



# Positive Handling Policy

**Last Review:** February 2022

**Next Review:** February 2024

## Positive Safe Handling Policy

### Introduction

This policy should be read in conjunction with all other policies and not as a standalone policy.

The Education Act 1996 forbids corporal punishment, but allows all teachers to use reasonable force in order to prevent a student from:

- Harming him/herself or others
- Seriously damaging property
- Committing a criminal offence
- Acting in a way that is counter to maintaining good order and discipline at the school
- Injury (or harm to self or others) as actual or grievous bodily harm, physical or sexual abuse, risking the lives of or injury to self or others by wilful or reckless behaviour and self-poisoning.

### Designated Staff and Procedure

The legal framework states that any member of the teaching staff can use positive handling to restrain pupils, when the situation warrants such an action. Our aim at Goldsmith Primary Academy is not to use these powers. We will only do so in the most extreme cases, where we deem it unavoidable.

### 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 school behaviour policy. 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. Goldsmith Primary Academy 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 understanding 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.

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 school (this includes authorised out-of-school activities).

DFE guidance 2013 states schools can use reasonable force to:

- remove disruptive children from the classroom where they have refused to follow an instruction to do so;
- prevent a pupil behaving in a way that disrupts a school event or a school trip or visit;

- prevent a pupil leaving the classroom where allowing the pupil to leave would risk their safety or lead to behaviour that disrupts the behaviour of others;
- prevent a pupil from attacking a member of staff or another pupil.
- restrain a pupil at risk of harming themselves through physical outbursts.

Schools cannot:

- use force as a punishment – it is always unlawful to use force as a punishment.

### **Power to search pupils without consent:**

In addition to the general power to use reasonable force described above, headteachers and authorised staff can use such force as is reasonable given the circumstances to conduct a search for “prohibited items” (examples given in appendix 1).

As teaching and non-teaching staff work ‘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 judgments 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 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 attending this school and their parents have a right to:-

- Individual consideration of pupil 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 IBPs (Individual Behaviour 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. The school will ensure that pupils understand the need for and respond to clearly defined limits, which govern behaviour in the school.

### **Use of Physical Handling**

No legal definition of reasonable force exists, however, for the purpose of this policy and the implementation of it in Goldsmith Primary Academy:

- 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.
- Staff would be expected to follow the pupil's IBP/Risk Assessment (see Appendix 2) in the first instance to manage an incident/challenging behaviour.
- If this was unsuccessful and the situation continues to escalate, staff would then be expected to request support from a colleague who has received training in the last 3 years.
- Only if all of the above have been tried and are unsuccessful, should staff even consider any other form of restraint. 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 and where possible, these will be designed through multi-agency collaboration and with parental consent, shared with other agencies/services supporting the child to facilitate consistency of approach so far as is possible.

### **Minimising the Need to Use Force**

At Goldsmith Primary Academy 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 are provided with appropriate support as appropriate to their individual needs.

Pupils who have issues relating to sensory dysfunction or other conditions that may result in increased anxiety levels, and therefore an increase in the likelihood of challenging behaviour, may have individualised support or programmes to help them to manage this.

Through our curriculum and Aspire values 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.

### **Definitions of Positive Handling**

Positive Handling describes a broad spectrum of risk reduction strategies. Positive handling is a holistic approach involving policy, guidance, management of the environment and deployment of staff. It also involves personal behaviour, diversion, diffusion, and de-escalation. Risk assessment identifies positive prevention strategies and how a pupil may need to be supported in a crisis.

#### **1. Physical Contact**

Situations in which proper physical contact occurs between staff and pupils. e.g. in the care of pupils and in order to support their access to a broad and balanced curriculum. It would seem reasonable that young children do require opportunities for close contact, as long as this is within public view, sensitively carried out and age/person-appropriate.

#### **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 arm or shoulder where the pupil is compliant. This technique cannot be emphasised enough and in the hands of a skilful practitioner, many pupils can be deflected from a potentially volatile situation into a less confrontational situation i.e. it may be possible to 'defuse' a situation by a timely intervention.

#### **3. Physical control/Restraint/Restrictive Physical Intervention**

This will involve the use of reasonable force when there is an immediate risk to pupils, staff or property. All such incidents must be recorded on the Positive Handling Form (Appendix 3) and parents must be informed as soon as is practicably possible. If anyone is injured an accident/incident report must also be completed. Positive Handling Forms can be located within the school Pastoral team and accident/incidents reports at the main school office. Records of incidents must be given to the Headteacher/Deputy/Assistant Headteacher as soon as possible, and by the **end of the school day at the latest.**

The level of compliance from the pupil determines whether or not the interaction is an intervention or a control/restraint. Restraint is defined by Team Teach as the positive application of force by

staff, in order to overcome rigorous resistance, completely directing, deciding and controlling a person's free movement.

