Positive Handling Policy

Sir John Heron Primary School

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1 The Legal Framework

Positive handling should be used only in emergency situations and only as a last resort, with the aims of: preventing actual or imminent physical harm to self or others; preventing serious damage to property; or effecting a lawful protective action.

The following laws govern the use of reasonable force:

- Common Law
- Section 3(1) of the Criminal Law Act 1967
- Section 76 of the Criminal Justice and Immigration Act 2008
- Department for Education Guidance: *Use of Reasonable Force (2013, updated 2019)*

The law states that any person may use such force as is *reasonable* in the circumstances in preventing a crime or in effecting or assisting in the lawful arrest of offenders or to protect a pupil from harm.

Positive handling differs from force used in self-defense by way of its applied intention. For example, defensive force used to protect oneself from a serious and imminent assault will be a reactive response, whereas positive handling, especially if used to fulfill the requirements of an employees' job description (i.e. responding to a call for assistance from a colleague) can be considered a pro-active use of a forced option.

(Examples of possible situations are given in Appendix 1)

2 Definition of Positive Handling at Sir John Heron Primary School

Positive handling is the positive, planned application of reasonable force to overcome a pupil's resistance in order to prevent harm. It is used for three specific purposes:

1. Preventing a physical assault or threatened assault on self or others
2. Preventing a pupil from running into danger or absconding where safety is compromised
3. Preventing serious damage to property

2:1 General Policy Aims

Staff at Sir John Heron Primary School recognise that the use of reasonable force is only one of the last in a range of strategies available to secure pupil safety / well-being and also to maintain good order and discipline. This policy should be read alongside the Behaviour Policy, Child Protection Policy, and SEND Policy.

2:2 Specific Aims of the Positive Handling Policy

To protect every person in the school community from harm.

To protect all pupils against any form of physical intervention which is unnecessary, inappropriate, excessive or harmful.

To provide adequate information and training for staff so that they are clear as to what constitutes appropriate behaviour and to deal effectively with violent or potentially violent situations.

To ensure that interventions take into account the individual needs of pupils, especially those with SEND or complex communication, sensory, or physical needs.

3. Why Use Positive Handling?

Positive handling should avert danger by preventing or deflecting a child's action or perhaps by removing a physical object, which could be used to harm him / herself or others. It is likely to be needed only when a pupil is unable to exercise self-control over their emotions and behaviour.

It is not possible to define every circumstance in which positive handling would be necessary or appropriate and staff will have to exercise their own judgement in situations which arise within the above categories. Staff should always act within the School's policy on behaviour and discipline, particularly in dealing with disruptive behaviour and use all de-escalation strategies before considering positive handling. Staff should be aware that when they are in charge of children during the school day, or during other supervised activities, they are acting in *loco parentis* and should, therefore, take reasonable action to ensure pupils' safety and wellbeing.

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.

3.1 Risk Assessment of Children's Behaviour

Risk Assessment of Children's Behaviour

Staff must understand that risk can only ever be reduced, not fully removed. All planning and recording should reflect the following three-stage model:

Example

Stage one is to identify what is an inherent risk, i.e. a child running from class if dysregulated (if that has occurred before).

Stage two, identifying how to moderate that risk such as through an individual plan for the pupil (e.g. identifying the cause, such as frustration at not understanding the work).

Stage three is to identify the residual risk, e.g. the risk which remains after the moderating plan has been implemented.

It is essential that all planning is proportionate to the risk identified. If there is any doubt as to proportionality, staff may seek additional advice from the Educational Psychologist, Occupational Therapist, or SENDCo.

Behaviour Causing Concern	Target of Behaviour	Likelihood of Behaviour	Seriousness of Behaviour
Swearing			
Verbal			
Kicking			
Hitting			
Biting			
Damaging			
Running Off			
Refusing to move			
Fighting			
Other – be specific			

Target of Behaviour: Who is it directed towards (self, other pupils, staff, property etc).

Likelihood of Behaviour:

V – very likely Evidence suggests more likely than not to occur.

L – likely There is a possibility that the behaviour will occur again.

U – unlikely The context has changed or can be changed to make it unlikely to happen again.

Seriousness of Behaviour:

A – Behaviour would cause physical injury – beyond first aid, serious distress, extensive damage, prolonged disruption.

B – Injury requiring first aid, minor damage to property, some distress to self/others, brief disruption to normal school routines.

