Education document "Towards a Model Policy in Schools on the Use of Reasonable Force" August 2002.
- The Department of Education NI circular 1999/9 Department of Education Circular 2003/13 Welfare and Protection of Pupils Legislative Framework
- The Department of Education NI circular 2021/13 Interim Guidance on the Use of Restraint and Seclusion in Educational Settings

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 Purposes

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The following purposes underpin our school's policy and practices:

- To create a learning environment in which young people and adults feel safe
- To protect every person in St Ciaran's College from harm
- To protect all pupils against any form of physical intervention, which is unnecessary, inappropriate, excessive or harmful: and
- 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 pupils and how such force might be applied

The Review of the Use of Restraint and Seclusion in Educational Settings in Northern Ireland – March 2022 – has also been taken into consideration.

## **PREVENTATIVE STRATEGIES**

St Ciaran's College actively promotes positive behaviour management strategies thus reducing the need for the use of any form of physical intervention, except in an emergency situation. Preventative strategies for inappropriate behaviour(s) are detailed in our school's Positive Behaviour Policy on defusing conflict/confrontation or aggression.

## **RISK ASSESSMENT**

Risk assessment is a strategy to prevent the risk of an incident escalating unnecessarily. It is normal practice where a pupil or a small number of pupils are known to exhibit disturbing or distressing behaviour. In order for staff to plan accordingly, risk assessment will be considered only for those pupils who constitute a risk. Risk assessment will be considered from two perspectives (a) environmental risk assessment and (b) individual risk assessment.

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## 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 our school or among any of our 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.

We need to consider:

- Planned intervention in which staff employ, where necessary, pre-arranged strategies based upon a risk assessment and recorded
- Emergency or unplanned use of force/intervention, which occurs in response to unforeseen events e.g., pupil fights

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, Learning Assistants, Supervisory Assistants. 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 pupils 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.

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Reasonable force/safe handling can be used by a teacher or other authorised person(s) on the school premises or when authorised elsewhere e.g., supervision of pupils in bus queues, or other authorised out of school activities such as a sporting event or educational trip.

Reasonable force should:

- Be limited to emergency situations and used only as a last resort when all other behaviour management strategies have been exhausted.
- Preserve the dignity and respect of all concerned.
- Never be used to as a form of punishment or to make a child behave
- Never deliberately cause pain/injury to a pupil

It should only be used where:

- Action is necessary in self-defence or because there is imminent risk of injury to another pupil or person.
- There is a developing risk of injury to another pupil or person, or significant damage to property. *(We await further guidance on the damage to property section from “The Review of the Use of Restraint and Seclusion in Educational Settings in Northern Ireland” to be published in 2023)*

### **Forms of Reasonable Force**

When other behaviour management strategies have failed, staff should send a reliable pupil for assistance and use the minimum intervention depending on the age, sex, physical strength, size, medical condition and any special needs of the pupil. It should be used in a way that preserves the dignity and respect of all concerned. A calm and measured approach should be taken at all times.

It should be appropriate to the particular pupil and be in accordance with the school’s agreed strategies and the following procedure which must be adhered to at all times:

- Tell the pupil to stop the inappropriate behaviour
- Ask the pupil to behave appropriately, clearly stating the desired behaviour
- Tell the pupil that physical intervention will take place if inappropriate behaviour continues
- Intervene in a measured way

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If the Teacher, Learning Assistant or Supervisory Assistant feels at risk he/she should seek support from the nearest staff member.

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

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

## **CHILDREN WITH SPECIAL EDUCATIONAL NEEDS (SEN)**

The SENCO will keep staff informed about pupils with special educational needs who may require individual support with regard to their physical management.

Staff should discuss any concerns they have about physical management with the SENCO and/or Principal and, in the case of EOTAS, the Centre Manager. This will include engagement with the pupil and their parents/carers.

## **HEALTH & SAFETY**

When using reasonable force/physical intervention/restraint/safe handling, the pupil'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 pupil.

### **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.



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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 pupil face down on the ground

Pupils should not be detained in a locked store/room.

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

## **RECORD KEEPING**

All incidents involving the use of reasonable force must be recorded. 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 a senior member of staff 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 until the date of the child's twenty-first birthday. In the event of the young person being over 18 when they leave school, records should be kept for 3 years after their date of leaving. Confidentiality and the young person's right to privacy will need to be ensured.

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

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## **CONTACTING PARENTS**

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 will be dealt with according to the school's complaint policy/procedure as detailed below.

## **COMPLAINTS**

If an incident occurs in school involving the use of reasonable force/restraint by a teacher, the procedures governing such incidents should be followed. This will include informing the parent(s)/guardian(s) of the child as outlined above.

Any subsequent complaints made against a member of staff will be dealt with in accordance with the school's Complaints Policy/Procedure and in accordance with the Circular 1999/10, Pastoral Care in Schools – Child Protection.

Staff who themselves are subject to physical violence or assault will be supported, as appropriate, in taking any necessary action against an assailant.

The use of reasonable force is only to be employed in exceptional circumstances or in an emergency where a pupil appears to be unable to exercise self-control and whose behaviour is presenting a threat to him/herself or others.

A member of staff should not intervene in an incident without help if there is a risk that he/she may be injured or may endanger his/her life.

