Positive Handling Policy

Date: January 2024

Review Due: January 2025

Reviewed Annually

Introduction

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 the care and control of pupils presenting very challenging behaviour. Its contents are available to parents and pupils

Aims and 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 our school wide positive behaviour approach, practised by staff. This ensures the well-being and safety of all pupils and staff in Lordswood School. It is also acknowledged that in exceptional circumstances, staff may need to take action in situations where the use of reasonable force may be required. Lordswood School acknowledges that physical techniques are only part of a whole setting approach to behaviour management and are only used as a last resort under-pinned by sound risk assessment.

Every effort will be made to ensure that all staff in this school, clearly understand this policy and their responsibilities in the context of their duty of care for taking appropriate measures where *reasonable force* is necessary and are provided with appropriate training to deal with these difficult situations.

We aim:

- To ensure that all pupils remain safe and secure in a safe and secure environment
- To provide a safe environment for those pupils exhibiting challenging behaviours
- To promote de-escalation and diversion methods in dealing with challenging behaviours
- To promote a caring ethos for pupils exhibiting challenging behaviours
- To ensure that key staff are trained in the use and application of positive handling methods

School Ethos

The adults encountered by the children at school have an important responsibility to model high standards of behaviour, both in their dealings with the children and with each other, as their example has an important influence on the children.

As adults we aim to:

- create a positive climate with realistic expectations;
- emphasise the importance of being valued as an individual within the group;
- promote, a Values Based approach to both behaviour and learning;
- provide a caring and effective learning environment;
- encourage relationships based on kindness, respect and understanding of the needs of others;
- ensure fair treatment for all, regardless of age, gender, race, ability and disability;
- show appreciation of the efforts and contribution of all.

Implications of the policy

The Education and Inspection Act 2006 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;
- damage to property.

Individual members of staff cannot be required to use physical restraint. However, teaching and non-teaching 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.

Reasonable force will only be used as a last resort when all other behaviour management strategies have failed or when pupils, staff or property are at risk.

Failure to positively handle a pupil who is subsequently injured or injures another, could, in certain circumstances, lead to an accusation of negligence. At the same time staff are not expected to place themselves in situations where they are likely to suffer injury as a result of their intervention.

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;
- be informed about the school's complaints procedure.

The school will ensure that pupils are given support to understand the need for and respond to clearly defined limits, which govern behaviour in the school as set out in the school's Relationship Policy.

Definitions

Reasonable force

In July 2013, the DfE issued advice for Heads, staff and governing bodies over the use of reasonable force.

The term "reasonable force" refers to a level of physical intervention necessary to prevent a pupil hurting themselves or others, damaging property or causing disorder. This "force" is generally used to control or restrain a pupil. A pupil may be controlled by passive physical contact such as standing between two pupils or blocking a pupil's path or active physical contact such as leading a pupil by the arm out of a classroom.
Restraint may be used to physically hold a pupil back or to bring them under control and is typically used in more extreme circumstances.

All members of school staff have a legal power to use reasonable force where necessary.

Reasonable force can be used when, in a member of staff's professional judgement, it is necessary in order to prevent a pupil hurting themselves or others, damaging property or causing disorder. Each situation must be considered on the basis of the individual circumstances, but examples of situations where reasonable force can be used might include:

- Removing a disruptive pupil from a classroom where they have repeatedly refused an instruction to do so.
- Preventing a pupil behaving in a way that disrupts a school event or a school trip
- Preventing a pupil leaving a classroom where allowing them to do so would risk their safety or lead to behaviour that disrupts the learning of others.
- Preventing a pupil from attacking a member of staff or another pupil
- Stopping a fight
- Restraining a pupil at risk of harming themselves through physical outbursts.
- Preventing a pupil deliberately damaging or vandalising property.
- Preventing a pupil leaving the school site after absconding from a classroom.

At Lordswood, we have incorporated Team-Teach techniques and training to ensure all children are safely removed when necessary.
"Team-Teach techniques seek to avoid injury to the service user but it is possible that bruising or scratching may occur accidently 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 service user remains safe". (George Matthews- Director)

Positive handling uses the minimum degree of force necessary for the shortest period of time to prevent a pupil harming him/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.

Physical contact

Situations in which proper physical contact occurs between staff and pupils, e.g. in the care of pupils with learning disabilities; in games/PE; to comfort pupils.

Physical intervention

This may be used to divert a pupil from a destructive or disruptive action, e.g. 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".

The level of compliance from the pupil determines whether or not the interaction is an intervention or a control/restraint.

Strategies for dealing with challenging behaviour

Staff will consistently use positive strategies to encourage acceptable behaviour and good order.
Every effort will be made to resolve conflicts positively and without harm to pupils or staff, property, buildings or the environment. Where unacceptable behaviour threatens good order, discipline and provokes intervention, positive handling strategies are required. Some or all of the following approaches should be taken according to the circumstances of the incident.

