



# Positive Handling Policy

## October 2022

Last reviewed	October 2022
Ratified	Autumn 2022
Review period and due date	September 2024

### Linked Policies

This policy should be read in conjunction with the following policies:

- Child on Child Abuse Policy
- Policy on Managing Allegations against Staff and Volunteers
- Anti-bullying Policy
- Staff Disciplinary Policy
- Staff Code of Conduct
- Whistleblowing Policy
- Managing Relationships and Behaviour Policy
- Intimate Care Policy

## **Introduction**

The policy has been developed in response to The Education and Inspections Act 2006 section 93. It also takes consideration of guidance issued by the Department for Education for 'Use of Reasonable Force' (July 2013). The policy should be read in conjunction with other school policies, particularly the Managing Relationships and Behaviour Policy and the Safeguarding and Child Protection Policy (see Links to Other Policies). The policy has been prepared for the support of all staff, outside professionals and visitors who have contact with pupils within the school, to explain the school's arrangements for care and management.

## **Context**

Good personal and professional relationships between staff and pupils are vital to ensure well being and safety in school. It is recognised that the vast majority of pupils in our school respond positively to the discipline and positive behaviour management by staff. 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. Eden Primary acknowledges that physical techniques are only a small part of a whole setting approach to behaviour management.

## **Aims**

At Eden Primary we aim to ensure that all staff in this school:

- clearly understand this policy and their responsibilities in the context of their duty of care in taking appropriate measures where use of reasonable force is necessary
- can effectively identify the variety of situations in which reasonable force might be necessary
- are provided with appropriate training to deal with these difficult situations

## **Guidance**

The Department for Education Guidance on Use of Reasonable Force (2013) and the Education and Inspections Act (2006) stipulate that reasonable force may be used to prevent a pupil from doing, or continuing to do any of the following:

- hurting themselves or others
- damaging property
- causing disorder
- engaging in any behaviour prejudicial to the maintenance of good order and discipline at the school or among its pupils, whether during a teaching session or otherwise

The application of any form of physical intervention inevitably carries an attached risk of unintended harm and this places staff and the school at risk of potential litigation therefore it can only be justified according to the circumstances described in this policy. Consequently staff have a responsibility to follow this policy and to seek alternative strategies wherever possible in order to prevent the need for physical intervention. Failure to positively handle a pupil who is subsequently injured or injures another, could, in certain circumstances, lead to an accusation of negligence. At the same time, staff are not expected to place

themselves in situations where they are likely to suffer injury as a result of their intervention. This policy is intended to help staff feel more confident about using force when they think it is necessary.

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
- making judgements about when the use of reasonable force is necessary and the degree of force which may be regarded as necessary to manage a situation

### **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 Positive Strategies Plans (PSP) 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

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

At Eden Primary 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, for pupils who present with persistent challenging behaviours, the Head Teacher and Inclusion Lead work with the class teacher, in supporting and implementing the PSP to achieve the associated behaviour targets. Staff must follow the school's Managing Relationships and Behaviour Policy which has been written with this aim in mind.

Pupils who have issues relating to special education needs (SEN) or 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 the PSHE 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.

Prevention of unsafe behaviour will be supported through:

- The deployment of appropriately trained and competent staff
- Avoiding situations and triggers known to provoke challenging behaviour
- Creating opportunities for choice and achievement

- Exploring pupils' preferences relating to the way/s in which they are managed
- Staff employing 'diffusion' techniques to avert escalation of behaviour into violence or aggression

### **Reasonable Force and Positive Handling**

What constitutes 'reasonable force' and the judgement on whether and how to use it will always depend on the circumstances of the case. Positive handling should be applied as an act of care and control with the intention of re-establishing verbal control as soon as possible and, at the same time, allowing the pupil to regain self-control. It should never take a form which could be seen as a punishment. There are several relevant considerations:

