

ST MARY'S C E PRIMARY SCHOOL, DAVYHULME

POSITIVE HANDLING POLICY (INCLUDING PHYSICAL INTERVENTION)

All the activities in St Mary's School are carried out in the Christian spirit and should promote the school values of Faith, Family and Future – Building a positive future for all as part of God's loving family.

St Mary's School prides itself in providing equal opportunities for all members of its family regardless of disability, religion, sexual orientation, culture, gender, ethnic origin, colour or age. All pupils have access to the English curriculum, and the right to a learning environment which dispels ignorance, prejudice or stereotyping.

Introduction

This 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 cognisance of 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 has been prepared for the support of all teaching and support staff, who come into contact with pupils to explain the school's arrangements for care and control.

Objectives

Good personal and professional relationships between staff and pupils are vital to ensure good order in our schools. It is recognised that the majority of pupils in our schools respond positively to the discipline and control practiced by staff. This ensures the well-being and safety of all pupils and staff in our schools. 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. The school acknowledges that physical techniques are only a small part of a whole setting approach to behaviour management.

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 support 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 positive handling 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 schools 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 (dynamic risk assessment) 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 our schools 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 our schools 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;
- expect PSPs 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;

The schools will ensure that pupils understand the need for and respond to clearly defined limits, which govern behaviour in the schools.

Use of Physical Handling

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 school's Behaviour Policy and pupil's PSPs / Risk Assessment in the first instance to manage an incident/challenging behaviour

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. The school does not require parent consent to use force on a pupil.

All the techniques used, take account of a young person's;

- age
- level of physical, emotional and intellectual development
- special needs: it is the school's legal duty to make reasonable adjustments for pupil's with SEN or those who are disabled
- 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 (PSPs/ risk assessments) 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 school we constantly strive to create a calm environment that minimises the risk of incidents arising. In addition to this, pupils who present with persistent challenging behaviour are referred to specialist services to support the PSP and associated behaviour targets.

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 e.g. internal pastoral support to help them to manage this.

Through the PSHE curriculum and the My Happy Mind programme, 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.

Staff are trained through Team Teach 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.

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.

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.

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.

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 on CPoms. If anyone is injured, this must also be reported on CPOMs. Records of incidents must be highlighted to the Headteacher immediately. The level of compliance from the pupil determines whether or not the interaction is an intervention or a control/restraint. 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 the school it is extremely unlikely that pupils would conceal weapons and therefore staff have not received training in weapons disarmament.

However under the Equality Act (2010) staff are given the power to undertake searches for weapons, knives, alcohol, illegal drugs and stolen items without consent.

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
- Pastoral support

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. Techniques 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 injuries to pupils as a result of incidents involving restraint will be reported to the Headteacher via CPoms and verbally to the parents / carer.

Staff: Authorised staff / Health and Safety / Training / Support

Authorised Staff

All teachers and staff 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 schools policy. Appropriate guidance will be given if they have not undertaken appropriate training, such as Team Teach.

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. Team Teach training is reviewed every 3 years.

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. However, if staff are unable to support physically they are expected to support in de-escalating the situation, using Team Teach techniques. Through the provision of appropriate 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 on CPoms.

Staff Training

Appropriate training in the use of positive handling is available to all staff that come into regular contact with children. The Headteacher retains a list of all those staff trained. The list is

reviewed on an annual basis. Arrangements will be made clear as part of the induction of staff and training will be provided as part of on-going staff development. The level of training will depend on an assessment of risk as determined by the Headteacher. Most school staff working directly with pupils receive a basic course in TeamTeach as the schools are considered to be low risk settings.

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.

This policy was adopted by: St Mary's C.E. Primary School, Davyhulme	Date: November 2019
To be reviewed: November 2021	Signed: