



# Positive Handling Policy

Autumn 2023

## **Positive Handling Policy**

### **1. Introduction**

- 1.1. This policy has been prepared for the guidance and support of all teaching and support staff and adheres to the DCSF guidance on 'The Use of Force to Control or Restrain Pupils – Guidance for Schools in England', April 2010 and DFE Policy 'Use of Reasonable Force', July 2013. The guidance on 'Reducing the Need for Restraint and Restrictive Intervention. Children and young people with learning disabilities, autistic spectrum conditions and mental health difficulties in health and social care services and special education settings Published: 27 June 2019
- 1.2. Middlesbrough council recognises that there will be circumstances that may make it necessary, exceptionally, for responsible adults in schools to use positive handling strategies to manage extreme behaviour. It is expected that in those circumstances interventions are made within the framework of agreed policy.
- 1.3. This policy should outline key principles, approaches, procedures and arrangements which make the use of these interventions as safe and secure as possible for all staff, children and young people. Emphasis is expected to be placed on the importance of de-escalation and opportunities for learning from incidents that will help in the prevention of incidents in the future.
- 1.4. It is considered good practice that any school-based policy should:
  - Encourage the development of self-worth
  - Set high expectations of behaviour for all within the organisation
  - Promote a positive ethos within a safe and secure environment
  - Foster mutual respect amongst staff and pupils
  - Plan approaches to managing inappropriate behaviour
  - Include monitoring practices to enable effectiveness of policy to be evaluated
- 1.5. This policy should be read in conjunction with other school policies relating to interaction between adults and pupils, specifically the school's Behaviour Policy.

### **2. Purpose of the policy**

- 2.1. Good professional relationships between staff and pupils are vital to ensure good order in school. It is recognised that most pupils in school respond positively to the discipline practised by the staff. This ensures the well-being and safety of all pupils and staff.
- 2.2. It is also acknowledged that in exceptional circumstances staff may need to act in situations where the use of positive handling may be required.
- 2.3. Every effort will be made to ensure that all staff in School:

- Clearly understand this policy and their responsibilities in the context of their duty of care in taking appropriate measures where positive handling is necessary
  - Are provided with appropriate training to deal with these difficult situations should they occur.
- 2.4. The application of any form of positive handling 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** to prevent the need for positive handling.
  - 2.5. Positive Handling 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.
  - 2.6. Positive Handling will only take place when de-escalation techniques (Appendix A) have failed.
  - 2.7. The Headteacher or designated deputy should explicitly inform staff during the induction process of their responsibilities in relation to this policy and the school's ethos and practice regarding behaviour management, de-escalation (see Appendix A) and the use of force.
  - 2.8. At Rose Wood Academy School we have a comprehensive Behaviour Policy. It includes guidance on how staff should manage poor behaviour.

### 3. School Ethos

- 3.1. The ethos of the school is vital to the way in which children and young people perceive themselves as part of the school community. It will determine the extent to which pupils feel they belong to the community and as a result impact on all aspects of behaviour. Schools achieve a positive, calm and facilitative environment in which children and young people can develop and learn through a wide range of measures.
- 3.2. A key factor in successful schools is the provision of an effective curriculum appropriately differentiated to stimulate and engage all pupils. Where this is achieved in conjunction with the provision of an effective personal and social education curriculum it is more likely that a calm and orderly learning environment will exist
- 3.3. It is widely recognised that a reward based rather than a punishment orientated ethos, which rewards good behaviour and attitudes and avoids whole group sanctions, is more likely to bring about desired behaviour. Similarly, the use of any form of positive handling as a punishment, as well as being unlawful, is unlikely to induce positive attitudes and behaviour in children and young people.
- 3.4. Staff will develop relationships with pupils based on mutual trust and respect. Such relationships will be the firm foundation of communicating expectations regarding individual learning targets as well as managing all behaviours.
- 3.5. A supportive ethos within school will also be determined by the extent to which staff feel safe and supported in carrying out their duties. There is a recognition that some staff may experience verbal and physical assault

whilst working with children and young people. It must be made clear to all staff that they should not expect or accept such abuse. Similarly, it must be made clear to them what course of action is open to them when abuse occurs.

- 3.6. Every member of staff should be made aware of what is expected of them, their contribution to the ethos of the school as well as their contribution to the management of pupils' behaviour.
- 3.7. Staff should have access to guidelines on the support and training available to them to augment existing awareness, knowledge and competencies relating to the management of behaviour, 'Team Teach'.