C – No physical injury or damage to property; minor distress or disruption. Service Children's Education –

Environmental changes which may reduce likelihood of behaviour.

Preventative Measures	In Place	Action by whom	Appropriateness to be recorded
Appropriateness to be recorded			
Seating/position in classroom.			
Curriculum activities appropriately structured and supported.			
Opportunity to have timeout to calm down.			
Pupil involved in planning and review.			
Parents/Carers involved in planning and review.			
Individual Education Plan in place.			
Opportunities to learn new social/emotional skills.			

Regular feedback about positive behaviour.			
Alternative activities available at break.			
Pupil escorted at transition times.			
Communicative function of behaviour understood. Opportunities to teach new skills.			
Structured transition plans			
Visual schedules and predictable routine\			
Access to sensory regulation equipment			
Alternative workspaces or quiet area			
Communication supports (e.g., coreboards, symbols, AAC)			
Other – be specific			

Reactive Strategies

Identify responsive strategies which can be used in response to early warning signs or an escalating situation.

Early warning signs for this pupil are:

Reactive Strategy	In Place	Action by whom	Appropriateness to be recorded
Removal of trigger.			
Distraction.			
Calming time.			
Take up time.			
Give physical space.			
Verbal support.			
Use calm voice.			
Redirection.			
Physical intervention.			
Other – be specific Service			

Risk Assessment Summary

Challenging behaviour risk assessment summary for:	Completed by:	Completed on:

	Seriousness (A, B or C)	Key preventative strategies (i.e. moderating action)	Key reactive strategies and residual risk remaining

Signed: Name: Role: Date:

End of Assessment

3.2 Alternative Strategies

There are some situations in which the need for positive handling is immediate and where there are no equally effective alternatives (e.g. is a pupil is about to run across a road). However, in many circumstances there are alternatives e.g. use of assertiveness skills such as:

- the *broken record* in which an instruction is repeated until the pupil complies
- use of a distracter, such as a loud whistle, to interrupt the behaviour (such as a fight) long enough for other methods of verbal control to be effective
- withdrawal of attention (audience) e.g. if an action such as damage to property is threatened
- labelling and validating the child's emotions and separating these from the unwanted behaviour
- other techniques designed to defuse the situation, such as the avoidance of confrontation, or use of humour (in these cases the incident can be dealt with later when emotions are no longer running high)
- the employment of other sanctions consistent with the School's policy on behaviour.

3.3 Use of Positive Handling

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.

Trained staff are only authorised to use reasonable force in applying positive handling. Reasonable force is based on two primary issues; that any force applied must be both necessary and proportionate in the circumstances if it is to be considered as necessary, although there is no absolute definition of this, as what constitutes reasonable force depends upon the particular situation and the pupil to whom it is being applied. However, as a general rule, only the force necessary to stop or prevent the behaviour should be used, in accordance with the guidelines below.

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. When positive handling becomes necessary:

DO

- Call another member of staff for support
- Tell the pupil what you are doing and why
- Use the minimum force necessary
- Tell the pupil what s/he must do for you to remove the restraint (this may
- need frequent repetition)
- Use simple and clear language
- Follow the non-harmful/ least intrusive/ restrictive methods of control demonstrated on the School Safety Training course (chapter 6 of handout)
- Relax your restraint in response to the pupil's compliance

DON'T

- Use a 'pressure' hold i.e. where the wrist and elbow are pushed towards each other- this is extremely dangerous and can cause immense pain
- Slap, punch, kick or trip up the pupil
- Act in 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 a pupil who is not in the frame of mind where they are able to engage in a discussion
- Involve other pupils in the restraint
- Touch or hold the pupil in sexual areas
- Twist or force limbs back against a joint
- Bend fingers or pull hair
- Hold the pupil in a way which will restrict blood flow or breathing e.g. around the neck

3.4 Actions to take after an incident

Positive handling often occurs in response to highly charged emotional situations and there is a clear need for debriefing after the incident, both for the staff involved and the pupil. **A member of the leadership team should be informed of any incident as soon as possible** and will take responsibility for making arrangements for debriefing once the situation has stabilised. An appropriate member of the teaching staff should always be involved in debriefing the pupil involved and any victims of the incident should be offered support, and their parents/carers informed.