### **Types of incident**

The incidents described in The Education and Inspections Act 2006 the Use of Reasonable Force to Control and Restrain Pupils fall into 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 in Appendix 4.

### **Strategies: Time-Out/ withdrawal/ planned and emergency physical interventions / recovery**

#### **Time-out**

This involves restricting the child's access to positive reinforcements in a room or area which they may freely leave. It is a specific behaviour management technique and does not necessarily mean time spent out of the class/group, but rather refers to a withdrawal of attention and/or things they find rewarding. It could be as simple as turning away from a child who is attention-seeking, or positioning a child away from the class/group. This withdrawal of attention could also be achieved by sending a pupil to another class/group or a quiet area.

#### **Withdrawal**

This involves removing the child from a situation that causes anxiety or distress, to a location where they can be continuously observed and supported until they are ready to resume their usual activities. This can mean removing a child from the class/group, to allow them time to calm down or to prevent a situation from escalating. They may need time away from staff and pupils (either on their own or in another class/group) in order to break the cycle/pattern of their behaviour or to reduce their level of anxiety/distress. The arrangement of 'Thinking Time' shall be negotiated between the child and staff involved.

#### **Planned Physical Intervention**

This should be described/outlined in the pupil's IBP/Risk Assessment (Appendix 3). This should cover most interventions, as possible scenarios will be identified and planned for when the IPM is drawn up. These interventions may include the use of Team Teach techniques.

#### **Emergency Physical Intervention**

This may be necessary if a situation arises that was not foreseen or is uncharacteristic of the pupil. Members of staff retain their duty of care to pupils and any response, even in an emergency, must be proportionate to the circumstances. Staff should use the minimum force necessary to prevent injury and maintain safety, consistent with the training that they have received. Following any such incident, a risk assessment will be devised (or the existing one updated) to support effective responses to any such situations which may arise in the future. Wherever possible, assistance will be sought from a member of the Leadership Team.

Positive Handling at Goldsmith Primary Academy (defined as the full range of strategies used to manage behaviour including where necessary physical intervention) is seen as proactive response

to meet individual pupil needs and any such measures will be most effective in the context of the overall ethos of the school, the way that staff exercise their responsibilities and the range of behaviour management strategies used.

What about other physical contact with pupils?

It is not illegal to touch a pupil. There are occasions when physical contact, other than reasonable force, with a pupil is proper and necessary.

Examples of where touching a pupil might be proper or necessary:

- Holding the hand of the child at the front/back of the line when going to assembly or when walking together around the school;
- When comforting a distressed pupil;
- When a pupil is being congratulated or praised;
- To demonstrate how to use a musical instrument;
- To demonstrate exercises or techniques during PE lessons or sports coaching; and
- To give first aid.

### **Recovery**

Pupils who may be distressed by events can be offered the following support:

- Thinking time taking part in a calming activity
- Thinking time away from the incident/trigger
- Resuming their usual routine/previous activity as soon as possible, especially for pupils with special needs
- Time with a member of staff to debrief the incident

### **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. Techniques used 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 reported using the Positive Handling Form (Appendix 3). 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.

### **Staff: Authorised Staff / Health and Safety / Training / Support Authorised Staff**

All teachers, staff and the Head Teacher are authorised to have control or charge of pupils automatically, they have the statutory power to use reasonable force within the context of The Education and Inspections Act 2006 and the subsequent guidance 'Use of reasonable force July 2013'. Supply staff must ensure that they are familiar with this school's policy, which is available from the school office. Appropriate guidance will be given if they have not undertaken training. Authorisation is not given to volunteers, students on placement, visitors or parents as they will not have control of pupils who may present with challenging behaviour, but reasonable prudent

parents according to the situation they are dealing with, e.g. a parent helper moving a child away from the water on a school trip to the park may have authorisation.

### **Health and Safety of Staff**

Under the Health and Safety at Work Act, 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 Head Teacher /Deputy Head Teacher immediately, as there may be an impact on their own safety and that of colleagues and/or pupils. Whilst conversations are encouraged face to face, this should be followed up with written notification of the concern e.g. email to be added to their file. Through the training provided, the risk of harm towards staff is reduced but it is possible for some injury to be received. All such occurrences should be treated and subsequently recorded, on the Positive Handling Form/Accident form.

