



Positive Handling Policy

Required Review Frequency	FGB to determine – 3yrs
Next Review Due:	September 2024
Committee Responsible:	FGB
Document Location	School

Version	Approved By	Date of Approval	Key Changes
1.0	FGB	19/03/2018	Policy replaces 'Physical Contact with Children' policy
1.1	FGB	01/12/2021	Change IEP references to 'SEN Support Plan'

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1. Introduction

This policy has been developed in response to *section 93* of the *Education and Inspections Act 2006*, which concerns the use of force by staff. It takes account of joint guidance issued by the Department for Education and Department of Health. It follows the guidance for *The Use of Reasonable Force to Control or Restrain Pupils*.

The document has been prepared for the guidance of all teaching, support staff and volunteers who come into contact with pupils, and explains our school's arrangements for care and control. Its contents are for the sight of parents and pupils if required. The school's behaviour policy is available on the school website.

Positive Handling describes a broad spectrum of risk reduction strategies, and is a holistic approach involving policy, guidance, management of the environment and deployment of staff. It involves personal behaviour, diversion, diffusion and de-escalation techniques. It includes the use of risk assessments which identify positive prevention strategies for managing challenging behaviour and how the pupils need to be supported in a crisis.

2. Our Policy

Experience has shown that good personal and professional relationships between staff and pupils are vital to ensure good order in schools. The majority of our pupils respond positively to the discipline and control practised by staff. Normally, good order is maintained using the range of non-physical methods. However, in exceptional circumstances staff may have to use reasonable, proportionate and necessary force (see para. 6). But this method is only a small part of our approach to behaviour management and it will only be used when deemed appropriate.

NB: Teaching and non-teaching staff are 'in loco parentis' while pupils are at school or are participating in authorised out-of-school activities, and they have a 'duty of care' towards pupils. They could be liable for a claim of negligence if they fail to follow the guidance in this policy.

3. Responsibilities

All staff are responsible for ensuring:

- that they clearly understand this policy (discuss it with other staff if necessary);
- that they recognise their responsibilities regarding their 'duty of care', which may involve using appropriate force when necessary;
- that they obtain appropriate training to deal with difficult situations (the school will provide training).

4. Legislation

The *Education and Inspections Act 2006* stipulates that reasonable force may be used to prevent a pupil from doing or continuing to do any of the following:

- injuring themselves,
- causing injury to others,
- damaging any property (including their own property),
- committing a criminal offence,
- engaging in any behaviour prejudicial to maintaining good order and discipline at the school or among any of its pupils, whether the behaviour occurs in a classroom or elsewhere (this includes authorised out-of-school activities).

5. Principles

Staff are to ensure that pupils understand the need for, and respond to, clearly defined limits which govern behaviour in our schools. However, whilst maintaining the required behaviour standards, staff are to always keep in mind that:

Everyone attending or working in our school has a right to:

- recognition of their unique identity,
- be treated with respect and dignity,
- learn and work in a safe environment,
- be protected from harm, violence, assault and acts of verbal abuse.

Pupils and their parents/carers have a right to:

- individual consideration of pupil needs by the staff that have responsibility for their care and protection,
- expect staff to undertake their duties and responsibilities in accordance with school policies,
- be informed about school rules, relevant policies and the expected conduct of all pupils and staff working in school,
- expect an SEN Support Plan to be designed to achieve outcomes that reflect the best interests of the pupil whose behaviour is of immediate concern,
- be informed about the school's complaints procedure.

6. Reasonable Force

No legal definition of reasonable force exists, however for the purpose of this policy and the implementation of it in our schools:

- The Positive Handling technique includes the **minimum** degree of force necessary for the **shortest period of time** to prevent a pupil harming themselves, others or property.
- The scale and nature of any physical intervention is to be **proportionate** to both the behaviour of the pupil needing to be controlled and the nature and severity of the harm they might cause.
- A pupil may have an SEN Support Plan and Risk Assessment, in which case staff are to follow the advice in the SEN Support Plan and risk assessment to manage an incident/challenging behaviour.
- If this is unsuccessful and the situation continues to escalate, staff are then to employ other *Team Teach* techniques, but only if they have been trained to use them.

N.B. The use of *Team Teach* techniques is one of our 'Positive Handling' control methods for reducing risks presented by children's challenging behaviour. **Only staff trained in the use of *Team Teach* techniques are allowed to implement these techniques.**

- Only if all of the above have been tried and are unsuccessful can staff consider any other form of restraint. The overriding consideration is still the reasonableness and proportionality of the force used.

The application of any form of physical control inevitably carries a risk of unintended harm, and this places staff and the school at risk of potential litigation. Its use can only be justified according to the circumstances described in this policy. Staff are to seek alternative strategies wherever possible in order to avoid the need for physical intervention.

Staff are to:

- Assess risks (dynamic risk assessment) related to individuals and circumstances which may arise in the course of their routine duties;
- Make judgements about when the use of force is necessary, and the degree of force which may be regarded as necessary to manage a situation;
- When any technique is used, take account of a pupil's: age, gender, level of physical, emotional and intellectual development, special needs and social context. These are to lead to use of a gradual and graded system of response.
- After the use of force, justify their decisions in writing using the recording and reporting procedures in place at the school.
- Where behavioural records and/or risk assessments identify a need for a planned approach, compile written plans (SEN Support Plans) for individual children. Where possible they are to be designed through multi-agency collaboration, with parental/carer consent and shared with other agencies/services supporting the pupil, to facilitate consistency of approach as far as possible.