1. The use of force can be regarded as reasonable only if the circumstances of the particular incident warrant it and must involve the minimum degree of force necessary for the shortest period of time to prevent a pupil harming themselves, others or property or causing disorder
2. The degree of force employed must be in proportion to the scale and nature of the incident and the consequences it is intended to prevent. Any force should be the minimum to achieve the desired result.
3. School staff are legally obliged to make reasonable adjustments for disabled children and children with special educational needs and disabilities (SEND). In this case staff would be expected to follow the pupil's PSP/Risk Assessment in the first instance to manage an incident/challenging behaviour. If this is unsuccessful and the situation continues to escalate, staff would then be expected to seek the help of other members of staff.

### **Types of Incidents where Positive Handling may be necessary**

Specific examples of when reasonable force may be used are set out in the Department for Education guidance on the Use of Reasonable Force (2013) and include to:

1. Remove disruptive children from the classroom where they have refused to follow an instruction to do so
2. Prevent a pupil behaving in a way that disrupts a school event or a school trip or visit
3. 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
4. Prevent a pupil from attacking a member of staff or another pupil, or to stop a fight in the playground
5. Restrain a pupil at risk of harming themselves through physical outbursts

### **Types of Positive Handling**

Positive Handling describes a broad spectrum of risk reduction strategies. It is a holistic approach involving policy, guidance, management of the environment, and deployment of staff. There are some forms of physical intervention, which may involve minimal physical contact, such as blocking a pupil's path or the staff member physically interposing him or herself between the pupil and another pupil or object. However, in some circumstances, direct physical contact may be necessary. In all circumstances other methods should be used if appropriate or effective positive handling should be a last resort.

#### **1. Minimal 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 may be used to block a pupil's path or when physically interposing between two pupils.

## **2. Physical Control / Restraint / Restrictive Physical Intervention**

This involves the use of reasonable force when there is an immediate risk to pupils, staff or property. In these situations it will be deemed necessary for physical intervention to be used where the child is not compliant. If anyone is injured an **accident/incident report must also be completed**. All such incidents must be recorded in CPOMS using the guidelines in Recording Incidents as soon as possible and by the end of the school day.

### **Guidelines when using Reasonable Force**

Staff should always try to deal with situations through other de-escalation strategies before using force. However, when physical intervention is deemed to be absolutely necessary, you must:

- Tell the pupil what you are doing and why
- Use the minimum force necessary
- Involve another member of staff if possible
- Tell the pupil what s/he must do for you to remove the restraint (this may need frequent repetition)
- Use simple and clear language
- Hold limbs above a major joint if possible e.g. above the elbow
- Relax your restraint in response to the pupil's compliance

You must not:

- Lose your temper (involve another staff member if you fear loss of control)
- Involve yourself in a prolonged verbal exchange with the pupil
- Attempt to reason with the pupil
- Involve other pupils in the restraint
- Touch or hold the pupil in sexually sensitive areas

In extreme circumstances, using more restrictive holds staff **should NOT** act in a way that might reasonably be expected to cause injury, for example by:

- Twisting or forcing limbs back against a joint
- Bending fingers
- Slapping, punching, kicking or tripping up the pupil
- Holding a pupil round the neck, or by the collar, or in any way that might restrict breathing or blood flow
- Holding or pulling a pupil by the ear or hair
- Holding a pupil face down on the ground.

In some circumstances, a member of staff might decide to seek additional adult help before intervening (unless it is an emergency) e.g. when dealing with a physically large or strong pupil, so as not to put themselves at risk of injury. In these cases:

1. The adult should remove other pupils who might be at risk and summon help from colleague(s) or the Police if necessary
2. Until help arrives the adult should continue to try to diffuse the situation by talking to the pupil and try to prevent the incident from escalating

### **Recovery and Restorative Practice**

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

- Quiet time taking part in a calming activity
- Quiet time away from the incident/trigger
- Resuming their usual routine/previous activity as soon as possible, especially for pupils with SEND
- Time with a member of staff to reflect on the incident through a restorative conversation

For any pupils directly or indirectly affected by another pupil's challenging behaviours, the above restorative practice will be implemented to support their emotional needs.