### **Staff Training**

It is the responsibility of the Head Teacher to ensure that training in the use of Positive Handling is available to relevant staff and is kept up to date. Relevant Staff includes members of the Leadership Team and adults employed to support children with social emotional and behavioural difficulties. The school provides training for all relevant staff and the Head Teacher/Deputy Head Teacher retains a list of all those staff trained. The list is reviewed on an annual basis. No member of staff will be expected to use techniques without appropriate training. However, in an **emergency situation** if **absolutely vital**, they are authorised to do so. Prior to the provision of training, guidance will be given on action to be taken via the child's risk assessment. Arrangements will be made clear as part of the induction of staff and training will be provided as part of ongoing staff development.

### **Staff Support Following Incidents**

Any member of staff or pupil at the school involved in or witnessing a serious incident involving the use of physical hold, may require additional support following the incident. Staff should ensure that they are fully recovered from an incident before resuming their duties and colleagues are encouraged to seek and offer support where it is deemed necessary.

At Goldsmith Primary Academy we have a debrief procedure which should be utilised if staff need to debrief after an incident. Where staff have been involved in an incident involving reasonable force, they should have access to support; this will be made available/supported through the Head Teacher or Deputy Head Teacher. The Head Teacher/Deputy Head Teacher may arrange a debrief if s/he has any concerns or needs further information. Staff should request a supervision meeting and external agency support such as counselling can be signposted, if required.

### **Recording and Monitoring Incidents**

#### **Recording**

Where physical control or restraint has been used, a record of the incident will be kept (Appendix 3).



Appropriate documentation will be completed as soon as possible after the incident, prior to staff going off duty and be signed by all staff involved and the Head Teacher/Deputy Head Teacher. Parents will be informed as soon as practicably possible.

### **Monitoring**

Monitoring of incidents will help to ensure that staff are following the correct procedures and will alert the Head Teacher to the needs of any pupil(s) whose behaviour may require the use of reasonable force. Monitoring of incidents will take place on a regular basis (at least termly) and the results used to inform planning to meet individual pupil and school needs. The Head Teacher will 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, this will be pursued through the appropriate procedure.

### **Visits Out of School**

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

- Is the pupil able to cope with the demands of the proposed visit?
- Are there sufficient, suitable trained staff – particularly if there should be an incident?
- How will you contact school to get extra help if necessary and how will you get back?

These decisions should be carefully considered and discussed with the Educational Visits Coordinator (EVC), Paul Ingles, prior to the visit taking place. Concerns should also be shared with parents to develop an appropriate plan of action.

### **Whistle Blowing**

Whilst the training in Team Teach provided to relevant staff encourages the use of help protocols and reflective practice, it is acknowledged 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 Windsor Academy Trust / Chair of the Local Advisory Board, in order to allow concerns to be addressed and practice improved.

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.

### **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. Where the nature of any complaint made by a pupil, parent or other person in relation to the use of physical hold within the school indicates an allegation of mishandling by a member of staff, the school's complaints policy will be followed. In such circumstances the investigation of the complaint/allegation and any resulting action in respect of child protection, disciplinary or other procedures will be carried out in accordance with the guidance from the DFE/Windsor Academy Trust.

### **APPENDIX 1**

- knives and weapons
- alcohol
- illegal drugs
- stolen items
- tobacco and cigarette papers
- fireworks
- pornographic images
- any article that has been or is likely to be used to commit an offence, cause personal injury or damage to property.

Force cannot be used to search for items banned under the school rules.

(Section 550ZB(5) of the Education Act 1996)

## APPENDIX 2

Example of an IBP (Individual Behaviour Plan)



### Individual Behaviour Plan

<b>Name:</b>	<b>Year/Class:</b>	<b>Date:</b>
<b>Challenging Behaviours:</b>	<b>Strengths and achievements:</b>	
	<b>Assessment Data:</b>	
	Reading SS:	Reading age:
	Maths SS:	Writing TA:
<b>Targets</b>	<b>Provision</b>	<b>Date: Review</b>
	•	
	•	
	•	

## APPENDIX 3

<b>Incident Report form</b>	<b>Date:</b>
Name of Child: _____ Adult completing form _____	
<u>Outline of Incident:</u> Where, When, What? (plus page number in Incident Book, other details over)	
Involvement of other children / Adults:	
<u>What 'support was used? (circle / tick)</u> Guiding            Did it change during the incident? One Person Support    Standing / Seated Two Person Support    Standing / Seated Did you have to move the child to another area? Where did you move from and where to? Approx. how long did you support the child? What happened next?	
<u>When were parents /carers informed and what was their reaction?</u>	
<u>Outcome, follow up:</u>  Staff involved debriefed and offered support (type and by whom)	
Signed:	

**APPENDIX 4**

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, putting themselves or others at

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 a lesson.