



*We Inspire to Aspire*

## **Positive Safe Handling Policy**

Date: September 2020

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# Positive Safe Handling Policy

## **Introduction**

The policy has been developed in response to The Education and Inspections Act 2006 section 93, which reinforces supersedes and replaces previous guidance. This guidance is also based on the national document 'Use of reasonable force, advice for headteachers, staff and governing bodies July 2013.' This policy has been prepared for the support of all teaching and support staff who come into contact with pupils who may need to be positively handled.

This policy should be read in conjunction with other school policies relating to interaction between adults and pupils specifically the academy's Behaviour Policy.

The policy will be reviewed annually by the Headteacher and Local Advisory Board.

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:

- Self-injuring;
- Causing injury to others;
- 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 during a teaching session or elsewhere within the academy (this includes authorised out-of-school activities).

DFE guidance 2013 states that 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, or to stop a fight in the playground;
- 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.

## **Purpose of the policy**

Professional relationships between staff and pupils are vital to ensure good order in the academy. It is recognised that the majority of pupils in school respond positively to the discipline practised by the 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 positive handling may be required.

Every effort will be made to ensure that all staff in Rivers Primary Academy:

- i. clearly understand this policy and their responsibilities in the context of their duty of care in taking appropriate measures where positive handling is necessary;
- ii. are provided with appropriate training to deal with these difficult situations should they occur.

The application of any form of positive handling 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 positive handling.

**Positive Handling 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.**

## **Definitions**

### **(a) Physical Contact**

Situations in which proper physical contact takes place between staff and pupils, e.g. in sports/PE or to comfort pupils.

### **(b) 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.

### **(c) Positive Handling**

This will involve the use of reasonable force when there is a risk to pupils, staff or property or if good order is being seriously prejudiced. All such incidents will be recorded.

## **Underpinning Values**

Everyone attending or working at Rivers Primary Academy has the right to:

- Recognition of their unique identity;
- Be treated with respect and dignity;
- Learn and work in a safe environment;
- Be protected from harm.

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

- Individual consideration of pupils needs by staff that has responsibility for their care and protection;
- Expect staff to undertake duties and responsibilities in accordance with the academy's policies;
- Be informed about school rules, relevant policies and the expected conduct of all pupils and staff working in the school;
- Be informed about the academy's complaint procedure.

The academy will ensure that all pupils understand the need for and respond to clearly defined limits which govern behaviour in the school.

Parents should have committed themselves through the Home-School Agreement to ensure the good behaviour of their child and that their child understands and follows the academy's Behaviour Policy.

## **Use of Positive Handling**

No legal definition of reasonable force exists, however, for the purpose of this policy and the implementation of it in Rivers 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 ITP/Risk Assessment (see Appendix 3) 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 member of the Senior Leadership team and/or a member of staff who has received positive handling training in the last three 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 the circumstance of the young person:

- 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. (See Appendix 3)

## **Training**

Positive Handling training will be made available to designated staff and will be the responsibility of the Head Teacher. No member of staff will be expected to undertake positive handling without appropriate training. Prior to the provision of training, guidance will be given on action to be taken. No member of staff will be expected to use positive handling techniques without appropriate training. However, in an emergency situation if absolutely vital, they are authorised to do so.

## **Strategies for Dealing with Challenging Behaviour**

Staff consistently use positive strategies to encourage acceptable behaviour and good order. Every effort will be made to resolve conflicts positively. Where unacceptable behaviour threatens good order and discipline and provokes intervention, some or all of the following approaches will be taken according to the circumstances of the incident:

a) Verbal acknowledgment of unacceptable behaviour with request for the pupil to refrain; this includes negotiation, care and concern.

b) Further verbal reprimand stating:

- this is the second request for compliance;
- an explanation of why observed behaviour is unacceptable;
- an explanation of what will happen if the unacceptable behaviour continues.

c) Warning of potential need to intervene physically and that this will cease when the pupil complies. If possible summon assistance.

d) Physical intervention. Reasonable physical intervention using the minimum degree of contact to prevent a child harming him or herself, others or property.

