



Positive Handling Policy



CURRENT

APPROVED – MAY 2015
REVIEWED – MAY 2018
PERSON RESPONSIBLE – ASSISTANT HEAD - INCLUSION

Introduction

The policy has been developed in response to The Education and Inspections Act 2006 section 93, and on the national document 'The Use of Reasonable Force: Advice for Head teachers, Staff and Governing Bodies July 2013' which supersedes other guidance. The policy should be read in conjunction with other school policies and guidance relating to interaction between adults and pupils. The policy has been prepared for the support of all teaching and support staff, who come into contact with pupils and for volunteers working within the school to explain the school's arrangements for care and control. Its contents are available to parents and pupils. A statement about the School's Good Behaviour Policy is made to parents in the school prospectus. This statement includes information on the use of reasonable force to control or restrain pupils.

Objectives

Good personal and professional relationships between staff and pupils are vital to ensure good order in our school. It is recognised that the majority of pupils in our school respond positively to the discipline and control practised by staff. This ensures the well-being and safety of all pupils and staff in school. It is also acknowledged that in exceptional circumstances, staff may need to take action in situations where the use of reasonable, proportionate and necessary force may be required. Hillside Primary School acknowledges that physical techniques are only a small part of a whole setting approach to behaviour management.

Every effort will be made to ensure that all staff in this school:

- (i) clearly understand this policy and their responsibilities in the context of their duty of care in taking appropriate measures where use of force is necessary;
- (ii) are provided with appropriate training to deal with these difficult situations.

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:

- (a) committing any offence,
- (b) causing personal injury to, or damage to the property of, any person (including the pupil himself), or
- (c) 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 elsewhere within school (this includes authorised out-of-school activities).

As teaching and non-teaching staff work 'in the place of parents (Latin: in loco parentis)' and have a 'duty of care' towards their pupils, they could be liable for a claim of negligence if they fail to follow the guidance within this policy.

The application of any form of physical control inevitably carries an attached risk of unintended harm and this places staff and the school at risk of potential litigation. It can only be justified according to the circumstances described in this policy. Staff, therefore, have a responsibility to follow this policy and to seek alternative strategies wherever possible in order to prevent the need for physical intervention.

Staff must be aware that they are responsible for:-

- assessing risks related to individual circumstances which may arise in the course of their day-to-day duties and
- making judgements about when the use of force is necessary and the degree of force which may be regarded as necessary to manage a situation.

Staff need to be aware that they are required to justify their decisions in writing through the recording and reporting procedures outlined later in this document.

Underpinning Values

Everyone attending or working in this school has a right to:-

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

Pupils attending this school and their parents have a right to:-

- individual consideration of their needs by the staff who have responsibility for their care and protection.
- expect staff to undertake their duties and responsibilities in accordance with the school's policies.
- be informed about school rules, relevant policies and the expected conduct of all pupils and staff working in school.
- expect any Additional Needs Plans to be designed to achieve outcomes that reflect the best interests of the child whose behaviour is of immediate concern and others affected by the behaviour requiring intervention.
- be informed about the school's complaints procedure.

What is reasonable force?

The term 'reasonable force' covers the broad range of actions that involve a degree of physical contact to control or restrain pupils. This can range from guiding a pupil to safety by the arm through to more extreme circumstances where a student needs to be restrained to prevent violence or injury.

School staff will always try to avoid acting in a way that might cause injury, but in extreme cases it may not always be possible to avoid injuring the pupil.

Who can use reasonable force?

- All members of school staff have a legal power to use reasonable force.
- This power applies to any member of staff at the school. It can also apply to people whom the Head teacher has temporarily put in charge of pupils such as unpaid volunteers or parents accompanying students on a school organised visit.
- Most permanent members of the teaching and non-teaching staff are fully trained in Team Teach and have received accreditation. Team Teach is a BILD accredited framework for de-escalating behaviour and also trains staff in the use of safe physical restraint techniques. A list of accredited staff is in Appendix 1 with the dates of training and date when re-accreditation and training is due. Therefore, the Head teacher has authorised all

trained staff to have the statutory power to use force where the incident is covered under the objectives listed above.

