

Earlsmead Primary School

Positive Handling Policy

Policy summary	How we support staff who come into contact with children who need to be handled.
Affects	Staff, Volunteers, Pupils, Parents & Carers
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Related policies, procedures and forms	Behaviour Policy

Introduction

This policy has been prepared for the support of all teaching and support staff who come into contact with pupils who may need to be handled.

This policy should be read in conjunction with other school policies relating to interaction between adults and pupils specifically the school's Behaviour Policy.

Whilst it is the intention that the behaviour of pupils will be successfully managed as detailed in the school's Behaviour Policy, there may be occasions when individual pupils reject the authority of staff and exhibit disruptive, violent or other behaviour which threatens the safety of themselves or others, or which results, or is likely to result, in serious damage to property or to cause disorder.

It is recognised that in such rare circumstances, use of physical intervention may be necessary. Physical Intervention is used to control and restrain pupils and when used should be of the least intrusive level possible in the circumstances, used rarely, as a last resort, within the context of established caring relationships, and as such, to maintain the safety of all concerned.

All school and children's centre staff are vulnerable to complaints if they use any unreasonable amount of force in relation to the circumstances they face. On the other hand, all staff have a duty of care to the pupils in their school, and could be vulnerable if, as a consequence of failing to apply physical intervention, pupils suffer harm.

Definitions

(a) Physical contact

Situations in which proper physical contact takes place between staff and pupils; e.g. in games/ PE or to comfort pupils.

(b) 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 hand, arm or shoulder with little or no force.

(c) Positive handling

This will involve the use of reasonable force when there is a risk to pupils, staff or property or if good order is being seriously prejudiced.

(d) Reasonable force

The term 'reasonable force' covers the broad range of actions used by most teachers at some point in their career that involve a degree of physical contact with pupils.

Force is usually used either to **control or restrain**. This can range from guiding a pupil to safety by the arm through to more extreme circumstances such as breaking up a fight or where a student needs to be restrained to prevent violence or injury.

'Reasonable in the circumstances' means using no more force than is needed.

Control means either passive physical contact, such as standing between pupils or blocking a pupil's path, or active physical contact such as leading a pupil by the arm out of a classroom.

Restraint means to hold back physically or to bring a pupil under control. It is typically used in more extreme circumstances, for example when two pupils are fighting and refuse to separate without physical intervention.

School staff will always try to avoid acting in a way that might cause injury, but in extreme cases it may not always be possible to avoid injuring the pupil.

Aims and Objectives

This Policy recognises the rights of both staff and pupils to a safe and secure teaching and learning environment. This is embedded in our School Aims.

It is not intended that this guidance should deter appropriate physical contact between school and children's centre staff and pupils. Indeed, in the care of children with learning, physical or sensory disabilities, as well as in the case of the very young, or for the administration of first aid, physical contact may not only be desirable, but necessary. It is, however, recognised that staff need to ensure that any physical contact is not liable to misinterpretation, or place staff or pupils under unnecessary risk of injury.

The school Policy and Guidelines on Care, Physical Control and Restraint (with reasonable force) aims to:

- Create a safe and secure learning environment,
- Develop and sustain an ethos and culture which protects the dignity of both staff and pupils,
- Assist staff to maintain high standards in their relationships with pupils,
- Provide a clear framework within which restraint and physical control of pupils may be used to ensure the protection of all members of the school community from harm,
- Provide a supportive framework in which staff can act in confidence,
- Help staff minimise the risk of being accused of any improper conduct towards pupils.

Legal Framework

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

- (a) committing any offence (or, for a pupil under the age of criminal responsibility, what would be an offence for an older pupil):
- (b) causing personal injury to, or damage to the property of, any person (including the pupil himself), or
- (c) 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.”

The definition of ‘school staff’ applies to (as defined in section 95 of the Act):

“1. any teacher who works at the school, and 2. any other person whom the head has authorised to have control or charge of pupils. This includes;

- a.** support staff whose job normally includes supervising pupils such as teaching assistants, learning support assistants, learning mentors and lunchtime supervisors
- b.** can also include people to whom the head 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 or premises-related staff) and unpaid volunteers (for example parents accompanying pupils on school-organised visits)

General Principles

1. Before using physical control, staff should, wherever possible, attempt to use other means to manage the situation.
2. Staff should act in a calm and measured way, when managing such situations.
3. Intervention by members of staff should be of the least intrusive level necessary and staff should always avoid acting in a way that might cause injury and be in proportion to the circumstances they face. Intervention should be focused towards de-escalating the situation and aiming to pass control back to the pupil when a return to a 'safe' situation has been achieved.
4. It is the responsibility of each member of staff to make a risk assessment of the particular circumstances. They will need to take the following into consideration:
 - i. the potential risk to themselves
 - ii. the potential risk to the pupil
 - iii. the particular behaviour of the pupil
 - iv. the emotional state of the pupil
 - v. the pupil's age and level of understanding
 - vi. the pupil's perception of the situation
 - vii. the pupil's personal history
 - viii. the antecedents to the behaviour
 - ix. any special needs that the pupil may have
 - x. the health of the pupil
 - xi. their relationship with the pupil
 - xii. their own health
 - xiii. their own skills and expertise
 - xiv. the availability of other staff
 - xv. the likely consequences of non-intervention
 - xvi. the possible need to remove other pupils from harm if they are at risk.

