

POLICY FOR	POSITIVE HANDLING
PERSON RESPONSIBLE	DEPUTY HEADTEACHER
REVIEW DATE	JANUARY 2023
NEXT REVIEW DATE	JANUARY 2024
APPROVED BY	GOVERNING BODY
APPROVAL DATE	JANUARY 2023

Definition of Positive Handling

- Positive handling refers to the use of the minimum degree of force necessary for the shortest period of time to prevent a pupil harming themselves, others or property
- The scale and nature of any physical intervention must be appropriate to both the behaviour and the individual to be controlled, and the nature of the harm they might cause

Useful terms in this context are:

- **Physical contact:** Situations in which proper physical contact occurs between staff and pupils, e.g.: in the care of pupils who have significantly heightened levels of SEMH or anxiety in order to comfort pupils.
- **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.
- **Physical control/restraint:** This will involve the use of reasonable force when there is an immediate risk to pupils, staff, or property. It is important to note that the use of 'reasonable force' should be seen as a last resort. All such incidents must be recorded and stored in an accessible way. The level of compliance from the pupils determines whether the interaction is an intervention or a control/restraint.

Aims of Positive Handling

The Malling School believes that all members of the school community (pupils, staff, parents/carers, and visitors) have the right to feel safe and cared for.

This policy aims to provide a framework so that all staff who come into contact with pupils are clear about their roles and responsibilities within the context of positive handling.

It should be used in conjunction with the Safeguarding Policy.

Key Principles

- The majority of pupils at The Malling School are well behaved and compliant of the instructions given by all members of staff.
- Physical restraint should be regarded as a last resort for a tiny minority of situations.

- Physical intervention should not be regarded as a usual situation and should be avoided unless absolutely necessary.
- The behaviour policy must always be adhered to, and any incident reported quickly and to the relevant member of the Senior Leadership Team. The Designated Safeguarding Lead must also be informed, and the incident reported by the member of staff on MyConcern in line with the school's Safeguarding Policy.
- The Malling School operates a principle of *prevention is better than cure*, and staff should plan appropriately and put in place strategies to manage behaviour.
- The Malling School will provide training for staff where appropriate.

Members of staff trained:

Training Provider: Safer Handling

Course completed 21/11/2022: Restraint Reduction Legal Briefing on the Use of Reasonable Force

Mrs Susan Cook

Mrs Kimberley Hustwayte

Implications of the policy

- The 1996 Education Act (Section 55OA) stipulates that reasonable force may be used to prevent a pupil from doing, or continuing to do, any of the following:
 - engaging in any behaviour prejudicial to maintaining good order and discipline at the school among any of its pupils, whether the behaviour occurs in a classroom during a teaching session or elsewhere within the school (this includes authorised out-of-school activities)
 - self-injuring
 - causing injury to others
 - committing an offence
- Individual members of staff cannot be *required* to use physical restraint. However, teaching, and nonteaching staff work in loco parentis and should always operate with an appropriate 'Duty of Care', they could be liable for a claim of negligence if they fail to follow the guidance within this policy.
- The application of any form of physical control places staff in a vulnerable situation. It can only be justified according to the circumstances described in this policy. Staff, therefore, have a responsibility to follow the policy and to seek alternative strategies wherever possible in order to prevent the need for physical intervention.

Roles and Responsibilities

Staff:

- Teachers and other school staff are in a position of trust and are expected to work within the agreed parameters of this document.
- Teachers and other school staff need to be safe and confident in how they manage inappropriate behaviour.
- The law allows all other personnel who are authorised by the Headteacher to have control or charge of pupils to use reasonable force if necessary.
- All members of staff are also allowed to use reasonable force to defend themselves.

Parents/carers:

- Parents/carers may find it difficult to understand why their child has been restrained, and appropriate information must be passed to them quickly and sensitively.
- Parents/carers need to know that their child is safe and free from disruptive influences or danger.
- The school is open to parental queries about this policy and its review.

Pupils:

- Pupils need to be made aware that this policy exists, its rationale and implications
- Pupils need to be kept informed during the process and given space and time to process the restraint.

Positive Handling Strategies

Positive handling should include the following steps:

- Verbal acknowledgement of unacceptable behaviour with request for the pupils to refrain (this includes negotiation, care, and concern).

Further verbal reprimand stating:

- That this is the second request for compliance.
- Tell the pupil what you are doing and why.
- Talk to the pupil constantly so that they are not surprised by the actions being taken.
- An explanation of why observed behaviour is unacceptable. Give them numerous opportunities to choose an appropriate alternative solution.
- An explanation of what will happen if the unacceptable behaviour continues.
- Warning of intention to intervene physically and that this will cease when the pupils comply, if possible, summon assistance from a member of the senior team.
- Physical intervention with the use of reasonable force to prevent a child harming him or herself, others, or property. Wherever possible assistance will be sought from another member of staff.
- Try to act from the side of the pupil.
- Use simple and clear language.
- Relax restraint in response to the pupil's compliance.

Alternative strategies:

- Use of assertiveness skills.
- Use of a distractor, to interrupt the behaviour for long enough to enable other methods of verbal control to be effective.
- Withdrawal of an action (e.g., remove the audience) if an action such as damage to property is threatened.
- Offering a solution or a private place to reflect and calm down.
- Other techniques designed to diffuse the situation, such as the avoidance of confrontation, silence or the use of humour, so that the situation can be dealt with at a later point when emotions are not running as high.

Acceptable forms of intervention may include the following:

- Leading or guiding a pupil by the hand or arm or shepherding them with a hand in the centre of the back.
- Holding a pupil who has lost control until they are calm and safe.
- Physically moving between and separating two pupils.
- Blocking a pupil's path to prevent injury to the pupil or others.
- Where there is immediate risk of injury, any necessary action that is consistent with the concept of 'reasonable force' – for example to prevent a pupil's running into a busy road or hitting or hurting someone.

- Using more restrictive holds in extreme circumstances.

It is also acceptable for doors to be locked to ensure pupils safety, as long as a member of staff is always with the pupil in such circumstances. (Care needs to be taken here regarding Health and Safety Fire Regulations).

Staff may move, defend themselves, lead, restrain or block someone, bearing in mind the whole time their own safety as well as that of others and of the child who is the subject of any restraint or other intervention.

Recording

All incidents should be reported to the relevant Pastoral Lead and the Designated Safeguarding Lead.

A full written account of the incident should be kept by the relevant Deputy Headteacher made by the member of staff concerned.

The report will contain:

- Name(s) of pupils(s) concerned, when and where the incident occurred.
- Names of staff or pupils who witnessed.
- The reason why force was needed.
- How the incident began and progressed, who said what, who did what.
- What was done to calm things down.
- What degree of force was used? What kind of hold, where and for how long.
- Pupil(s) response and the outcome of the incident.
- Details of any injury to any person or damage to property (an unfortunate consequence of restrictive physical intervention is that the pupil may suffer minor injury to prevent a major injury or safety concern) and must be signed and dated by the member of staff and countersigned, if possible, by another member of staff who was at the incident.

Action After an Incident

Time should also be spent after the incident to:

- Discuss the incident with the pupil(s) at an appropriate time following the event when the pupil is calm and able to process the conversation. The aim is for the pupil to learn from the incident so that Positive Handling is not needed in the future.
- Interview staff involved and any other witnesses.
- Inform the pupil's parents/carers by phone and social worker if relevant (phone call &/or email/letter)
- Record any disagreements expressed by the pupil or adults about the event.
- Take any appropriate further action, liaising with Governors, the Local Authority, or Unions as appropriate, and acting within the Local Authority Child Procedures

The Headteacher will ensure that each incident is reviewed and investigated further as required. If further action is required in relation to a member of staff or a pupil, this will be pursued through the appropriate procedure:

- Review of Behaviour Programme.
- Safeguarding procedure (this may involve investigations by police and/or Social Services).
- Staff or Pupils Disciplinary Procedure.
- School Behaviour Policy.
- Exclusions Procedure in the case of violence or assault against a member of staff.

The member of staff will be kept informed of any action taken. In the case of any action concerning a member of staff, he/she will be advised to seek advice from his/her professional association/union.

Complaints

The availability of a clear policy about reasonable force and early involvement of parents/carers should reduce the likelihood of complaints but may not eliminate them.

Any complaints about staff will be investigated through the school's Complaints Policy. If necessary, the complaint will be dealt with by the Staff Disciplinary Procedures and/or Safeguarding Policy.

Monitoring and Evaluation

This policy will be monitored as required and reviewed every year.