- verbal acknowledgment of unacceptable behaviour with request for the pupil to refrain (this includes negotiation, care and concern);
- use a distractor to interrupt the behaviour long enough for other methods of verbal control to be effective.
- further verbal reprimand stating:
  - o   that this is the second request for compliance;
  - o   an explanation of why observed behaviour is unacceptable;
  - o   an explanation of what will happen if the unacceptable behaviour continues.
- warning of intention to intervene physically and that this will cease when the pupil complies. If possible summon assistance.
- physical intervention. Reasonable force being used to prevent a child harming him or herself, others or property.

Wherever possible, assistance will be sought from another member of staff.

Positive handling at Lordswood School is seen as a proactive response to meet individual pupil needs.

In all circumstances other methods should be used if appropriate or effective, positive handling should be a last resort.

Management and review of Positive Handling Strategies

A member of the leadership team should be informed of any incident as soon as possible. The management and review of positive handling strategies is proactive and will be done after every incident where positive handling is used.

- strategies for 'de-escalation' or 'de-fusion' which can avert the need for a physical intervention;
- procedures for post-incident support and de-briefing for staff, children, service users and their families.
- The concept of reasonable force where 'reasonableness' is determined with reference to all the circumstances, including:
  - o   the seriousness of the incident;
  - o   the relative risks arising from using a physical intervention compared with

       using other strategies;
- o the age, cultural background, gender, stature and medical history of the child concerned;
- o the application of gradually increasing or decreasing levels of force in response to the person's behaviour;
- o the approach to risk assessment and risk management employed.

If the behaviour is part of an ongoing pattern it may be necessary to address the situation through the development of a behavioural support plan, which may include an anger management programme, or other strategies agreed by the SENDCo.

It is also helpful to consider the circumstances precipitating the incident to explore ways in which future incidents can be avoided.

All incidents should be recorded immediately and include the details of before, during and after the use of reasonable force. A member of the leadership team will contact parents as soon as possible after an incident, normally on the same day, to inform them of the actions that were taken and why, and to provide them with an opportunity to discuss it.

Authorised Staff

In this school, key staff are authorised to use reasonable force within the context of The Education and Inspection Act 2006 – "The use of reasonable force to control and restrain pupils".

The school provides training for all key staff and the Head retains a list of all those staff trained. The list is reviewed on an annual basis (or more frequently if the context requires it).

The Head is responsible for making clear to whom such authorisation has been given (in what circumstances and settings they may use force and for what duration of time this authorisation will last). The Head will ensure that those authorised are aware of, and understand, what the authorisation entails. Those whom the Head has not authorised will be told what steps to take in the case of an incident where control or restraint is needed.

Recording

Where physical control or restraint has been used, a record of the incident will be kept. This will be recorded under the pupil's name on CPOMs.
A Health and Safety Accident Form will be completed in situations where injury has occurred to either members of staff or pupils. Where staff have been involved in an incident involving reasonable force, they should have access to support as appropriate.

Monitoring incidents

Whenever a member of staff has occasion to use reasonable force, this will always be recorded and documented following agreed procedures. Monitoring of incidents will help to ensure that staff are following the correct procedures and will alert the Head to the needs of any pupil(s) whose behaviour may require the use of reasonable force. Monitoring of incidents will take place on a regular basis and the results used to inform planning to meet individual pupil and school needs.

Action after an incident

The Head 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 school support plans/or behaviour plan
- child protection procedure (this may involve investigations by police and/or social services);
- staff or pupil disciplinary procedure;
- school Relationship 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, they will be advised to seek advice from their professional association/union.

Complaints

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 Child Protection Procedures.

Training

It will be the responsibility of the Head to arrange suitable training. Training for all key staff will be made available. No member of staff will be expected to undertake the use of reasonable force 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.

The school is committed to using Team Teach, providing this approach continues to adopt the British Institute for Learning Difficulties (BILD) Code of Practice on physical intervention. Lordswood School acknowledges that physical techniques are only a part of a whole setting approach to behaviour management.

Physical techniques are not treated in isolation and the school is committed to ensuring that, as a result of incidents, learning opportunities are created for children that allow them to take responsibility for their behaviour.

In addition, procedures are also in place to ensure that appropriate support is provided for staff and that following an incident pupil/staff relationships are rebuilt and repaired to ensure that a positive learning environment is maintained.

All the techniques used take account of a young person's: age; gender; level of physical, emotional and intellectual development; special needs and social context. They will also provide a gradual, graded system of responses.

This Policy should be read in conjunction with the School's Safeguarding Policy and Relationship Policy.