7. Minimising the Need to Use Force

- Staff are to constantly strive to create a calm environment that minimises the risk of incidents happening that might require the use of force. Pupils who present with specific challenging behaviour are to be assigned a support team who will work in partnership with the Special Educational Needs Coordinator (SENCO) and class teacher in supporting the SEN Support Plan and associated behaviour targets.
- Pupils who have conditions that may result in increased anxiety levels and therefore an increase in likelihood of challenging behaviour are to have individualised support or programmes to help them to manage it.
- Pupils learn about feelings and managing conflict through the PSHE curriculum and where appropriate at their level of development. This ethos promotes independence, choice and inclusion and they are to be given maximum opportunity for personal growth and emotional wellbeing.
- All staff are to acquire the skills to help them to defuse situations before behaviour becomes challenging and they are to have a knowledge on how to de-escalate incidents should they arise.
- Reasonable force is only be used when the risks involved in doing so are outweighed by the risks involved in not using force.

Unsafe behaviour is to be avoided through:

- the deployment of appropriate numbers of staff,
- the deployment of appropriately trained and competent staff,
- avoiding situations that are known to provoke challenging behaviour,
- creating opportunities for choice and achievement,
- developing staff expertise through a programme of 'Continuous Professional Development',
- exploring pupils' preferences relating to the ways in which they are managed,
- employing 'defusing' techniques to avert escalation of behaviour into violence or aggression.

8. Injury

Whilst the physical techniques are intended to reduce risk, there is always risk of injury when two or more people engage to use force to protect, release or restrain. Team Teach techniques seek to avoid injury to the pupil but it is possible that bruising or scratching may occur accidentally. These are not necessarily to be seen as a failure of professional technique but a regrettable and infrequent side effect of ensuring that the pupil and others remain safe. Any injuries to pupils as a result of incidents involving restraint are to be reported to the Headteacher or deputy and parent/carer, and recorded.

All staff are to be appropriately first aid trained. Any of them may be called upon to implement first aid.

9. Staff Matters

Authorised Staff. All teachers, staff and Headteacher are automatically authorised to have control or charge of pupils. They have the statutory power to use reasonable force under the *Education and Inspections Act 2006* and the subsequent guidance, *Use of Reasonable Force to Control and Restrain Pupils*.

Supply staff must ensure that they are familiar with this school's policy. Appropriate guidance and support will be given if they have not undertaken *Team Teach* training.

Authorisation is not given to volunteers, students on placement, visitors or parents/carers and they are not to have control of pupils who may present with challenging behaviour.

Staff Health and Safety. Under the *Health and Safety at Work etc. Act 1974*, employees have a responsibility to report any circumstances which give rise to an increased risk to their health and safety.

Staff who have, or acquire, permanently or temporarily, any medical condition that may impact on their ability to carry out pupils' plans have a duty to report these to the Headteacher or deputy immediately, as there may be an impact on their own safety and that of colleagues and/or pupils. Through the provision of *Team Teach* training, the risk of harm towards staff is reduced but it is still possible for some injury to be received. All such occurrences are to be treated and subsequently recorded.

Staff Training. It is the responsibility of a school to ensure that *Team Teach* training in the use of positive handling is available to its staff and that it is kept up to date. Training is to be provided as part of on-going staff development. The schools are to provide training on a rolling programme and the Headteacher will retain a list of all those staff trained. The list is reviewed on an annual basis.

N.B. No member of staff is to use Team Teach techniques without appropriate training. However, they are expected to support with 'de-escalation' procedures. Staff awaiting training are to be given guidance on what actions they can take in support of qualified staff.

The training arrangements and limitations of untrained staff are to be made clear as part of the induction process.

Staff Support after Incidents. Members of staff or pupils involved in or witnessing a serious incident involving the use of physical hold may require support following the incident. The Headteacher or deputy is to arrange for this to be made available where it is deemed necessary. Involved staff are to ensure that they are fully recovered from an incident before resuming their duties and they are encouraged to seek support.

10. Recording and Monitoring

Recording. Where physical control or restraint has been used, a record of the incident and appropriate documentation is to be completed. They are to be signed by all staff involved and the Headteacher (or deputy) as soon as possible after the incident, before going off duty.

After the review of the incident, a copy of the details is to be placed on the pupil's file as part of their educational record.

Monitoring. Monitoring of incidents helps to ensure that staff are following the correct procedures and it will alert the Headteacher to the needs of any pupil(s) whose behaviour may require the use of reasonable force. Accordingly, monitoring of incidents is to take place on a regular basis (at least termly) and the results are to be used to inform planning for individual pupil and school needs. The Headteacher is to present an annual summary of incidents that have involved the use of force to the governing body.

The Headteacher is to ensure that each incident is reviewed and investigated further as required. If further action is required in relation to a member of staff or a pupil, it is to be pursued through the appropriate procedure. A review of the SEN Support Plan/Risk Assessment pertaining to the pupil is to take place following any recorded incident.

11. Out of School Visits

Our equal opportunities policy states that all pupils should be included in all curriculum activities. However, health and safety remains the priority and staff are required to carry out risk assessments for pupils that may be a possible danger, prior to each visit into the community. Due consideration is to be given to the following:

- Is the pupil able to cope with the demands of the proposed visit?
- Are there sufficient suitably trained staff accompanying the visit, particularly if there could be an incident?
- How will the school be contacted to get extra help if necessary?
- How will the involved pupils and supporting staff get back?

12. Complaints

The availability of a clear policy about reasonable force and the early involvement of parents/carers should reduce the likelihood of complaints but may not eliminate them. The nature of any complaint made by a pupil, parent/carer or other person in relation to the use of physical hold may involve an allegation of mishandling by a member staff. In this case, the school's complaints policy is to be followed. In such circumstances the investigation of the allegation and any resulting action in respect of child protection, disciplinary or other procedures is to be carried out in accordance with guidance obtained from the local authority (LA).

The equalities impact in relation to this policy has been assessed.