5. Physical control of pupils should never be used to intentionally injure a child or be viewed as a form of punishment. It should never be carried out in anger or frustration or to humiliate or induce pain.

Practice

All staff have a duty of care defined in their national conditions of service, to maintain reasonable order and discipline, and to safeguard the health and safety of the children in their care.

All staff in charge of pupils have a common law duty to act as any reasonably prudent parent to make sure that pupils are healthy and safe on school premises. This general duty extends to staff (and to volunteers, with the Head's permission) leading activities taking place off the school site, such as educational visits, outings and field trips.

Positive handling.

Restraint should only be used when other techniques such as distraction, de-escalation and conflict management have been exhausted, unless the situation is urgent. Wherever possible, pupils should have been spoken to in a firm and calm manner, and asked to stop before being warned of the likelihood of reasonable force being used.

The decision on whether or not to physically intervene is down to the professional judgement of the staff member concerned and should always depend on the individual circumstances.

Training

Positive Handling training will be made available to designated staff and will be the responsibility of the Headteacher. No member of staff will be expected to undertake positive handling without appropriate training. Prior to the provision of training, guidance will be given on action to be taken and the system of communication and call for assistance if required.

Dealing with a potentially dangerous situation

There are many strategies that can be used in potentially dangerous situations. Some are listed below, but they are not intended to be prescriptive or progressive. The method of intervention used will be dependent on the circumstances.

When dealing with a potentially dangerous situation, staff are advised to:

1. Use the pupil's name; speak calmly but assertively, since pupils are more likely to respond to such a tone of voice and volume. Staff should never attempt to use physical means if they themselves are angry.

2. Keep at arm's length, for as long as practicable, making sensitive use of eye contact, avoiding threats, using supportive strategies, but when necessary, present consequences as a choice.
3. Try to find opportunities to enable the pupil to 'back down' and hence save face. Elimination of such opportunities may escalate a potentially dangerous situation.
4. Try to avoid being directly face to face, turning to face the pupil sideways is less confrontational.
5. Consider the immediate risks, and obtain help if necessary. A member of staff who knows the pupil well, may have more success in calming the child and the situation. Other staff can act as assistants and witnesses. When pupil and adult are of different gender, it is important that a member of staff of the same gender as the pupil is present as soon as possible.
6. Decide on a course of action, with the minimum reasonable force, for the minimum amount of time necessary.
7. In some circumstances, e.g. with an older or physically large pupil, a member of staff may decide not to physically intervene but continue to defuse the situation orally until help arrives.
8. Consider your body language: children will respond negatively if you stand in a way that looks aggressive or even nervous. Try to appear calm but firm and not tense.
9. Asking questions can sometimes be an effective diffuser but do not ask children why they are behaving in a particular way, they may not know.
10. Acknowledge how the child is feeling and put it into words for the child.

Physical care and control (reasonable force)

Physical intervention can take a variety of forms, but must be appropriate to the age, understanding and behaviour of the pupil; for example, it might be appropriate to block the path of a young child (or perhaps an older one with Special Educational Needs) to prevent them from absconding, whereas that same action would be unlikely to be helpful or advisable, with a large, angry Year 6 pupil. In the latter case, consideration will need to be given to the need to alert others, within and without the school, as appropriate.

Reasonable force and control might involve staff:

- Physically interposing between pupils
 - Blocking a child's path
 - Holding
 - Leading (not pulling or dragging) a pupil by the hand
 - Guiding a pupil away by placing the palm of a hand in the centre of their back
- All of these actions should be 'guided' and 'controlled' in nature.

