Positive Handling Policy

1. Introduction

1.1 Schools have a duty to promote good behaviour and discipline. Locality Committee, with the support of the Trust, has the duty to ensure the health, safety and well-being of everyone in schools.

1.2 For some pupils with the most significant needs it must be recognised that their challenging behaviour is an aspect of their developmental profile. Interventions to manage their behaviour must reflect their overall needs, should be matched to their particular circumstances and also be in the interests of the school as a whole.

1.3 It is essential that staff act appropriately in order to minimise the risk of accusation of improper conduct towards a young person (see Procedure in Respect of Allegations of Child Abuse Made Against School Staff, and Suffolk Area Child Protection Committee: Joint Policies and Procedures for the Protection of Children). In addition, staff should be conversant with the requirement outlined in Part 4 of the statutory guidance "Keeping Children safe in education" (as amended).

1.4 Legislation that came into force in 2006 (Section 93 of the Education and Inspections Act), together with national guidance "Use of Reasonable Force" (July 2013) establishes the responsibility of teachers and other authorised staff who have lawful control or charge of pupils with regard to the application of reasonable force in order to prevent children committing an offence, causing injury or damage, or engaging in behaviour prejudicial to the maintenance of good order and discipline.

1.5 Under the Race Relations (Amendment) Act 2000, schools have a general duty to promote race equality.

1.6 Reasonable force or restraint is only to be used as a last resort. The Education Act 1996 clarified the position about the use of restraint by authorised school staff when managing the behaviour of the most challenging pupils in our schools. However, the greatest caution needs to be exercised when deciding to use physical restraint that may exacerbate an already volatile situation.

1.7 If positive handling / restraint has to be used, parents/carers must be informed. The Academy Head and parent/carer will agree the protocol if further use of restraint is thought likely or deemed necessary.

2. What is 'reasonable force'?

2.1 There is no precise legal definition of 'reasonable force' so it is not possible to set out comprehensively when it is reasonable to use force, or the degree of force that may reasonably be used. It will always depend on all the circumstances of the case.

2.2 There are two relevant considerations:

> The use of force can be regarded as reasonable only if the circumstances of the particular incident warrant it; therefore, physical force could not be justified to prevent a pupil from committing a trivial misdemeanour or in a situation that clearly could be resolved without force.

> The degree of force employed must be in proportion to the circumstances of the incident and the seriousness of the behaviour or the consequences it is intended to prevent. Any force used should

always be the minimum needed to achieve the desired result. Whether it is reasonable to use force, and the degree of force that could reasonably be employed, will also depend on the age, understanding and gender of the pupil. (DfE Circular 10/98.)

The Race Relations Amendment Act (2000) dictates that issues of race, culture and faith also need to be taken into account. As an example, it would be inappropriate for a male member of staff to restrain a Muslim girl.

2.3 Physical contact

At Henley Primary School we promote positive and appropriate physical contact, to enable our staff to deliver a nurturing environment, to ensure that the pupils thrive. For example: -comforting a distressed child (see DfE Guidance 2013).

Definition of Terms:

Handling – refers to any physical intervention applied by a member of staff where it necessary to make physical contact with a student in order to manage their conduct or ensure their own or others safety. Handling strategies may be restrictive or non-restrictive and include shepherding, guiding, supporting, blocking, confining, holding and, in the most extreme cases, restraining.

Use of Reasonable Force – is the application of appropriate and proportionate force required to achieve the required outcome from the handling strategy employed (see above) without further endangering the student, member of staff or others present at the time of physical intervention.

Restraint - is the positive application of force in order to actively prevent a child from causing significant injury* to him/herself or others or seriously damaging property.

*Significant Injury would include: actual or grievous bodily harm, physical or sexual abuse, risking the lives of, or injury to, themselves or others by wilful or reckless behaviour, and self poisoning. It must be shown that on any occasion where physical restraint is used there were strong indicators that if immediate action had not been taken, significant injury would have followed.

3. The Scope of the Policy

3.1 This policy aims to support staff by providing guidance for use in situations where pupils may need to be prevented from harming themselves or others, or from causing damage to property, by the use of restraint.

3.2 The use of physical restraint / positive handling must always be set in the context of the school's overall behaviour management framework.

3.3 Restraint / positive handling is an action of last resort and is not a substitute for behaviour management strategies. The emphasis of such strategies should be on managing incidents and behaviour through non-physical, non-threatening aggression-free strategies. **Physical intervention should only be considered in order to control situations involving imminent danger to pupils or to others.**

3.4 Where de-escalation of a situation has not been possible and restraint is deemed necessary the minimum of physical force should be used, for the minimum of time, ensuring the least restrictive intervention necessary to make the situation safer.

