

# Positive Handling Policy



Learning to make the world a better place"

<b>Reviewed</b>	<b>Spring 2016</b>
<b>Next Review</b>	<b>Autumn 2017</b>

## **Positive Handling Policy**

### **Aims**

At St John's Angell Town Primary School our aim is to provide a welcoming, secure and safe environment.

The aims of this policy are that all staff, parent helpers parents/carers, governors and, where appropriate, children understand clearly the options and strategies for restraining children safely.

### **Guidance**

This policy should be read in conjunction with the guidance issued from time to time by the DFE. The school follows the principles and recommendations set out in this guidance.

### **Pupil behaviour policies**

This policy should also be read in conjunction with the school's pupil behaviour policies. The school aims to create an environment in which the use of force in relation to a pupil is unlikely. The Headteacher will put strategies in place so all staff are aware of how to de-escalate serious incidents and ensure that individual plans are in place for pupils whose behaviour could give rise to a serious incident.

### **Circumstances in which reasonable force may be used**

Section 93 of the Education and Inspections Act 2006 enables school staff to use such force as is reasonable in the circumstances to prevent a pupil from doing, or continuing to do any of the following:

- committing a criminal offence (or for a pupil under the age of criminal responsibility, what would be an offence for an older pupil);
- causing personal injury to, or damage to the property of, any person (including the pupil himself);or
- prejudicing the maintenance of good order and discipline at the school or among any pupils receiving education at the school whether during a teaching session or otherwise.

### **Who may use reasonable force**

The staff to which this power applies are defined in section 95 of the Act. They are:

- any teacher who works at the school, and
- any other person whom the headteacher has authorised to have control or charge of pupils.

This:

- (a) includes support staff whose job normally includes supervising pupils such as teaching assistants, learning support assistants, lunchtime supervisors and office staff;
- (b) can also include people to whom the headteacher has given temporary authorisation to have control or charge of pupils such as paid members of staff whose job does not normally involve supervising pupils (for example catering staff or the site manager and such authorisation will be expressly given either by the headteacher or other teacher) and unpaid volunteers (for example parents accompanying pupils on school-organised visits and running/assisting an authorised out of school activity and such authorisation will be assumed by the headteacher or teacher asking a parent to undertake such task

The power may be used where the pupil (including a pupil from another school) is on the premises or elsewhere in the lawful control or charge of the staff member (for example on a school visit).

### **Reasonable force**

There is no legal definition of when it is reasonable to use force but the following are guidelines:

- whether it is reasonable to use force will always depend on the precise circumstances of individual cases;
- the degree of force employed must be in proportion to the consequences it is intended to prevent;
- any force used must be the minimum needed to achieve the desired result;
- use of force to prevent trivial behaviour is not justified but deciding on whether behaviour is trivial depends on the circumstances (for example running in a corridor crowded with small children may be dangerous and not trivial).

### **Deciding if force would be appropriate**

The judgement on whether to use force and what force to use should always depend on the circumstances of each case – crucially in the case of pupils with SEN or disabilities – information about the individual concerned.

Decisions on whether the precise circumstances of an incident justify the use of significant force must be reasonable. Typically such decisions have to be made quickly, with little time for reflection. This means staff will need to make the clearest possible judgements about:

- the seriousness of the incident, assessed by the effect of the injury, damage or disorder which is likely to result if force is not used. The greater the potential for injury, damage or serious disorder, the more likely it is that using force may be justified;
- the chances of achieving the desired result by other means. The lower the probability of achieving the desired result by other means, the more likely it is that using force may be justified; and
- the relative risks associated with physical intervention compared with using other strategies. The smaller the risks associated with physical intervention compared with other strategies, the more likely it is that using force may be justified.