If the behaviour is part of an ongoing pattern it may be necessary to address the situation through the development of a Behavioural Support Plan, which may include an intervention or programme, or other strategies agreed by the SENCO. This plan must be shared with parents/carers.

It is also helpful to consider the circumstances precipitating the incident to explore ways in which future incidents can be avoided.

All incidents should be recorded immediately. All sections of this report should be completed so that in the event of any future complaint a full record is available. A member of the leadership team will contact parents/carers

As soon as possible after an incident, normally on the same day and within 24 hours, to inform a member of SLT of the actions that were taken and why, and to provide them with an opportunity to discuss it.

4 Risk Assessments

If we become aware that a pupil is likely to behave in a disruptive way that may require the use of reasonable force, we will plan how to respond if the situation arises. Such planning will address:

- Management of the pupil (e.g. reactive strategies to de-escalate a conflict, holds to be used if necessary)
- Involvement of parents/carers to ensure that they are clear about the specific action the school might need to take
- Briefing of staff to ensure they know exactly what action they should be taking (this may identify a need for training or guidance)
- Identification of additional support that can be summoned if appropriate

5 Complaints

A clear positive handling policy, adhered to by all staff and shared with parents/carers via the website, should help to avoid complaints from parents/carers. 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/carers and governors about these procedures and the context in which they apply.

We will review this policy on a biennial basis.

Appendix 1

When might it be appropriate to use reasonable force?

Examples of situations that may require restraint are when:

- a pupil attacks a member of staff, or another pupil
- pupils fighting
- a pupil is causing, or at risk of causing, injury or damage by accident, by rough play, or by misuse of dangerous materials, substances or objects
- a pupil is running in a corridor or on a stairway in a way in which he/she might have or cause an accident likely to injure her/himself or others
- a pupil absconding from a class or trying to leave school (NB this will only apply if a pupil could be at risk if not kept in the classroom or at school)
- a pupil persistently refuses to obey an order to leave an area
- a pupil behaves in such a way that seriously disrupts a lesson
- a pupil is lying across a doorway or in another place that may cause them or another injury

Recording and Reporting

All incidents of Restrictive Physical Intervention must be recorded as quickly as possible and in any event within 24 hours of the incident in a way acceptable to the regulatory authority. Incidents are recorded on the school's Safeguarding register which is saved on Google Drive and accessible by the SENDCo.

The Head teacher or a person acting on his or her behalf must be informed at the earliest opportunity. Parents/carers should also be contacted as soon as practicable.

As a minimum the written record should include:

• The names of the staff and children or young people involved

• The date, time and duration of the intervention

• The reason for using a physical intervention, rather than using an alternative strategy

• The nature of any de-escalation used seeking to prevent the need to intervene physically
• The type of physical intervention used
• Whether or not anyone was hurt and, if so, the action taken
• Whether or not anyone was distressed and, if so, the action taken
• The views of the child or young person.

Recording Restrictive Physical Interventions serves several purposes, including:

• Compliance with statutory requirements
• Monitoring the welfare of children and young people
• Monitoring staff performance
• Identifying training needs
• Contributing to service audits and evaluations
• Details of how and when the incident was reported to parents / carers
• Following up and de-briefing

Incident Reporting

As soon as possible after the incident the member of staff should be de-briefed by an appropriate manager-This should be done by the Headteacher, the Senco or another member of the senior leadership team. The de-brief should allow for reflection and the relevant manager should be prepared to deal with the emotions raised by the incident. The de-brief enables learning to take place and contributes towards professional development.
The response of the child or young person should be sought and he or she should also be allowed to reflect on the incident. The risk assessment should be reviewed.

Monitoring
Monitoring depends on good recording of episodes of Restrictive Physical intervention and the use of a database may be advisable. Senior managers should monitor episodes of Restrictive Physical Intervention both individually and by establishment. However narrative records will always be important for monitoring practice.

In schools, responsibility for monitoring the use of Restrictive Physical Interventions lies with the Head Teacher who should provide an overview report at least annually of the incidence and management of Restrictive Physical intervention in the school to the Governing Body. In turn, the Governing Body, should also be aware of its duties to safeguard children and young people and should pay due regard to the Local Safeguarding Children Board's policies and procedures.
Monitoring serves two purposes. At the individual level it allows for improved practice with the individual young person, whilst at the strategic level it has the potential to influence policy and practice.