Lyppard Grange Primary School

Positive Handling Policy

Use of Reasonable Force

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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 DfES 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 Policy, Safeguarding Policy 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.

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.

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 Personal Learning Plans (PLPs)/ Education, Health and Care Plans (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.

Objectives

Good personal and professional relationships between staff and pupils are vital to ensure good order in our school. It is recognised that the majority of pupils in our school respond positively to the discipline and control practised by staff. This ensures the well-being and safety of all pupils and staff in school. 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 Lyppard Grange Primary School 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
- causing significant damage (or a criminal offence for children aged 10 years and over)
- 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.

Minimising the Need to Use Force

At Lyppard Grange Primary School 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 from the SENDCO, working in partnership with class teachers and any relevant teaching / learning support assistants, to put in place a carefully structured Personal Learning Plan (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 to help them to manage this.

Through the PSHCE 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

Use of Physical Handling

No legal definition of reasonable force exists however for the purpose of this policy and the implementation of it in Lyppard Grange Primary School:

- 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 PLP / Risk Assessment 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. Team Teach is a BILD accredited restrictive physical intervention technique.
- Only if all of the above have been tried and are unsuccessful should staff even consider any other form of restraint. The use of physical handling is avoided as much as possible. Staff are encouraged to continually ask themselves what can be done to avoid handling a child in any incident.

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 on the Positive Handling Form. If anyone is injured an accident/incident report must also be completed. Records of incidents must be given to the Head Teacher 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.

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.

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.

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 on the positive handling incident report form
- Recording will be completed within 12 hours whenever possible. Staff will be offered the opportunity to seek advice from a senior colleague or professional representative 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 the Headteacher/SENCO 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.

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, on the Positive Handling Form/Accident Form. 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.

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/Line Manager immediately, as there may be an impact on their own safety and that of colleagues and/or pupils.

Staff Training

It is the responsibility of the Headteacher to ensure that when relevant 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. Most school staff working directly with pupils receive the Basic Course in Team Teach as the school is considered to be a low risk setting. This is in line with Team Teach policy. 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.

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 use the positive handling and physical intervention recording forms which are located in the staff room. Incidents are recorded in the 'bound and numbered' book.