- Staff who are not trained in Team Teach, temporary staff on short-term contracts, volunteers or parents are not authorised to use physical intervention except in circumstances of immediate threat of injury to a person.

When can reasonable force be used?

- Reasonable force can be used to prevent pupils from hurting themselves or others, from damaging property, or from causing disorder.
- Positive Handling uses the **minimum** degree of force necessary for the **shortest period of time** to prevent a pupil harming himself, herself, or others, from damaging property or from causing disorder.
- The scale and nature of any physical intervention must be **proportionate** to both the behaviour of the individual to be controlled, and the nature of the harm or disorder they might cause.
- Staff would be expected to follow the pupil's ANP/Support and Behaviour Plan (see Appendix 2) in the first instance to manage an incident/challenging behaviour.
- If the pupil did not have such a Plan or if following the pupil's Plan proved unsuccessful and the situation continued to escalate, staff would then be expected to request support from a member of the Leadership team and/or a member of 'Team Teach' accredited staff (see Appendix 1). Staff are advised that, as far as possible, they should not use a physical intervention unless, or until another trained adult is present to support, observe or call for further assistance.
- Pupils are given a clear oral warning prior to a physical intervention taking place. This will allow the pupil to consider whether they could work with staff to calm the situation without an intervention having to take place. [It also ensures that the pupil is fully aware that staff are preparing for physical intervention and are therefore not able to say they were assaulted by staff.]
- The holds used by the staff will be the recognised holds for which the staff have received training.
- Only if all of the above have been tried and are unsuccessful, or in circumstances of immediate threat of injury, will staff consider using reasonable force themselves. The overriding consideration should still be the reasonableness and proportionality of the force used.

All the techniques used take account of the young person's

- age
- gender
- level of physical, emotional and intellectual development
- special needs
- social context

They also provide a gradual graded system of response. Where behavioural records and/or risk assessment identifies a need for a planned approach, such a plan should be written for individual children. Where possible, these will be designed through multi-agency collaboration and with parental consent, and shared with other agencies/services supporting the child to facilitate consistency of approach so far as is possible (see Appendix 2).

Minimising the Need to Use Force

At Hillside Primary School we constantly strive to create a calm environment that minimises the risk of incidents arising that might require the use of force. In addition to this, pupils who present with persistent challenging behaviour will have an Additional Needs Plan and a Support and Behaviour Plan or a My Support Plan. The plan will usually include the assignment of a Key Worker who will work in partnership with the Assistant Head - Inclusion and Class Teacher in supporting the pupil with their anxiety levels and/or anger management issues. In addition, the pupil may have specific counselling and nurture sessions with our Safeguarding and Behaviour Support Officers.

Through the PHSE curriculum pupils learn about feelings and managing conflict, where this is appropriate to their level of development. The ethos further promotes independence, choice and inclusion; pupils are given maximum opportunity for personal growth and emotional wellbeing. All staff are trained in skills to help them to defuse situations before behaviour becomes challenging and how to de-escalate incidents should they arise. Reasonable force will only be used when the risks involved in doing so, are outweighed by the risks involved in not using force.

Prevention of unsafe behaviour will be enabled through:-

- the deployment of appropriate numbers of appropriately trained and competent staff;
- avoiding situations and triggers 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 way/s in which they are managed ;
- staff employing 'diversion and diffusion' techniques to avert escalation of behaviour into violence or aggression.

Types of incident

There are three broad categories:-

- Where action is necessary in self-defence or because there is an imminent risk of injury
- Where there is a developing risk of injury or significant damage to property.
- Where a pupil is behaving in a way that is compromising good order or discipline.

Examples of situations which fall within one of the first two categories are:

- A pupil attacks a member of staff or another pupil;
- Pupils are fighting;
- A pupil is engaged in, or is on the verge of committing, deliberate damage or vandalism to property;
- A pupil is causing, or at risk of causing, injury or damage by accident, by rough play, or by misuse of dangerous materials or objects;
- A pupil is running in a corridor or on a stairway in a way which he or she might have or cause an accident likely to injure him or herself or others;
- A pupil absconds from a class or tries to leave school (NB this will only apply if a pupil could be at risk if not kept in the classroom or at school).

