Eastcroft Park Primary School

Positive Handling Policy

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Introduction

The policy has been developed in response to The Education and Inspections Act 2006 section 93, which reinforces and replaces previous guidance. It also takes cognisance of joint guidance issued by the DfES and Department of Health, and follows the guidance for 'The Use of Reasonable Force to Control or Restrain Pupils'.

The policy should be read in conjunction with other school policies and guidance relating to interaction between adults and pupils.

The policy has been prepared for the support of all teaching and support staff, who come into contact with pupils and for volunteers working within the school to explain the school's arrangements for care and control. Its contents are available to parents and pupils. A statement about the School's Behaviour Policy is made to parents on the school website. This statement includes information on the use of reasonable force to control or restrain pupils.

Objectives

Good personal and professional relationships between staff and pupils are vital to ensure good order in school. It is recognised that the majority of pupils in our school respond positively to the school's 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.

Every effort will be made to ensure that all staff in this school:

(i) Clearly understand this policy and their responsibilities in the context of their duty of care in taking appropriate measures where use of force is necessary and

(ii) Are provided with appropriate training to deal with these difficult situations.

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

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 judgements 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 IEPs 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 Eastcroft Park Primary School:

• 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 IEP / Risk Assessment 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 seek the help of other members of staff.
• 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 a 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, plans are 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 Eastcroft Park Primary School we constantly strive to create a calm environment that minimises the risk of incidents arising that might require the use of force.

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 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.

Reasonable force will only be used when the risks involved in doing so, are outweighed by the risks involved in not using force.

Prevention of unsafe behaviour will be enabled through:

• The deployment of appropriate staffing numbers;
• 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 employ 'defusion' techniques to avert escalation of behaviour into violence or aggression

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 occur 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. If anyone is injured an accident/incident report must also be completed. Records of incidents must be given to the 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/RPI. Restraint is defined 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 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 (NB this will only apply if a pupil could be at risk if not kept in the classroom or at school).

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.

The Violent Crime Reduction Act 2006 effective from September 2007, gives schools powers to screen or search pupils for weapons. At Eastcroft Park Primary School it is extremely unlikely that pupils would conceal weapons and therefore staff have not received training in weapons disarmament. Staff will not be requested to undertake searches. As the power to search should only be used where it is judged to be safe, if the school decides that a search may be necessary then the police would be called.

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

Which 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 "quiet time" can be negotiated between the child and staff involved.

Planned Physical Intervention

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

Emergency Physical Intervention

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 another member of staff.

Positive Handling at Eastcroft Park Primary School (defined as the full range of strategies used to manage behaviour including where necessary physical intervention) is seen as a 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.

Recovery

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 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. We will always seek 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 and infrequent side effect of ensuring that the child remains safe. Any such injury will be reported to the Headteacher and parents / carer.
Staff who are trained in First Aid 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.

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 subsequent guidance 'The Use of Reasonable Force to Control and Restrain Pupils'.
Supply staff must ensure that they are familiar with this school's policy.

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 will be supervised at all times.

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 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. 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.

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. Any new member of staff will be asked to demonstrate their understanding of the policy as part of their induction training.
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 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 Eastcroft Park Primary School 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 Headteacher.

Recording and Monitoring Incidents

Recording

Where physical control or restraint has been used, a record of the incident will be kept. This record should be kept in the Safeguarding file located in the Headteacher's office. 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 Headteacher. After the review of the incident, a copy of the details will be kept.

Monitoring

Monitoring of incidents will help to ensure that staff are following the correct procedures and will alert the Headteacher 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 Headteacher will present an annual summary of incidents that have involved the use of force to the Governing Body.

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:

- Review of Personal Plan/Risk Assessment

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, suitably 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?

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, or with the Chair of Governors, in order to allow concerns to be addressed and practice improved. The following documents will be taken into consideration:

- Child Protection Procedure (this may involve investigations by Police and/or Social Services)
- Staff or Pupil Disciplinary Procedure
- School Behaviour Policy

• 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 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 that an allegation of mishandling by a member staff is warranted, 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 received from the LA Designated Officer.