**Whenever positive handling is used, staff will keep talking to the pupil.**

## **Escalating Situations**

The 1996 Education Act (Section 550A) stipulates that reasonable physical intervention 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 academy or among any of its pupils; whether the behaviour occurs in a classroom, during a teaching session or elsewhere

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

- Self-injuring or placing himself or herself at risk;
- Injuring others;
- Causing damage to property, including that of the pupil himself or herself;
- Committing a criminal offence (even if the pupil is below the age of criminal responsibility).

### **Types of Incidents**

Incidents described above fall into 3 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 causing, or at risk of causing injury, damage by accident, by rough play, or by misuse of materials or objects;
- A pupil is running in a corridor or in a way which he or she might have or cause an accident likely to injure him or herself;
- A pupil absconds from a class or tries to leave the academy.

### **Examples of behaviour which fall into the third category are:**

- A pupil persistently refusing to do as requested;
- A pupil is behaving in a way that is seriously disrupting a lesson.

### **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 academy;
- 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

### **Recording**

Where positive handling has been used a record of the incident always needs to be kept. All recording needs to be completed on the day of incident and needs to include the following:

- Name of pupil;
- Date, time and place of incident;
- A brief description of the incident and actions taken;
- Attempts made to calm the situation;
- Names of people who witnessed the situation;
- Any damage/harm to persons or property;
- Name of person informing parents;

- After investigation a summary of action taken.

### **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 academy's policy, which is available from the academy's office. Appropriate guidance will be given if they have not undertaken positive handling 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.

### **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. Through the provision of positive handling training, 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 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 Rivers 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.

### **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 the academy to get extra help if necessary and how will you get back?

### **Whistle Blowing**

Whilst positive handling training 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 or with the CEO of Windsor Academy Trust (Keith Sorrell) in order to allow concerns to be addressed and practice improved.

This might involve:-

- Child Protection Procedures (this may involve investigations by Police and/or Social Services);

- Staff or pupil disciplinary procedures;
- School Behaviour Policy application;
- 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.

### **Complaints**

The availability of a clear policy regarding positive handling and early involvement of parents should reduce the likelihood of complaints but may not eliminate them. Any complaints about staff will be dealt with under the academy's Complaints Policy.

### **Monitoring of Incidents**

Whenever a member of staff has occasion to use positive handling, this will always be recorded and documented. 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 can only be contained using positive handling.

This process will address patterns of incidents and evaluate trends which may be emerging.

# Physical Intervention Recording Form

<b>Pupil Name:</b>	<b>Class:</b>	<b>Location of hold:</b>
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<b>Date of Incident:</b>	<b>Time:</b>	
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**Reporting Staff Member :**

**Staff using Physical Interventions:**

**Witnesses:**

**Outline of event leading to restraint:**

**Reason Intervention was required**

	<b>To themselves</b>	<b>To pupils</b>	<b>To staff</b>
<b>At risk of causing harm</b>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
<b>Causing harm</b>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
<b>Disruptive Behaviour</b>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
<b>Aggressive Behaviour</b>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
<b>Damaging Property</b>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

**Outline of incident of restraint:**

**De-escalation Techniques used prior to restraint**

<b>Verbal Advice</b>		<b>Planned ignoring</b>		<b>Contingent Touch</b>	
<b>Reassurance</b>		<b>Success reminder</b>		<b>Choices/Limits</b>	
<b>CALM Talking/Stance</b>		<b>Distraction</b>		<b>Withdrawn</b>	
<b>Take up time</b>		<b>Consequences</b>		<b>Adult Transfer</b>	



**Outcome of restraint:**

**Description of any injury sustained and any subsequent treatment:**

**Date/time parent/carer informed of incident:**

**By whom informed:**

**Outline of parent/carer response:**

**Pupil comments:**

**Pupil Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Reporting Member of Staff :** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Deputy/Head Teacher:** \_\_\_\_\_ **Date:** \_\_\_\_\_