

Positive Handling Policy

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1. Our Vision Statement Introduction

Within Futura Learning Partnership (the trust) there are children with challenging behaviour that can necessitate the use of restrictive physical intervention to prevent injury to themselves, staff and pupils, damage to property, or the breakdown of a safe and enjoyable learning environment. The aim of positive handling is not punishment or control but to support safe learning for everyone.

The policy has been written to support all staff who come into contact with pupils and for volunteers working within the school to explain the school's arrangements for positive handling and a proactive approach. The policy is available to parents on request and on the school's website.

2. Values and Principles

Everybody in the school community:

- has the right to feel safe, secure and cared for
- has the right to access to appropriate support to manage their emotions and their behaviour
- should be provided with a framework so that all staff who come into contact with pupils are clear about their roles and responsibilities within the context of positive handling
- should be provided with information and guidance to support the school's Child Protection, Safeguarding and Behaviour Policies.

Staff have a responsibility to follow this 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/ de-escalation strategies have failed or when pupils, staff or property are at risk. Assessing and managing risk is an important step in prevention and reducing escalation.

Unless an unplanned emergency, positive handling should only be carried out by trained staff using appropriate procedures and relating to the pupil's Positive Handling Plan (PHP) or behaviour plan.

In the case of an unplanned emergency restrictive physical intervention may become necessary when a child or young person behaves in an unexpected way, the child or young person may not have a behaviour plan/PHP and trained staff may not be on hand. The duty of care still remains if appropriately trained staff are not on hand to assist the child or young person. The response must be reasonable, proportionate and necessary and use the minimum amount of force necessary to prevent injury and maintain safety, consistent with the circumstances and with any training the staff may have received.

3. Relationship to Other Policies

This policy should be read in conjunction with the trust Child Protection Policy and the school Behaviour Policy.

4. Relevant legislation

The use of all forms of physical intervention and physical contact are governed by the criminal and civil law. The unwarranted or inappropriate use of force may constitute an assault. In addition, it may infringe the human rights of a child or young person.

Section 93 of the Education and Inspections Act 2006 enables school staff to use reasonable force to prevent a pupil from: -

- committing a criminal offence
- causing personal injury or damage to a property;
- prejudicing the maintenance of good order and discipline at the school or among the pupils, whether during a teaching session or otherwise.

As included in the DFE 2010 guidance on 'The use of force to control or restrain pupils' seclusion should only be considered in exceptional circumstances and it is an offence to lock a person in a room without a court order. Therefore, at no time should the door be locked as to do so is unlawful and can amount to the false imprisonment of a pupil.

'Restrictive intervention should only be used when absolutely necessary, in accordance with the law and clear ethical values and principles which respect the rights and dignity of children and young people, and in proportion to the risks involved, it can never be a long term solution' (Reducing the need for restraint and restrictive intervention, June 2019, Guidance for Health and Social Care Services and Special Education Settings).

5. Government Advice Informing this Policy

Behaviour and discipline in schools: Advice for Headteachers and school staff (January 2016)

5.1 The use of withdrawal rooms/spaces

Schools can adopt a policy which allows disruptive pupils to be placed in an area away from other pupils for a limited period, in what is often referred to as a withdrawal room. If a school uses withdrawal rooms as a disciplinary penalty this should be made clear in their Behaviour Policy.

The school must also ensure the health and safety of pupils and any requirements in relation to safeguarding and pupil welfare. Pupils should never be locked in a withdrawal room and be unable to leave at any time. Ideally someone should be in the room with them. Schools should also allow pupils time to eat or use the toilet.

The use of quiet rooms/safe spaces is included in the school Behaviour Policy.

Frequency and duration of their use is monitored.

5.2 Use of Reasonable Force: Advice for Head teachers, staff and governing bodies (July 2013)

- The term 'reasonable force' covers the broad range of actions used by most teachers at some point in their career that involve a degree of physical contact with pupils.
- Force is usually used either to control or restrain. This can range from guiding a pupil to safety by the arm, through to more extreme circumstances where a pupil needs to be restrained to prevent violence or injury.
- 'Reasonable in the circumstances' means using no more force than is needed.
- Control means either passive physical contact, such as standing between pupils or blocking a pupil's path, or active physical contact such as leading a pupil by the arm out of a classroom.
- Restraint means to hold back physically or to bring a pupil under control.
- School staff should 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.