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## MONITORING, EVALUATION & REVIEW

The Pastoral Team will monitor and update this policy in the light of any further guidance and legislation. A detailed evaluation of any incident necessitating the use of reasonable force will be carried out by the principal. On-going evaluation will ensure the effectiveness of the policy. The Use of Reasonable Force/Safe Handling Policy will be reviewed every three years by the Pastoral Team.

The Review of the Use of Restraint and Seclusion in Educational Settings in Northern Ireland, published in March 2022 has been deliberated on by the Safeguarding team, and we await the publication of further guidance in 2022-23.

DE Circular 1999/9 'Pastoral Care: Guidance on the Use of Reasonable Force to Restrain or Control Pupils';

<https://www.education-ni.gov.uk/publications/circular199909-use-reasonable-force>

Pastoral Care in Schools: Promoting Positive Behaviour (2001) - <https://www.education-ni.gov.uk/publications/pastoral-care-schools-promotingpositive-behaviour>

Towards a Model Policy in Schools on the Use of Reasonable Force (August 2002)

<https://www.education-ni.gov.uk/publications/towards-model-policy-schools-use-reasonable-force>

The 'Regional Policy Framework on the use of Reasonable Force/Safe Handling – May 2004' -

<https://www.education-ni.gov.uk/publications/regional-policy-framework-use-reasonable-forcesafehandling>

Safeguarding and Child Protection – A Guide for Schools;

<https://www.educationni.gov.uk/publications/safeguarding-and-child-protection-schools-guide-schools>

Code of practice on the identification and assessment of special educational needs;

<https://www.education-ni.gov.uk/publications/code-practice-identification-andassessment-special-educational-needs>

Special Educational Needs and Disability Act (Northern Ireland) 2016;

<https://www.education-ni.gov.uk/articles/review-special-educational-needs-andinclusion>

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# DEFINITIONS

## **Restrictive Practices**

Restrictive practices are defined as any activity that restricts an individual's freedom of movement. This term covers a wide range of activities including:

### **Physical restraint**

Any procedure where one or more adults restrict a pupil's physical movement or normal access to his or her own body. It is an intervention to be used only in crisis situations as a method of last resort when all other de-escalation methods have been exhausted, and in line with current legislation and common law, e.g., when not to do so could result in any immediate physical harm or injury to the pupil or other pupils or staff.

### **Reasonable Force**

Is the current legislative term\* defined as such force as is reasonable in the circumstances for the purpose of preventing a pupil from:

- (a) committing any offence.
- (b) causing personal injury to, or damage to the property of, any person (including the pupil himself); or
- (c) 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."

*\*This will change with implementation of Recommendation 1 in the March 2022 review to repeal (c) at the earliest legislative opportunity and to continue to consider other legislative wording such as committing an offence or damage to property.*

### **Chemical restraint**

The use of medication for the purpose of controlling or subduing disturbed/violent behaviour, where it is not prescribed by a Health Professional for the treatment of a formally identified physical or mental illness. This form of restraint must never be used in educational settings in Northern Ireland.

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## **Mechanical restraint**

The enforced use of mechanical aids such as belts, cuffs and restraints forcibly to control a pupil's movement to control behaviour, where they are not prescribed by a Health Professional. This form of restraint, specifically to control behaviour or as a punitive measure, must never be used in educational settings in Northern Ireland.

## **Enforced Seclusion**

Placing a child or young person involuntarily in any environment in which they are alone and/or physically prevented from leaving. Physical prevention from leaving can be through the use of a locked door, a blocked door, or an exit held closed by a staff member.

Enforced seclusion is also a situation where a pupil believes they cannot leave a space although no physical block is evident. Enforced seclusion, specifically to control behaviour, must never be used in educational settings in Northern Ireland.

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# SUPPORTIVE PRACTICES

Supportive practices are those used for safety, health and well-being purposes and are defined as follows:

## **Physical support**

Direct physical contact to assist in movement, emotional well-being, feeding and personal care needs such as changing etc.

## **Medication and healthcare support**

The use of medication (whether orally or intravenously) and relevant healthcare interventions, including the use of equipment, that are prescribed by a registered and trained Health professional and administered for the treatment of a medical, healthcare and/or mental health condition.

## **Therapeutic support**

The use of aids and treatment interventions to help support physical, emotional wellbeing or developmental need that is used to enhance a pupil's safety and functional needs and that is used in line with an assessed need and, where appropriate, under the direction of relevant trained Health Care professionals. This guidance does not include the use of seatbelts or other mechanical supports required in common law.

## **Supportive Space**

Quieter areas or rooms of a building, or an outdoor space away from noise or other people that pupils can normally access of their own free will when needed to refocus and regulate their emotions and can return from when they choose, or in some instances for pupils with severe learning difficulties, for whom access is timetabled as part of a multi-disciplinary approach. Pupils are not left unattended in these spaces. The statutory guidance will include more information on the use of supportive spaces.

## **Seclusion for Health Reasons**

This should be in line with a plan signed off by health and social care professionals and agreed with the school and parents and would be considered supportive practice in meeting the needs of an individual pupil.

## **Behaviours of concern**

Behaviours of concern is defined as when it is of such an intensity, frequency or duration as to threaten the quality of life and/or the physical safety of the individual or others.