#### **4. Staff Authorised to Use Reasonable Force**

- 4.1. All school staff members have a legal power under Section 95 of the Education and Inspections Act 2006 to use force which is necessary, reasonable and proportionate to prevent pupils:
  - 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 own property)
  - Engaging in behaviour prejudicial to maintaining good order and discipline at school or among any of its pupils, whether that behaviour occurs in a classroom during a teaching session or elsewhere. Middlesbrough Council acknowledges that staff will rarely use a positive handling strategy in these circumstances
- 4.2. The staff to which this power applies are:
  - Any member of staff at the school
  - Any other person whom the Head has authorised to have control or charge of pupils. This can also include people to whom the headteacher has given temporary authorisation to have control or charge of pupils such as unpaid volunteers (for example parents accompanying pupils on school-organised visits)
  - **It does not include any pupils**

#### **5. Physical Handling**

- 5.1. We believe physical handling should always be a last resort. As a rule, nobody has the right to move, hold or contain another person. However, people with a duty of care operate in exceptional circumstances where it is sometimes necessary to act outside the norm.
- 5.2. The main reason for using physical handling is to bring a dangerous situation under rapid control to keep people safe.
- 5.3. Before using physical handling, staff should engage the pupil in a calm and measured tone, making clear that their behaviour is unacceptable and

setting out how the pupil could choose to change their behaviour. Other de-escalation techniques should be tried (Appendix A)

- 5.4. Staff should not give the impression of acting out of anger or frustration, or to punish a pupil, and should make it clear that they only intend to use physical intervention as a last resort to ensure that the situation is addressed as safely as possible.
- 5.5. The use of physical handling must always be proportionate to the level of risk and should always be reduced at the earliest possible time.
- 5.6. Whenever they do so, staff should be clear about why it is **necessary** and any actions taken should be **reasonable** and **proportionate** and should be **in the pupil's best interest**.
- 5.7. **It is ALWAYS unlawful to use force as a punishment.**

## **6. When to use physical handling**

- 6.1. The judgement on whether to use physical handling and what type of physical handling to use should always depend on the circumstances of each case and, crucially in the case of pupils with additional and/or complex needs/disabilities, information about the individuals concerned.
- 6.2. If the threatening person is someone other than a pupil, then physical handling should only be used as a means of defending oneself as permitted under common law and should be **reasonable** and **proportionate**
- 6.3. Rose Wood Academy, in accordance with 'The Use of Force to Control or Restrain Pupils – Guidance for Schools in England', April 2010, recommends that staff should only use force when:
  - The potential consequences of not intervening are sufficiently serious to justify considering the use of physical intervention.
  - The chances of achieving the desired result by other means (such as deescalation) are low.
  - The risks associated with not using force outweigh those of using force.
- 6.4. Physical intervention will only ever be used as a last resort, when all other attempts to defuse a situation have broken down and then only with the minimum amount of **reasonable** force for the **shortest possible** time. (NB for more information about reasonable force please see Appendix B)

## **7. Behaviour Care Plans**

- 7.1. A behaviour care plan will be created for all children where it is known that the child is more likely to be at risk of physical handling due to behaviours that may threaten his/her own safety, the safety of others, or may lead to the destruction of property.
- 7.2. A behaviour care plan will be created following a period of assessment, when possible triggers to behaviours are investigated and strategies to deescalate behaviour have been trialled.
- 7.3. The behaviour care plan will take account of the age of the child, the activity they are involved in and whether they have special needs.

- 7.4. Behaviour care plans will be created in consultation with the pupil (where applicable, according to their age), his/her parents/carers and all relevant professionals e.g. Speech and Language Therapist, Physiotherapist, Occupational Therapist.
- 7.5. Any planned use of Restrictive Physical Intervention (RPI) should be compatible with a pupil's Statement of SEN/EHCP and properly documented in school records and behaviour care plan.

## **8. Using Restrictive Physical Intervention (RPI)**

- 8.1. Rose Wood Academy School recognises that despite its philosophy, ethos, expertise and experience, a pupil may, on occasion, be unable to control his/her own actions to such an extent that his/her behaviour meets the agreed criteria for the set procedures for a restrictive physical intervention to be implemented.
- 8.2. Restrictive Physical Intervention" is defined, in accordance with Section 550A of the Education Act 1996 as the application by a member of staff of a school of some degree of reasonable force in relation to a pupil for preventing him/her from doing any of the following: -
  - Committing an offence.
  - Causing personal injury to or damage to the property of, any person (including the pupil himself / herself).
- 8.3. Staff should use existing systems to request support from a member of the SLT if a restrictive physical intervention is likely to be necessary.
- 8.4. Unless there is deemed to be an imminent risk of harm to the pupil or other pupils/staff, it is advised that a member of staff trained in Team Teach techniques should intervene and use de-escalation techniques (see Appendix A). Restrictive Physical Intervention will only be used as a last resort and as a protective measure.
- 8.5. Staff should consider whether it is appropriate for the rest of the class to be removed to another place.