3.5 Refer to: Reducing the Need for Restraint and Restrictive Intervention. DfE 27th June 2019

4. Responsibilities

4.1 Locality Committee (LC) - LC members, through the Academy Head, are responsible for:

- ensuring that all those working in school are familiar with and follow this policy
- making a copy of the policy available to parents (references to parents should also be taken to be references to persons having parental responsibility)
- annually reviewing the policy, its application and effectiveness
- ensuring that risk assessments are regularly reviewed and updated

4.2 Academy Head - The Academy Head will:

- ensure the policy is applied
- maintain an up to date list of those members of staff whom they select as authorised to use reasonable force / positive handling and ensure that staff know who they are (see 4.3)
- ensure those authorised staff are appropriately trained and regularly updated
- ensure that all new staff receive guidance on the use of restraint as part of their induction programme
- provide guidance for staff dealing with difficult and dangerous behaviour
- oversee reporting and recording systems
- monitor and review incidents
- ensure that arrangements are in place for reviewing the policy annually

4.3 Authorised Staff

All members of school staff have a legal power to use reasonable force. This power applies to any member of staff, who has lawful control or charge of the pupils at the school. It can also apply to people whom the Head Teacher has temporarily put in charge of pupils such as unpaid volunteers or parents accompanying pupils on a school organised visit.

4.4 All Staff

It is the duty of everyone to consider their own safety and that of others at all times. In the event of circumstances arising that might result in an incident, staff should:

- begin early de-escalation using preventative, non-confrontational methods
- consider all options available to them, including withdrawal of themselves or others
- seek support where possible
- if authorised, consider the use of reasonable force / positive handling to make the situation safe
- report, record and review

4.5 Criteria

Should an incident occur, an authorised member of staff will:

- determine whether the criteria from Circular 10/98 apply (see Appendix 1 below)
- employ preventative, non-confrontational strategies
- as a last resort, use a form of restraint employing a recognised and agreed physical intervention.

5. Risk Management

5.1 Risk management is a proactive approach to minimising difficult and dangerous behaviour, and is set against the background of procedures and policies in school. It includes general risk assessment of the environment

and individual risk assessment of pupil support needs. A Risk Management pro forma appears as an appendix to this policy document (see Appendix 5).

5.2 Risk management strategies, including the use of physical intervention:

- must prohibit any intervention which impedes the process of breathing
- entails the deliberate use of pain for control purposes
- involves contact with vulnerable parts of the body e.g. neck and sexual areas
- hypertension, hyper flexion and pressure on or across joints
- any other potentially dangerous position

5.3 Some pupils with Special Educational Needs and/or behavioural difficulties may need to be regularly restrained. Where this is the case, good practice indicates that the situations and methods used would be outlined in the pupils IEP, School Support Plan or PSP and therefore known to parents.

Any restraint / positive handling applied outside of that written within the IEP, School Support Plan or PSP must be recorded and reported to parents.

6. Reporting and Recording

6.1 A detailed, contemporaneous written report should be made in respect of any incidents where force is used by the member of staff concerned. The information that should be contained within this report is set out in DfE Circular 10/98 and is included as an appendix to this policy document (see Appendix 2). This form should be uploaded to myconcern along with a full and detailed entry of the incident. Staff should be clear about any techniques used (see Appendix 6).

6.2 An Incident Report Form must be completed as soon as is reasonably possible, and brought to the attention of the Trust Principal / CEO or a senior member of Trust staff.

6.3 Additionally, the school's internal recording and reporting procedure should be followed where appropriate. Should restraint / positive handling be used, the incident must be recorded in the Pupil Restraint Log which is stored in the main office.

6.4 The Academy Head or a designated senior member of staff will ensure that parents are informed as soon as is reasonably practicable of an incident where physical restraint has been used. Where a pupil has Special Educational Needs or behavioural difficulties and an agreed method of restraint has been included in an IEP, School Support Plan or PSP, the use of restraint will be reviewed regularly but only reported to parents where the restraint / positive handling applied is outside that set out in the IEP, School Support Plan or PSP.

6.5 Where a complaint about the use of restraint / positive handling is made by a pupil or parent this will be reported to the Principal / CEO in accordance with the Procedure in Respect of Allegations of Child Abuse Made Against School Staff. In the event of such a complaint being made it is important that no investigation of the circumstances in which restraint / positive handling was used is undertaken by the school unless the Trust determines that this is the most appropriate course of action.