### **Examples of situations**

Examples of situations that particularly call for judgements of this kind include:

- a pupil attacks a member of staff or another pupil;
- pupils are fighting, causing risk of injury to themselves or others;
- a pupil is committing, or on the verge of committing, deliberate damage to property;
- a pupil is causing, or at risk of causing, injury or damage by accident, by rough play, or misuse of dangerous materials or objects;
- a pupil absconds from a class or tries to leave school other than at an authorised time. Refusal of a pupil to remain in a particular place is not enough on its own to justify use of force. It will be justifiable where as allowing a pupil to leave would: entail serious risks to the pupils safety (taking into account age and understanding), to the safety of other pupils or staff, or a damaged it to property; or

ii. lead to behaviour that prejudices good order and discipline, such as disrupting other classes;

f) a pupil persistently refuses to follow an instruction to leave a classroom;

g) a pupil is behaving in a way that seriously disrupts a lesson; or

h) a pupil is behaving in a way that seriously disrupts a school sporting event or school visit

In these examples used of force would be reasonable (and therefore lawful) if it was clear that the behaviour was sufficiently dangerous or disruptive to warrant physical intervention of the degree applied and could not realistically be dealt with by any other means.

Wherever possible these judgements should take account of the particular characteristics of the pupil, including his or her age, understanding and any SEN or disability that he or she may have. This would include the outcomes of any risk assessment and, as appropriate, any specific strategies and techniques set out in the pupil's positive handling plan.

**Power of search**

The Violent Crime Reduction Act 2006 (s. 45) gives the Headteacher and staff authorised by him, to search pupils without their consent for weapons where they have reasonable grounds to suspect that a pupil has a weapon. Reasonable force may also be used in exercising this power. However where resistance is expected, the DCSF advises police to be called.

**Situations where staff should not normally intervene without help**

Sometimes an authorised member of staff should not intervene in an incident without help, unless it is an emergency. Help may be needed in dealing with a situation involving an older pupil, a large pupil, more than one pupil or if the authorised member of staff believes he or she may be at risk of injury. In these the circumstances he or she should take steps to remove other pupils who may be at risk and summon assistance from other authorised staff, or where necessary, call the police.

**Using force**

Before using force staff should, wherever practicable, tell the pupil to stop misbehaving and communicating in a calm and measured manner throughout the incident. Staff should not give the impression of acting out of anger or frustration, or to punish a pupil and should make it clear that physical contact or restraint will stop as soon as it ceases to be necessary.

The types of force used could include

- passive physical contact resulting from standing between pupils or blocking a pupil's path;
- active physical contact such as:
  - i. leading a pupil by the hand or arm
  - ii. ushering a pupil away by placing a hand in the centre of the back;
  - iii. in more extreme circumstances, using appropriate restricting holds, which may require specific expertise or training.

Where there is a high and immediate risk of death or serious injury, any member of staff would be justified in taking any necessary action (consistent with the principle of seeking to use the minimum force required to achieve the desired result). Such situations could include preventing a pupil running off the pavement on to a busy road or preventing a pupil from hitting someone with a dangerous object such as a glass bottle or hammer.

Staff should make every effort to avoid acting in a way that might reasonably be expected to cause injury. However, in the most extreme circumstances it may not always be possible to avoid injuring a pupil.

Staff should always avoid touching or restraining a pupil in a way that could be interpreted as sexually inappropriate conduct.

It is always unlawful to use force as a punishment. This is because it would fall within the definition of corporal punishment, prohibited by the Education Act 1996.

**Recording incidents**

All significant incidents that require restraint will be recorded in a form as set out in Annex A. Parents/carers will be informed of any recordable incident and will usually be offered an opportunity to discuss the incident with the Headteacher, Deputy Headteacher or appropriate class teacher and given a copy of this policy.

All injuries will be recorded in accordance with the school's health and safety policy.

The Headteacher will make an annual report to the governing body as to the recordable incidents (without identifying the individuals involved).

**Complaints**

Any complaints or allegations about the use of force to restrain or control children will be dealt with in accordance with the school's complaints procedure.

**Post-incident support**

Appropriate post-incident support will be provided as set out in the Guidance.