### **Risk assessments for persistent challenging behaviours**

#### 1. Planned Physical Intervention

Any such intervention is described/outlined in the pupil's PSP/Risk Assessment with Positive Handling Plan. This should cover most interventions, as possible scenarios will be identified and planned for when the PSP/Risk Assessment with Positive Handling Plan is drawn up.

#### 2. Emergency Physical Intervention

This may be necessary if a situation arises that was not foreseen or is uncharacteristic of the pupil. 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.

If we become aware that a pupil is more likely to behave in a way that may require the use of reasonable force, we will plan how to respond if the situation arises. Plans for individual children address the following:

- Management of the pupil ( e.g. proactive strategies to avoid conflict, reactive strategies to de-escalate a conflict)
- Involvement of parents/carers to agree a plan of action
- Informing all staff of action to take and procedures to adopt (this may identify a need for further training or guidance)
- Identification of additional support that may be needed if appropriate

### **Authorised Staff**

All teachers, staff and the Headteacher 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 DfE guidance on the Use of Reasonable Force (July 2013).

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

Under the Health and Safety at Work 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' PSP/Risk Assessments have a duty to report these to the Headteacher immediately, as there may be an impact on their own safety and that of colleagues and/or pupils. This information will be shared with other members of staff when necessary. Following the above guidelines, 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 an Accident Form and on cpoms where relevant.

### **Staff Training**

It is the responsibility of the Headteacher to ensure all staff understand the methods outlined in this policy. Annual updates and reviews will be undertaken. All members of staff will be expected to understand and implement the policy. Keeping all staff up to date is important as they are expected to be able to actively support each other, and pupils, if an incident occurs and a child needs physical intervention to keep themselves and/or others safe. However, if staff are unable to support physically they are expected to support with de-escalation.

### **Staff Support Following Incidents**

Any member of staff involved in or witnessing a serious incident involving the use of reasonable force, 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.

### **Injury to the Child**

Whilst the physical interventions are intended to reduce risk, there is always risk of injury where reasonable force is implemented. 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 and infrequent side effect of ensuring that the child remains safe. Any such injury will be reported to the Headteacher and parents/carer. In such situations First Aid will be implemented and further guidance sought in the event of an injury or physical distress arising as a result of a physical intervention.

### **Recording Incidents**

Where staff have been involved in an incident where reasonable force through physical intervention has been used, a written report must be made as soon as possible through CPOMS and the Headteacher must be alerted/informed. It is also helpful to consider the circumstances precipitating the incident to explore ways in which future incidents can be avoided.

The written report should include the following information:

1. The name(s) of the pupil(s) involved and when and where the incident took place
2. The names of any other staff who witnessed the incident
3. The reason force was necessary
4. How the incident began and progressed, including what the pupil did, what was said, steps taken to diffuse or calm the situation, the degree and nature of force used, how that was applied and

for how long, the pupil's response and the outcome of the incident using the ABC model (antecedent, behaviour, consequence)

5. Details of any injury suffered by the child, another pupil, any member(s) of staff and any damage to property.

Parents are always informed about serious incidents of this nature. This may be immediately following the incident or at the end of the school day, depending on the circumstances, and may be orally and/or in writing.

### **Monitoring Incidents**

Monitoring of incidents will help to ensure that staff are following the correct procedures. The Headteacher 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, for example through review of:

- Risk Assessment with Positive Handling Plan
- PSP
- SEN Individual Support Plan (ISP)

### **Whistle Blowing**

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 Headteacher.