7. Support for Staff and Pupils

7.1 Schools should ensure arrangements are in place to provide support for staff following situations where they have had to restrain a pupil or have been involved in an incident which has been successfully deescalated but the staff member involved has requested time to recover.

7.2 A de-briefing session should be held with both staff and pupil(s) involved in any incident and outcomes reviewed to inform future practice in order to minimise risk of similar occurrences.

7.3 Whenever restraint has been used, staff and the child/young person should have separate opportunities to reflect on what happened, and wherever possible a choice as to who helps them with this. Those with cognitive and/or communication impairments may need specific help to engage in this process, for example, use of simplified language, visual imagery or Alternative and Augmentative Communication.

8. Review

8.1 All staff should be involved in the annual review of the policy. This should form part of the school self-evaluation process. Having reviewed the issue and evaluated their experience, the policy and management arrangements should be amended as necessary.

8.2 The Locality Committee is responsible for reviewing annually the application and effectiveness of the policy.

8.3 The Trust's Teaching, Learning and Assessment Panel will arrange for the Positive Handling Policy to be reviewed and recommendations made to the Education and Learning Committee.

Appendix 1
Extract from DfE Circular 10/98

Section 550A (Education Act 1996) allows teachers, and other persons who are authorised by the head teacher to have control or charge of pupils to use such force as is reasonable in all the circumstances to prevent a pupil from doing, or continuing to do, any of the following:

- committing a criminal offence (including behaving in a way that would be an offence if the pupil were not under the age of criminal responsibility)
- injuring themselves or others
- causing damage to property (including the pupil's own property)
- engaging in any behaviour prejudicial to maintaining the good order and discipline at the school or among any of its pupils, whether that behaviour occurs in a classroom during a teaching session or elsewhere

The provision applies when a teacher, or other authorised person, is on the school premises, and when he or she has lawful control or charge of the pupil concerned elsewhere e.g. on a field trip or other authorised out of school activity.

Appendix 2
Extract from DfE Circular 10/98:

Recording Incidents

It is important that there is a detailed, contemporaneous, written report of any occasion (except minor or trivial incidents) where force is used. It may help prevent any misunderstanding of the incident, and it will be helpful should there be a complaint.

Schools should keep an up-to-date record of all such incidents, preferably in an incident book. Schools have a Pupil Restraint Log in the admin office (see Appendix 2.1). Immediately following any such incident, the member of staff concerned should tell the head teacher or a senior member of staff and provide a written report as soon as possible afterwards. That should include:

- the name(s) if the pupil(s) involved, and when and where the incident took place
- the names of any other staff or pupils who witnessed the incident
- the reason that force was necessary (e.g. to prevent injury to the pupil, another pupil or member of staff)
- how the incident began and progressed, including details of the pupil's behaviour, what was said by each of the parties, the steps taken to defuse or calm the situation, the degree of force used, how that was applied, and for how long
- the pupil's response, and the outcome of the incident
- details of any injury suffered by the pupil, another pupil or a member of staff and of any damage to property

Staff may find it helpful to seek advice from a senior colleague or a representative of their professional association when compiling a report. They should also keep a copy of the report.

Appendix 2.1

Physical Intervention Record Form

School …… DCSF No……Year Group……

Name of child/young person ……

Is this young person a looked after child/SEN/vulnerable? ……

When did the incident occur?

Date	Day of week	Time	Where?

Staff involved

Name	Designation	Behaviour safe Trained?	Involved: physically? (P) as observer? (O)	Staff signature

Please complete a myconcern record of the incident. My concern reference number:

Behaviour safe technique(s) used (Refer to Positive Handling Policy – Appendix 6 and reference number/ name of technique)

Number and Name of Technique, Length of hold/ restraint, By whom	Why was this PI deemed necessary? Any de-escalation strategies used before?

Good practice dictates that schools should review what happened and consider what lessons can be learned, which may have implications for the future management of the pupil. These need not be added to this form but should be incorporated in the individual plans for the child.

Has the child/young person been held before?	Yes/No
A child/young person should have an individual plan clearly detailing reactive strategies and physical intervention approaches if they have been involved in physical interventions on more than one occasion.	
Does the individual support plan need to be reviewed as a result of this incident?	Yes/No
Does the risk assessment need to be reviewed as a result of this incident?	Yes/No
If yes, who will action and when? (less than four weeks)	

Who was the incident reported to, and when? ……
……

Was there any medical intervention needed? Yes/No

Include names of any injured person and brief details of injuries ……

……

……

Please specify any related record forms

Accident Book ☐ Anti Bullying and Racist Incident Record Form ☐

Skin Map ☐ Violent Incident Record ☐ Complaints recorded ☐

Other (please specify) ……

Was the pupil debriefed?	Yes/No
Were staff offered a debrief?	Yes/No
Was it taken up?	Yes/No

Parents/carers were informed

Date	Time	By whom?	By direct contact, telephone, letter?