**Staff training**

It is the responsibility of the Headteacher to ensure that staff are fully informed of the school's policy and understand what authorisation entails. The Headteacher will arrange training and guidance to staff as appropriate.

**Review**

This policy has been reviewed by staff and governors. In addition, parents are invited to comment on this policy.

This policy will be reviewed upon the Headteacher becoming aware that the 2007 Guidance has been revised and at the same time as any revision of the school's pupil behaviour policies

## SERIOUS INCIDENT RECORD

Name of young person:	Name of person writing report:	
Date & time of incident:	Location of incident:	
Name(s) of staff involved:	Name (s) of witnesses:	
Incident book completed:	Yes	No
Reason for intervention: <ul style="list-style-type: none"> <li>• Injury to a person</li> <li>• Damage to property</li> <li>• Criminal offence</li> <li>• Serious disruption</li> <li>• Absconding/leaving premises</li> <li>• Danger to other pupils or staff</li> <li>• Danger of injuring themselves</li> </ul>	External agencies informed <ul style="list-style-type: none"> <li>• Medical staff</li> <li>• Parent/carer</li> <li>• Social worker</li> <li>• Police</li> <li>• other</li> </ul>	
<b>Describe events leading up to the incident:</b>		
<b>✓ Behaviours that occurred:</b>		
Verbal abuse	Slapping	Punching
Biting	Pinching	Spitting
Kicking	Hair grab	Neck grab
Clothing grab	Body holds	Arm grab
Weapons/missiles	Head butting	Self mutilation
Pushing	Disruption	Damage to property
Who was at risk?		
<b>Describe any changes made to routines, staff or environment in an attempt to reduce the risk:</b>		
<b>✓ Diversions, Distractions &amp; De-escalation strategies attempted:</b>		
Verbal advice	Limited choice	
Clear directions	Distraction	
Negations	Planned ignoring	
Take up time	Consequences	
Time out	Humour	
Change of staff	Success reminders	

<b>✓ Physical interventions used &amp; duration of restraint:</b>		
Help hug	Sitting wrap	Other:
Cradle hug	One person escort	
Wrap	Two person escort	
<b>Why was this action in the best interest of the student?</b>		
<b>Medical intervention</b>		
Injury to child:		Action taken:
Injury to staff:		Action taken:
Injury to others:		Action taken:
<b>✓ Action following the event:</b>		
Person responsible for safeguarding has checked this record:		
Parent/carer informed by phone:		
Parent/carer informed by letter:		
Risk assessment to be carried out:		
Positive Handling Plan to be completed:		
Procedural change:		
Student support:		
Staff support:		
Relationship repair:		
Disciplinary action:		
Has any complaint been lodged: YES      NO (details not to be recorded here)		
Signed by:		Role:

PLEASE NOTE: If a copy of this document is to be shared with parents, names of pupils involved should be removed and the names of members of staff should only be included with their consent.

## RISK ASSESSMENT- POSITIVE HANDLING

For use where positive handling may occur

School:		Risk assessment completed by:	
Name of child:	DofB:	Year:	
<b>Identification of Risk</b>			
Describe the foreseeable risks:			
•			
Is the risk:		potential	occurring
<b>Assessment of risk</b>			
In which situations does the risk usually occur?			
How likely is it that the risk will occur? (unlikely, possible, probable, likely)			
If the risk arises, who is likely to be injured or hurt?			
What kinds of injuries or harm are likely to occur?			
How serious are the adverse outcomes? (severe, substantial, minor, minimal)			
<b>Risk Reduction Options</b>			
What actions are being taken to minimise the level of risk? (Consider changes to environment, awareness of triggers, de-escalation strategies, varying staff deployment, varying teaching group/size, access to quiet area etc.)			
Any immediate actions to be taken, by whom and by when?			
<b>Signed:</b>		<b>Role:</b>	
<b>Date:</b>		<b>Copy to:</b>	

Agreed by Governors: Spring 2015

Signed By: *Rev Rosemarie Mallett*

Designation: Chair of Governors

Next Review: Autumn 2017