Examples of situations which fall into the third category are:-

- A pupil persistently refuses to obey an order to leave a classroom;
- A pupil is behaving in a way that is seriously disrupting other children's learning.

Power to search pupils without consent

In addition to the general power to use reasonable force described above, Head teachers and authorised staff can use such force as is reasonable given the circumstances to conduct a search for the following “prohibited items”: weapons, alcohol, illegal drugs, stolen items, tobacco and cigarette papers, fireworks, pornographic images or any article that has been or is likely to be used to commit an offence, cause personal injury or damage to property. At Hillside Primary School only members of the Senior Leadership Team will undertake searches. As the power to search should only be used where it is judged to be safe, if the school decides that a search may not be safe, then the police will be called.

Recording incidents

All serious incidents, which result in a physical intervention taking place, will be recorded in the Kirklees Approved Serious Incident Book which provides a bound and numbered record. Each incident will be checked and countersigned by a member of the Senior Leadership Team.

Reporting incidents

Following a physical intervention taking place, the parents/carers of the pupil involved will be informed by either telephone or letter. The contact with parents will be logged and recorded on the incident form.

Incidents are analysed on a regular basis for frequency and duration by the Head teacher and Assistant Head – Inclusion and plans put in place to address any issues that arise. Any serious incidents resulting in exclusions will be reported to the governing body in the Head teacher’s Report.

Post-Incident support

It is essential following a physical intervention that both the pupil and member/s of staff involved are provided with support. Immediately after the incident, both parties will be given time to calm down, as it is not possible to debrief effectively until adrenaline levels subside.

The incident will be discussed and the opportunity to review how this could (if possible) have been handled differently will be considered. This will enable staff to develop their skills and knowledge and enable work to be carried out with the pupil about developing strategies that will support them in finding more appropriate ways of managing their behaviour.

A further meeting will be facilitated if necessary between the member/s of staff and the pupil to enable them to rebuild relationships.

Injury to the Child

Whilst the physical techniques are intended to reduce risk, there is always risk when two or more people engage to use force to protect, release or restrain. Team Teach techniques seek to avoid injury to the child, but it is possible that bruising or scratching may occur accidentally, and these are not to be seen necessarily as a failure of professional technique, but a regrettable infrequent side effect of ensuring that the child remains safe. Any such injury will be recorded in the Kirklees Approved Serious Incident Book. Any injuries to pupils as a result of incidents involving restraint will be reported to the Head teacher/Deputy Head teacher and parent/carer.

There are staff in all key stages who are trained in First Aid. Any may be called upon to implement First Aid or seek further guidance in the event of an injury or physical distress arising as a result of a physical intervention.

Complaints and Allegations

Hillside has a complaints policy in place. Should a complaint arise following an intervention this will be activated and the procedures followed.

However, if concerns arise when the investigation of the incident is taking place regarding misconduct by a member of staff, then the Child Protection Policy and procedures may be required to be followed. The Head teacher in consultation with the Senior Leadership Team will make this decision.

Alternatively, depending on the nature of the alleged misconduct, the decision may be to follow the disciplinary policy and procedures.

Whistle Blowing

Whilst the training in Team Teach provided to relevant staff encourages the use of help protocols and reflective practice, it is acknowledge that under some circumstances, physical intervention can be misapplied. Staff are reminded that part of their duty of care to pupils includes the requirement to report any such matters which cause them concern in relation to pupil management and welfare. Any such concerns should be raised with the Head teacher, another member of the Senior Leadership Team or with the Chair of Governors, in order to allow concerns to be addressed and practice improved.

This might involve:-

- Child Protection Procedure (this may involve investigations by Police and/or Social Services)
- Staff or pupil disciplinary procedure
- School Behaviour Policy
- Exclusions Procedure, in the case of violence or assault against a member of staff this may be considered.
- The member of staff will be kept informed of any action taken.

In the case of any action concerning a member of staff, he/she will be advised to seek advice from his/her professional association/union.

Appendix 1

The following staff have participated in Team Teach Training and are authorised to carry out physical intervention.

Staff Member	Course Level	Date passed	Next training due

Appendix 2: Model Support & Behaviour Plan

..... (“.....”)
Support & Behaviour Management Plan

School Support Personnel:

- Head teacher (“Head”)
- Assistant Head - Inclusion (“AHI”)
- Class Teacher (“CT”)
- Behaviour Support (“BSW”)
- Educational Teaching Assistant (“ETA”)

Behaviour Strategies:

Overriding Principles: needs to understand that it is necessary for everyone in school to follow the school rules in order for all children to be able to learn. needs to understand that he must control his behaviour and speak to an adult if he is upset or angry.

1. will receive lots of praise and treasures for good behaviour.
2. will be given 1:1 support in the morning and afternoon sessions by BSW (or ETA when necessary).
3. will have a reward jigsaw, enabling him to have 10 minutes choosing at the end of each day provided he has spent the previous sessions fully participating.
4. BSW will provide weekly anger management sessions for to explore his feelings and concerns and develop strategies for dealing with his anger.
5. will have a green card signalling system so that he can let the adults know that he is getting angry and needs to remove himself from the situation and calm down. will notify BSW (or other adult) that he wants to use his green card and the adult will escort him to a quiet, calm area where he will sit until he is calm. This is not a punishment; it is an opportunity for to take control of his behaviour and to have a time out from his current situation/ environment to ensure that he is calm and ready to work. Once is calm and ready to work, he will tell the adult and the adult will escort him back to his class.
6. Unacceptable behaviour will be dealt with in accordance with the school behaviour policy, with one warning and then time out. This will be utilised for the first 2 occasions of unacceptable behaviour.
7. On the third occasion of unacceptable behaviour or if refuses to take time out or is disrupting the class, CT (or in his absence the teacher in charge of the class) will send for AHI (or, in his absence, Head) who will remove from class and take him the Inclusion Office (or other quiet, calm room if the Inclusion Office is unavailable). Once is calm and an additional 10 minute period has elapsed, AHI (or alternate as above) will return to class. will then apologise to the members of staff as necessary and be given a fresh start.
8. If it is necessary for to be removed from class by AHI (or his alternate) for a second time during the same day, consideration will be given in consultation with CT (or in her absence the teacher in charge of the class) to work being provided for to complete in the Inclusion Office (or other quiet, calm room) for the remainder of the day. will be taken back to class only at the end of the school day to apologise to the members of staff as necessary but will be given a fresh start the following school day morning.
9. If it is necessary to utilise reasonable force to ensure compliance with this plan, the provisions of the school's Positive Handling Policy will be followed. Specific positive handling details are noted below/overleaf.

10. BSW will review the *Good News* book and behaviour record with each day and give an opportunity to talk to her about any problems or issues he may have. If necessary, BSW will talk to about the consequences of his actions and how he might have responded differently.
11. BSW will report to Mum in respect of the behaviour record at the end of each week or immediately if there has been a significant incident.
12. CT and BSW will keep AHI and Head apprised of all developments and the success or otherwise of this plan will be kept under regular review to ensure is getting sufficient support to enable him to succeed at school.

Positive Handling Plan:

Staff acting within the Positive Handling Policy of the school will be positively supported by all signatories of this plan.

.....'s staff will help him to stay calm. If it does become necessary, 's staff will use Positive Behaviour Management and Handling strategies, as agreed, in order to keep him/her and others safe.

Handling Techniques which are suggested for are: double elbows

Techniques and triggers to be avoided are: handling when only one adult is available, if s/he tries to leave the room or premises then s/he should be allowed to do so and monitored until another adult arrives to assist

Identified safe area is: Inclusion Office/outside H/Ts office

Staff who will monitor any physical intervention:

Extreme aggression towards other children or staff may result in a brief period of exclusion. There will be some feedback to, some Positive Listening and Learning to ensure he understands clearly what has been unacceptable and the consequences of his actions, and works towards developing strategies for the future. This will be followed up at home by parents.

There are supportive arrangements in place for staff who are involved in any physical intervention.

Records of any such interventions are kept in the Kirklees Approved Serious Incident Book.

Parental Support: As far as is possible, Mum will ensure that attends school on time every day and will support school in the implementation of this plan by helping to understand the plan and by reinforcing the overriding principles.