Form completed by:	Name	Designation	Date and time

If further advice is required around any issues related to physical intervention or the completion of this form please contact DSL

Appendix 3
School Policies, Procedures and Other Sources of Support and Guidance

School Policies:

- Safeguarding
- Behaviour and Inclusion
- Anti-bullying
- Single Equality Scheme
- Staff Performance Management
- Health and Safety

School Procedures:

- Pastoral Support Planning (PSPs)
- Individual Education Planning (IEPs)
- School Support Plan (SSP)
- Procedure in Respect of Allegations of Child Abuse Made Against School Staff (January 1999)
- General Complaints Procedure for Parents and Others
- Risk Management
- Harassment and Bullying Procedure

Other Sources of Support and Guidance:

- Suffolk Advisory Service
- Norfolk Advisory Service
- Educational Psychology Service
- Bellscroft Consultancy
- Gemstones
- BILD (British Institute of Learning Difficulties) Good Practice Guide
- Joint NEOST/Teacher Union Guidance on Education Staff and Child Protection: Staffing facing an allegation of abuse. Guidelines on practice and procedure (September 2002)

Appendix 4
Relevant Legislation

- Section 550a, Education Act 1996
- DfE Circular 10/98
- Criminal law Act 1966
- Crime and Disorder Act 1998
- Human Rights Act
- Health and Safety Legislation
- Race Relations (Amendment) Act 2000
- Reducing the Need for Restraint and Restrictive intervention 27th June 2019

Appendix 5
Restraint Policy – Flowchart (Risk Management)

Risk Management - Difficult and Dangerous Behaviour

Successful inclusion of more young people into mainstream settings increases the need to help all staff to develop their competence and confidence in maintaining good order and discipline in an environment that is conducive to meeting the needs of all pupils.

The vast majority of people in schools will never require any form of physical intervention. However, some staff deals, on a day to day basis with people who exhibit difficult and dangerous behaviours.

5% of recorded incidents of violence in schools in 2000/2001 related to adult behaviour. It is, therefore, vital to include this possibility in any risk assessment.

We must minimise the risk of accusations of improper conduct towards others and enable staff to act appropriately in different circumstances.

Strategies for dealing with difficult and dangerous behaviour need to be varied and matched carefully to particular circumstances and individual needs.