### **Equal Opportunities**

Eden Primary celebrates diversity and encourages inclusion. Equal access to the curriculum is given to all children regardless of ability, gender, culture, religion or ethnic origin. Eden Primary complies with its duties under the Equality Act (2010) and all staff will have due regard to the need to eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the abovementioned Act. Health and Safety remains a priority and staff should carry out risk assessments for pupils where there is an identified risk of possible incidents requiring the use of reasonable force, prior to each visit into the community or outside the school premises.

### **Links to other policy documents**

This policy should be read in conjunction with the following documents:

- Department for Education Guidance, Use of reasonable force: Advice for headteachers, staff and governing bodies July 2013
- Education and Inspections Act (2006)
- Managing Relationships and Behaviour Policy
- Intimate Care Policy
- Safeguarding and Child Protection Policy

### **Complaints**



A clear positive handling policy, adhered to by all staff and shared with parents, should help to avoid complaints from parents. It is unlikely to prevent all complaints, however, and a dispute about the use of force by a member of staff might lead to an investigation, either under disciplinary procedures or by the Police and social services department under child protection procedures. It is our intention to inform all staff, pupils, parents and governors about these procedures and the context in which they apply.

**Staff responsible**

Jo Sassienie – Headteacher - Designated Safeguarding Lead (DSL)

Helen Graff - Deputy Headteacher (Deputy Designated Safeguarding Lead (DDSL)

Deniz Ozturk - School Business Manager (Deputy Designated Safeguarding Lead (DDSL)

Susie Yaffe – Inclusion Lead (Deputy Designated Safeguarding Lead (DDSL)

A copy of this guidance is available to all staff and parents and is published on the school website. Parents will be made aware of this policy when their child is admitted to this school. This policy is reviewed every three years by the Governors' Safeguarding Committee.

**Appendix A – Positive Handling Plan**

Child's name:		Date of Plan:		Review Date:	
What does the behaviour look like?					
Stage 1: Anxiety behaviours		Stage 2: Defensive behaviours		Stage 3: Crisis behaviours	
What are common triggers?					
De-escalation skills					
Skill	Try?	Avoid?	Notes		
Verbal advice and support					
Giving space					
Reassurance					
Controlled Choices					
Humour					
Logical consequences					
Planned ignoring					
Time-out					
Remove audience					
Transfer adult					
Success reminder					
Supportive touch					
Other					
Diversions and distractions					
Any medical conditions to be taken into account before using Physical Intervention?					
De-escalation skills/physical interventions					
Techniques and staff trained to implement					
Technique	Try?	Avoid?	Notes		
Friendly escort					
Caring c guide					
Single elbow					
Double elbow					
Other					

For all staff - ensure that you have read the linked Positive Handling Policy and noted the details for use of reasonable force:

4. The use of force can be regarded as reasonable only if the circumstances of the particular incident warrant it and must involve the minimum degree of force necessary for the shortest period of time to prevent a pupil harming themselves, others or property or causing disorder
5. The degree of force employed must be in proportion to the scale and nature of the incident and the consequences it is intended to prevent. Any force should be the minimum to achieve the desired result.
6. School staff are legally obliged to make reasonable adjustments for disabled children and children with special educational needs and disabilities (SEND). In this case staff would be expected to follow the pupil's PSP/Risk Assessment in the first instance to manage an incident/challenging behaviour. If this is unsuccessful and the situation continues to escalate, staff would then be expected to seek the help of other members of staff.

#### Logging incidents

Ensure that any use of physical interventions under reasonable force are logged immediately in CPOMS. The written report should include the following information:

6. The name(s) of the pupil(s) involved and when and where the incident took place
7. The names of any other staff who witnessed the incident
8. The reason force was necessary
9. How the incident began and progressed, including what the pupil did, what was said, steps taken to diffuse or calm the situation, the degree and nature of force used, how that was applied and for how long, the pupil's response and the outcome of the incident using the ABC model (antecedent, behaviour, consequence)
10. Details of any injury suffered by the child, another pupil, any member(s) of staff and any damage to property.