

PERRYFIELDS PRIMARY PRU



POSITIVE HANDLING POLICY

Review Date	Developed and Reviewed Date	Reviewer (Who?)	Approved By Name and Date
March 2023	February 2023	Chair of Education Sub Committee SLT	Management Committee 28.03.2023
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Minutes Reference	28.03.2023
Signature of Chair	

1. Introduction

The policy has been developed in response to The Education and Inspections Act 2006 section 93, which reinforces, supersedes and replaces previous guidance. It also takes joint guidance issued by the DfE 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 such as the SEN. Safeguarding Policy and Relationships and Behaviour Policy.

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.

2. Statement of intent

Perryfields Primary PRU believes that it is important to establish a safe, secure and stable environment to enable pupils to grow, develop and learn. To achieve this, the school recognises that, in certain circumstances, physical intervention, including safe touch and the use of reasonable force, is necessary.

The school understands that behaviour is often a means of communication which may signal that a pupil is in need of support but does not know how to express this; therefore, the school takes a proactive approach to anticipating, managing and minimising potential triggers of distressed behaviour that may cause harm.

This policy acknowledges that situations may arise in which staff members will be required to use physical intervention, and in some cases reasonable force, in order to handle pupils' emotions or aggressive behaviour when other measures have failed to do so.

The aim of this policy is to ensure that physical intervention is used in a correct and safe manner, which is in accordance with the relevant legislation and national guidance.

3. Legal framework

This policy has due regard to all relevant legislation including, but not limited to, the following:

- Education Act 2011
- Children Act 1989
- Equality Act 2010

This policy has due regard to the following guidance:

- DfE (2013) 'Use of reasonable force in schools'
- DfE (2018) 'Working Together to Safeguard Children'
- DfE (2022) 'Keeping children safe in education 2022'

- HM Government (2019) 'Reducing the Need for Restraint and Restrictive Intervention'

This policy operates in conjunction with the following school policies:

- Behaviour and Relationships Policy
- Allegations of Abuse Against Staff Policy
- Special Educational Needs and Disabilities (SEND) Policy
- Disciplinary Policy and Procedures
- Complaints Procedures Policy
- Staff Code of Conduct
- Low-level Concerns Policy
- Child Protection and Safeguarding Policy

4. Roles and responsibilities

The Management Committee is responsible for:

- Monitoring the overall implementation of this policy.
- Notifying the headteacher that the Behaviour and Relationships Policy should include the power to use reasonable force.
- Evaluating on an annual basis instances of physical intervention to analyse how and when reasonable force is used and identify any trends.
- Reviewing this policy on a bi-annual basis.
- Responding to any complaints, in liaison with the headteacher, from pupils or parents regarding the use of reasonable force.

The headteacher is responsible for:

- Deciding whether members of staff require additional training to enable them to carry out their responsibilities, considering the needs of pupils.
- Ensuring all members of staff understand the correct conduct in terms of positive handling.
- Handling any allegations of abuse in line with the Allegations of Abuse Against Staff Policy.
- Maintaining the records of the use of reasonable force and evaluating on a termly basis how reasonable force and physical intervention is used.
- Ensuring that any member of staff who uses reasonable force completes the Bound and Numbered Book.
- Ensuring that the Behaviour Policy sets out the circumstances in which force might be used.
- Responding to any complaints, in liaison with the governing board, from pupils or parents regarding the use of reasonable force.

The SENCO is responsible for:

- Providing training to members of staff on how to handle the needs of pupils with SEND.
- Ensuring staff understand how pupils with SEND may react differently to reasonable force.
- Ensuring that staff understand the additional vulnerability of pupils with SEND or medical conditions.
- Developing individual risk assessments for pupils with SEND or medical conditions that are agreed with the pupil's parents, and ensuring teaching staff are aware of these.
- Ensuring that staff understand how reasonable force principles may need to be adapted for pupils with medical conditions.
- Evaluating on a termly basis how reasonable force and physical intervention is used with regard to pupils with SEND, in collaboration with the headteacher.