Prohibited Forms of Control and Restraint

1. Corporal punishment (or the threat of it) is prohibited. Examples that fall into this category are: hitting, slapping, kicking, punching, poking, prodding, pinching, biting, throwing an object.
2. Pupils should not be held around the neck, or by the collar, or in any way that might restrict their ability to breathe.
3. Twisting or forcing limbs against a joint, is not permitted.
4. The tripping up of pupils is prohibited.
5. Holding or pulling a pupil by the ear or hair, is not allowed.
6. Pupils should not be held face down to the ground.
7. Pupils should not be deprived of food or drink (unless medically specified) that would normally be available to other pupils within the school (or be forced to eat foods against their will).
8. Pupils should not be deprived of their liberty by being locked in a room unsupervised. The locking of external doors to protect younger pupils from leaving the premises is permitted.
9. No pupil should be deprived of medical care as a means of punishment/control.
10. No pupil should be expected to wear any item of clothing, badge or other mark intended to act as punishment, or to wear any clothing inappropriate to the time of day or year and type of activity being undertaken. If items of clothing are removed from pupils, such as shoes from younger pupils to prevent kicking, parental agreement should be sought beforehand, and this should be reflected in their IEP as a management strategy, and serious consideration be given to Health and Safety issues.

Following each incident

As soon as is practicable, following each incident:

1. Pupils should be offered the opportunity, once they are calm, to talk through the incident. Consideration will be needed to be given, as to the most appropriate adult to do this. The viewpoint of the pupil(s) concerned, should be recorded;
2. As soon as is practicable, involved staff should be offered supportive discussion with appropriate colleagues;
3. All such incidents should be recorded and a copy given to the Headteacher.
4. If a member of staff has been injured, they should fill out the Record of Restraint form.
5. All such incidents should be reported to parents.

Recording

In the event of Positive Handling having to be used to restrain a pupil, members of staff involved must report the incident. The recording procedures must be followed. Staff should record all incidents of Positive Handling in accordance with School Policy and report these to the Assistant, Deputy or Headteacher (appendix 1)

- Details should include:
- Name of pupil(s)
- Staff member(s) involved
- Factors necessitating physical intervention
- The strategies which were employed prior to using physical intervention
- How physical intervention was effected
- Outcome of restraint
- Any other action taken in the management of the incident
- Parents/carers should be contacted as soon as possible and the incident explained to them. This action should also be recorded.

The report of incident must transferred to Restraint Log – bound book

Complaints

Where physical control is used that is appropriate to the task, to the size, age and understanding of pupils, by staff competent to do so, in good faith, in line with policy and guidance, this should help minimise complaints. It will not necessarily prevent all complaints. In any dispute regarding the use of physical control, there may need to be investigations either under Child Protection procedures by the Police or Social Services, or by Education under Disciplinary or Health and Safety procedures. This further strengthens the need for accurate logging and monitoring of incidents.

Staff, subjected to physical violence or assault, have the right to be supported in making a formal complaint to the police and, if necessary, taking private action against an assailant.

It is our intention to inform all staff, pupils, parents and governors about these procedures and the context in which they apply.

Remember that adhering to the principles and procedures referred to in this policy statement, is part of effective practice and should minimise risk to young people in our care and enhance our own self-protection.

Assault or allegations of assault

Schools have a legal power (Section 93 of the Education and Inspections Act 2006) to use reasonable force and lawful use of the power will provide a defence to any related criminal prosecution or other legal action.

Assault or allegations of assault made against any member of staff should be dealt with as detailed in the Handbook for Child Protection Procedures, laid down by Haringey Area Child Protection Committee. This is kept by the Head Teacher who is also the designated member of staff for child protection.

Assault or allegations of assault by a pupil

Assault or allegations of assault by a pupil should be dealt with as detailed by Education Services Health and Safety Management System. The handbook which details this is kept by the Head Teacher and is available to all staff.

Statement for Parents

In keeping with our home/school agreement, we will inform all parents/carers of our policy on Positive Handling via website.

The statement will highlight:

- Our emphasis on care and protection for everyone within our school community
- Our belief that restraint will be needed on very rare occasions.
- Our endeavour to handle situations with care and responsibility.
- Our intent to apply follow-up and repair strategies.

The statement will outline:

- When staff are authorised to use reasonable physical intervention.
- What steps will be taken after an incident has been dealt with.
- The responsibilities of staff, pupils and parents/carers in resolving situations.

How parents will be informed if their child has had to be restrained

Appendix One

RECORD OF RESTRAINT	
Date of incident: Time of incident:	
Pupil Name: D.o.B:	
Member(s) of staff involved:	
Adult witnesses to restraint:	
Pupil witnesses to restraint:	
Outline of event leading to restraint:	
Outline of incident of restraint (including restraint method used):	
Outcome of restraint:	
Description of any injury(ies) sustained by injured pupil and any subsequent treatment:	
Date parent/carer informed of incident: Time:	
By whom informed:	
Outline of parent/carer response:	
Signature of staff completing report: Date:	
Signature of Teacher-in-charge: Date:	
Signature of Head : Date:	
Signature of Head : Date:	
Brief description of any subsequent inquiry/complaint or action:	