

# Sir Charles Parsons School

## Positive Handling Policy

The policy has been developed in response to Circular 10/98 "The Use of Force to Control or Restrain Pupils", issued following the enactment of Section 550A of the 1996 Education Act. It also takes cognisance of recent DfE and DOH letters of guidance.

The policy should be read and implemented in conjunction with the school Behaviour Management policy.

### Rationale

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. It is also acknowledged that in exceptional circumstances, staff may need to take action in situations where the use of reasonable force may be required. At Sir Charles Parsons we acknowledge that physical techniques are only part of a whole school approach to behaviour management.

### Aims

To support the rights of everyone in the school

- to be treated with respect and dignity
- to learn and work in a safe environment
- to be protected from harm, violence, assault and acts of verbal abuse

To provide guidance in line with Education Act 1996 (Section 550A) which states that positive handling may be required in the following situations:

- Risk to the safety of staff, pupils or visitors, or
- Where there is a risk of serious damage to property, or
- Where a pupil's behaviour is seriously prejudicial to good order and discipline, or
- Where a pupil is committing a criminal offence

### Implementation

#### 1. Implications of the policy.

The 1996 Education Act (Section 550 A) stipulates that reasonable force may be used to prevent a pupil from doing, or continuing to do any of the following:

- 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 during a teaching session or elsewhere within the school (this includes authorised out-of-school activities).
- self-injuring
- causing injury to others
- committing an offence

Individual members of staff cannot be required to use physical restraint. However, teaching and non-teaching staff work in 'loco parentis' and should always operate with an appropriate 'Duty of Care', 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 places staff in a vulnerable situation. It can only be justified according to the circumstances described in this policy. Staff, therefore, have a responsibility to follow the policy and to seek alternative strategies wherever possible in order to prevent the need for physical intervention.

Reasonable force will only be used as a last resort when all other behaviour management strategies have failed or when pupils, staff or property are at risk.

## **2. Definitions of Positive Handling.**

No legal definition of reasonable force exists however for the purpose of this policy and the implementation of it in Sir Charles Parsons:

- Positive Handling uses the minimum degree of force necessary for the shortest period of time to prevent a pupil harming himself, herself, others or property.
- 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 they might cause. (para. 3.4 page 10 DfES Guidance ref: LEA/0242/2002 – contact DfES SEN Schools Team).

### **1 Physical Contact**

Situations in which proper physical contact occurs between staff and pupils, eg: in the care of pupils with learning disabilities; in games/PE; to comfort pupils.

### **2 Physical Intervention**

This may be used to divert a pupil from a destructive or disruptive action, for example guiding or leading a pupil by the hand, arm or shoulder with little or no force.

### **3 Positive Physical Intervention**

This will involve the use of reasonable force when there is an immediate risk to pupils, staff or property. It is important to note that the use of 'reasonable force' should be seen as a last resort. All such incidents must be recorded and stored in an accessible way.

The level of compliance from the pupil determines whether or not the interaction is an intervention or a method of physical control.

## **3. Authorised staff**

In Sir Charles Parsons it is the Headteacher's responsibility to authorise named staff to use reasonable positive physical interventions with pupils within the context of Circular 10/98.

The school must provide training for all staff authorised by the Headteacher and retains a list of all those staff trained and authorised. The list is reviewed on an annual basis (or more frequently if the context requires it).

Authorisation is not given to volunteers, students or parents.

The Headteacher is responsible for making clear to whom such authorisation has been given, in what circumstances and settings they may use force and for what duration of time this authorisation will last. The Headteacher will ensure that those authorised are aware of, and understand, what the authorisation entails. Those whom the Headteacher has not authorised will be told what steps to take in the case of an incident where positive physical intervention with a pupil is required.

## **4. Training**

It will be the responsibility of the Headteacher to arrange suitable training. Training for all staff will be made available. No member of staff will be expected to undertake the use of positive physical intervention without appropriate training. Prior to the provision of training, guidance will be given on action to be taken. Arrangements will be made clear as part of the induction of staff and training will be provided as part of on-going staff development.

Sir Charles Parsons School acknowledges that physical techniques are only a part of a whole setting approach to behaviour management.

All training will include theory on at least the following:

- De-escalation
- Causes of challenging behaviour
- Prevention strategies
- Positive behaviour management
- Risk Assessment
- Behaviour Support Planning
- De-brief following incidents

Physical techniques are not treated in isolation and the school is committed to ensuring that as a result of incidents learning opportunities are created for students that allow them to 'own' and take responsibility for their behaviour.

In addition, procedures are also in place to ensure that appropriate support is provided for staff and that following an incident pupil/staff relationships are rebuilt and repaired to ensure that a positive learning environment is maintained.

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

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

Also, they provide a gradual, graded system of responses.

Where appropriate, student support plans and behaviour management risk assessments are written for individual students. These are in addition to individual education plans.

As endorsed in the school's Behaviour Policy, staff consistently use positive strategies to encourage acceptable behaviour and good order.

Every effort will be made to resolve conflicts positively and without harm to pupils or staff, property, buildings or the environment.

## **5. Recording and Monitoring**

Where positive handling strategies and/or physical control has been used a record of the incident **must** be kept.

A Behaviour Intervention Form and a physical intervention review form must be completed by the staff involved. If staff or students were injured or serious damage to property occurred then this should be recorded in the Incident Book in the office.

Whenever a member of staff has occasion to use positive physical interventions, this will always be recorded and documented following agreed procedures. Monitoring of incidents will help to ensure that staff are following the correct procedures and will alert the Headteacher to the needs of any student(s) whose behaviour may require the use of a Student Support Plan and further positive handling strategies.

Monitoring of incidents will take place on a regular basis and the results used to inform planning to meet individual student and school needs.

## **6. Complaints**

The availability of a clear policy about reasonable force and early involvement of parents should reduce the likelihood of complaints but may not eliminate them.

Any complaints about staff will be investigated through the School's Complaints Policy. If necessary, the complaint will be dealt with by the Staff Disciplinary Procedures and/or Child Protection Procedures.

## **Policy on Care and Control of Pupils**

### **Model statement for parents on the use of reasonable force for inclusion in school prospectus**

If staff become aware of, or have a need to become involved in, situations where a child may be at risk of hurting themselves or others or, if the behaviour of a child seriously disrupts good order in the school or causes damage to property, staff may need to take steps to intervene physically. In such circumstances, staff will follow the school's policy for dealing with such situations. Any parent wishing to view this policy may do so on request.

**Reviewed Annually**