Restraint Policy - Flowchart

Risk Management

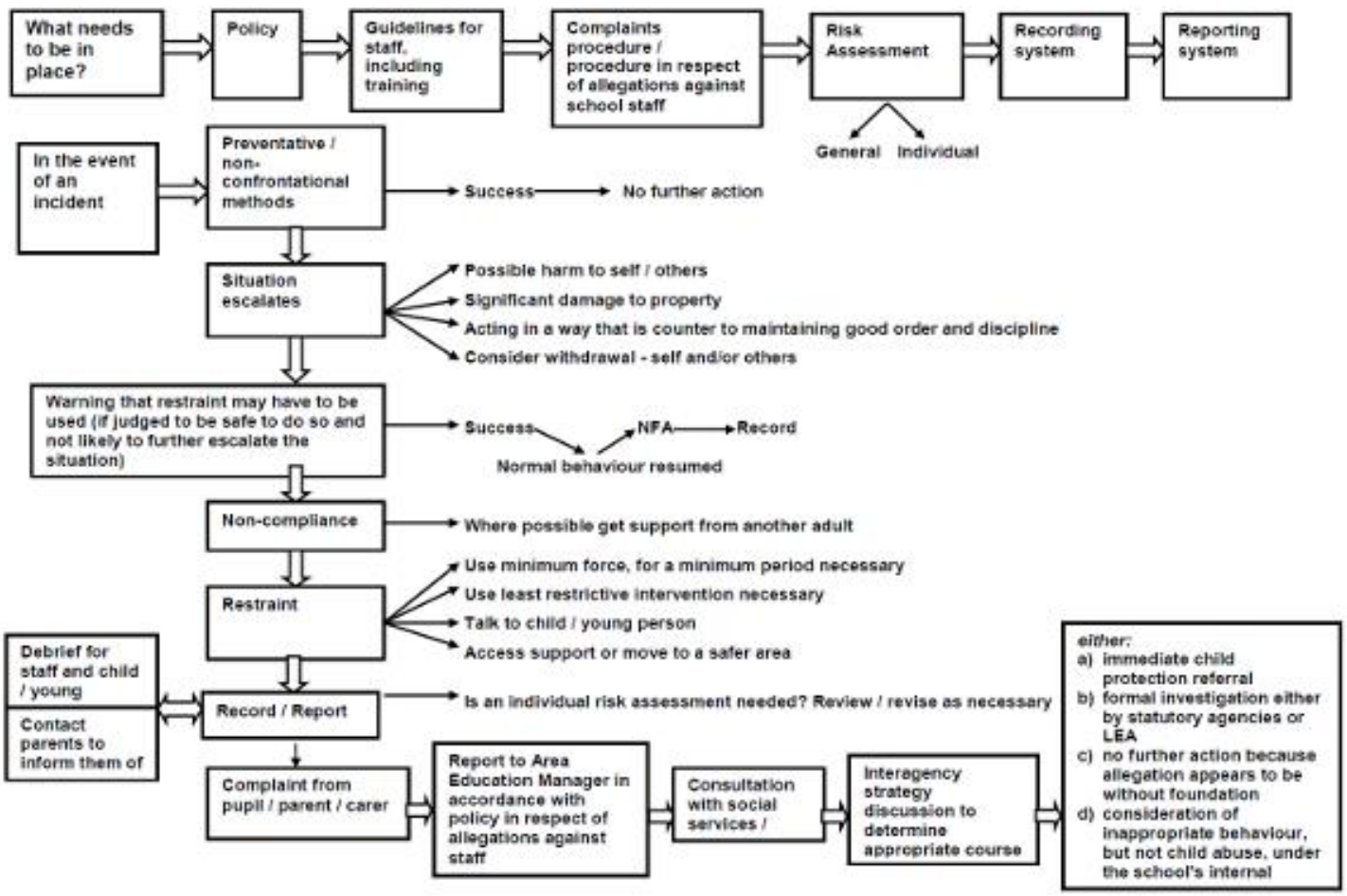
Risk Management addresses three questions:

1. What could go wrong?
2. What preventative measures are in place?
3. What further action is required?

The issues are:

- What harm could be caused to self?
- What harm could be caused to anyone else?
- What harm could be caused to property?
- What or who could cause the harm?
- In what circumstances could it happen?
- What is the likelihood of such circumstances arising?

Positive Handling Policy – Flowchart



Appendix 6- Behavioursafe Techniques Reference

1. Low Level Positive Supporting/Comfort Holds

Prompting



Reference: Prompting 1



Reference: Prompting 2

Guiding



Reference: Guiding 3

One-Person Escort with Holding (Support Hold)



Reference: Escort 4

2. Restraint

'Double Cup Hold'



Reference: Double cup hold 5

Straight Arm Immobilisation



Reference: Straight arm immobilisation 6

Seated Rest Positions:



Reference: Seated rest position 7

Dealing with kicking in a seated position.



Reference: Seated kicking position 8

Document Control

Changes History

Version	Date	Amended By	Details of Change
V2	01/12/2017	Principal/CEO	Language and terminology changes
V3	05/01/2018	Principal/CEO	Updating of referenced documents
V4	28/03/19	ELM	Updating of LGB to LC (1.1 & 4.1), Updated SSP terminology
V5	02/04/2020	HOS WISA	Supplied additional clarity 2.3, 4.3 and 7.3 Referenced relevant documents 3.5 and appendix 4
V6	01/04/2021	HOS WISA	Removal of link to Dfe not working. Added Appendix 2.1 reporting form
V7	26/01/2022	HOS WISA	Added a definition of the different types of Handling
V8	21/9/2022	Gemma Bucklee	Updated terminology in line with Bells Croft Training

Approval

Name	Job Title	Signed	Date
Andrew Aalders-Dunthorne	Principal/CEO	Electronic signature	01/08/2016
Dawn Carman-Jones	On behalf of the Trust Board	Electronic signature	01/08/2016
Andrew Aalders-Dunthorne	Principal/CEO	Electronic signature	31/03/2022
Dawn Carman-Jones	On behalf of the Trust Board	Electronic signature	31/03/2022
Andrew Aalders-Dunthorne	Principal/CEO	Electronic signature	6/10/2022
Dawn Carman-Jones	On behalf of the Trust Board	Electronic signature	6/10/2022

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