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 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.
- stop a pupil behaving in a way that is seriously disrupting a lesson, causing distress to the pupils and/or a breakdown of order

Schools cannot use force as a punishment – it is always unlawful to use force as a punishment.

5.3 De-escalation

Physical intervention should only be used as a last resort and where other behaviour management and de-escalation strategies have been unsuccessful. These are detailed in the Behaviour Policy.

Dependant on the incident, it may be necessary to employ some of the strategies below. This list is not exhaustive and for each incident the most appropriate course of action should be considered.

- Use a calm voice to try and de-escalate the individual

- Communicate – “talk and I’ll listen
- Be empathic and avoid judgements
- Use appropriate humour
- Divert and distract by introducing another topic
- Respect personal space
- Use non-threatening, calm body language
- Offer alternatives and options
- Remove the rest of the class if a child is challenging the safety of others
- Send for an additional adult if alone (through school's system)
- Ensure two adults are present throughout
- Change of face – try a different member of staff to de-escalate
- Make the environment safe
- If possible, encourage child to 'calm room'

5.4 Staff Training

- We train staff in legal requirements and general advice on managing behaviour. Where appropriate.
- De-escalation training is seen as important to minimise the need for physical intervention.
- Staff have a duty to inform the Senior Leadership team of any injuries which affect their ability to handle children.
- Training should be made available to staff where appropriate and according to need.
- No member of staff will be expected to undertake the use of reasonable force without appropriate training.
- Physical techniques are only a part of a whole setting approach to behaviour management.

5.5 Recording & Reporting

- Where physical control or restraint has been used a record of the incident will be kept. If there is a serious incident involving a pupil, not involving physical intervention, it must also be recorded.
- The incident must be recorded in CPOMS and needs to be completed **as soon as possible after the incident**, prior to staff going off duty.
- Parents will be informed by telephone, email or in the Home School Book.
- Phone calls need to be logged on CPOMS

- A Health and Safety Accident/Incident Form will be completed and returned to the Authority in situations where injury has occurred to either members of staff or pupils.
- Staff and children will be given basic first aid treatment for any injuries that require treatment. Where staff and pupils have been involved in an incident involving reasonable force, they should have access to emotional support. This can be provided by other members of staff or if an exceptionally serious incident occurs then a referral to Occupational Health may be necessary. Debriefing must take place as soon as possible after the incident has been dealt with.
- Any injuries must be recorded in the school accident book. Teaching Assistants and support staff can seek guidance from the class teacher on this. Class teachers are responsible for supporting supply staff that sustain injuries. All injuries must also be recorded.
- If a member of staff needs hospital or GP attention following an incident with a pupil at work an HSW3 form will be completed.

5.6 Action after an Incident

The school will ensure that each incident is reviewed and investigated further as required. It is the role of the school leadership team to support staff who work with pupils with challenging behaviour and provide support and de-brief after any incident. If further action is required in relation to a member of staff or a pupil, this will be pursued through the appropriate procedures:

- Review of Behaviour Plan
- Child Protection Procedure (this may involve investigations by Police and/or Social Services)
- Staff or Pupil Disciplinary Procedures
- School Behaviour Policy
- Fixed Term Exclusions Procedure
- Risk assessment if necessary
- 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.

5.7 If a pupil complains when force is used on them

All complaints about the use of force will be investigated.

Where a member of staff has acted correctly and within the law, that is, they have used reasonable force in order to prevent injury, damage to property or disorder, this will support the actions taken and could provide a defence to any criminal prosecution or other civil or public law action that may take place.

It is therefore critical that staff record all incidents and the actions they have taken.

Any complaints about staff will be investigated through the School's Complaints Policy and if necessary be referred to the Staff Disciplinary Procedures and/or Child Protection Procedures.

If staff are affected by a complaint they can access the trust support packages through the MyBenefits platform.