The DSL is responsible for:

- Providing staff with annual reasonable force training where the headteacher deems it necessary.
- Ensuring all members of staff use reasonable force in accordance with this policy.
- Reviewing this policy in liaison with the headteacher and Management Committee.

5. Definitions of Use of Reasonable Force/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.

6. 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 EHCPs 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.

7. Objectives

Outstanding personal and professional relationships between staff and pupils are vital to ensure good order in our school. This ensures the well-being and safety of all pupils and staff in school. It also acknowledges that in exceptional circumstances, staff may need to take action in situations where the use of reasonable, proportionate and necessary force may be required. Perryfields acknowledges that physical techniques are only a small part of a whole setting approach to behaviour management. 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
- (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 use of Team Teach techniques is one of our control methods for reducing risks presented by children's challenging behaviour. 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:

1. assessing risks (dynamic risk assessment) related to individual circumstances which may arise in the course of their day-to-day duties and
2. 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.
3. justifying their decisions in writing through the recording and reporting procedures outlined later in this document.

8. Minimising the Need to Use Force

At Perryfields 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, pupils who present with persistent challenging behaviour are given additional support. 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, will have individualised support or programmes to help them to manage this.

Through the broad and balanced 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. All staff are trained in skills to help them to defuse situations before behaviour becomes challenging and how to de-escalate incidents should they arise. 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;
- Developing staff expertise through a programme of Continuous Professional Development;
- 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
- Regularly reviewed risk reduction plans in place for each pupil

9. Use of Physical Handling

No legal definition of reasonable force exists however for the purpose of this policy and the implementation of it in Perryfields:

- 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 / EHCP/ Risk Reduction Plan 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 employ other Team Teach techniques that they have been trained in.
- 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;

- gender
- level of physical, emotional and intellectual developments
- 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.

1. Physical Contact Situations - in which proper physical contact occurs 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 holding a child's hand 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 in the Bound and Numbered book. 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.

Restraint is defined by Team Teach as the positive application of force by staff, in order to overcome rigorous resistance, completely directing, deciding and controlling a person's free movement.

10. 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, significant deliberate damage or vandalism to property
- 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 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.

11. Other Positive Handling strategies include:

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: This 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” shall be negotiated between the child and staff involved.

12. After the use of a restrictive physical intervention

After the use of an unplanned restrictive physical intervention, the following steps will be taken:

- Details of the incident will be recorded by all adults involved immediately in the Bound and Numbered book.
- Recording will be completed by the end of the same day whenever possible. Staff will be offered the opportunity to seek advice from a member of the SLT when compiling their report.
- Any injuries suffered by those involved will be recorded following normal school procedures.
- The Headteacher will check that there is no cause for concern regarding the actions of adults involved. If it is felt that an action has ‘caused or put a child at risk of significant harm’ the Headteacher will follow the school’s child protection procedures and also inform parents/carers.
- Parents/carers will be informed by senior staff on the day of the incident. Parents/carers will be offered the opportunity to discuss any concerns that they may have regarding an incident.
- Support/debriefing will be available for adults and pupils who have been involved in any incident involving restrictive physical interventions.

13. 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’ and guidance from the DFE April 2012. Supply staff must ensure that they are familiar with this school’s policy.

Through the provision of Team Teach 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, in the accident book. 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.

14. 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.

15. Staff Training

It is the responsibility of the Headteacher to ensure that Team Teach training in the use of positive handling is available to staff and is kept up to date. The school provides training for all authorised staff and the Headteacher retains a list of all those staff trained. No member of staff will be expected to use Team Teach techniques without appropriate training. Prior to the provision of training, guidance will be given on action to be taken.

Arrangements will be made clear as part of the induction of staff and training will be provided as part of on-going staff development. This level of training is required for most staff 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.

16. 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. When recording an incident, staff should complete the bound and numbered book that is located in the Headteachers office.