## **9. Team Teach**

- 9.1. Team-Teach is a structured, non-violent, staff development programme that promotes techniques that are effective in the de-escalation and the management of anger and aggression, utilising therapeutic, educational, awareness and communication handling strategies. It puts an emphasis on whole teams of people working together to teach and help facilitate change, using restrictive physical interventions as a last resort.
- 9.2. 'Team Teach' techniques seek to avoid injury to pupils and staff, but it is possible that bruising or scratching may occur accidentally, 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 pupil remains safe. Any minor injuries sustained by pupils or staff are checked by staff with a First Aid qualification and recorded as part of the recording of the incident.

- 9.3. Normally, only those members of staff who have been trained in the use of agreed techniques, i.e. 'Team-Teach', will carry out the restrictive physical management of pupils. However, there may be the necessity for any untrained member of staff to intervene on their own if there is a risk to the pupil him/herself, another young person or a member of staff.
- 9.4. Rose Wood Academy School endeavours to train identified staff to the appropriate level as soon as it reasonably can. Any member of staff who has not had the updated training is advised not to use restrictive physical intervention unsupported by a trained member of staff unless immediately necessary.
- 9.5. Staff should be aware that inappropriate use of physical restraint could lead to a charge of assault.

## **10. Reporting Incidents**

- 10.1. All significant incidents where physical restraint has been used must be reported and records with details of circumstances and key people saved on our system
- 10.2. The member of staff involved in the incident compiles the record .
- 10.3. The member of staff with lead responsibility for safeguarding checks the record and ensures that the school provides the member of staff involved in the incident with a copy of the final version
- 10.4. All accounts of the same incident should be recorded, including those of the pupil or pupils involved. It is important that this information is treated in confidence.
- 10.5. Records of such incidents will be retained by the school until the member of staff involved has reached normal retirement age or for 10 years from the date of any allegation if that is longer.

## **11. Criteria for significant incidents**

- 11.1. An incident is significant when
  - i. There has been the use of a physical intervention (e.g. physically removing a pupil from a room)
  - ii. There has been the use of a restraint technique (see Appendix B).
  - iii. A pupil has behaved in a dangerous or potentially dangerous manner.
  - iv. An incident where a child was very distressed, (though clearly not over reacting)

## **12. Informing parents/ carers of significant incidents**

- 12.1. Parents should be informed and given the option to discuss the incident further with a member of the SLT team
- 12.2. In this case 'parent' has the meaning of those having the day to day care of the pupil and the local authority where the pupil is the subject of a care order.
- 12.3. The requirement is to notify each 'parent'. Where a child has a mother and father who both have parental responsibility and where the child is subject

to a Care Order the requirement will be to report the incident to the mother, father and the relevant local authority (usually the Social Services Department).

- 12.4. The exception to this is if it is likely that reporting an incident to a parent will result in significant harm to the pupil, e.g. where a child would be chastised inappropriately and/or excessively, then the incident should be reported to the Local Authority (LA) for example the Social Services Department or the Education and Children's Services Department. The headteacher will make the decision about the likelihood of significant harm.
- 12.5. In the case of 'Looked after Children' (LAC), the allocated social worker should be informed.

### **13. Post Incident Support**

#### **13.1. For pupils**

- i. Pupils are provided with support and learning opportunities which allow them to reflect on, take responsibility for, and learn from their behaviour at a level appropriate to their stage of development. These opportunities enable pupils and staff to build or rebuild positive relationships. Wherever possible this should take place within 24 hours.
- ii. Support may take the form of some quiet time, a walk around the playground with a member of staff, a discussion with a member of staff or other appropriate strategies.
- iii. Pupils will be monitored at appropriate intervals after an incident
- iv. If any pupil is severely distressed following Restrictive Physical Intervention or a Significant Incident, it may be agreed by the headteacher, deputy or member of SMT, and parent/carers that the pupil could return home to recuperate.

#### **13.2. For staff**

- i. Staff are provided with support, guidance and a designated time in which to debrief.
- ii. Staff have access to counselling if they feel it is necessary.
- iii. Within school, support will be made available through colleagues and the SMT, e.g. a short break and/or a time for debriefing.
- iv. In some situations, individuals may need immediate support. In some circumstances where support is not immediately available it may be necessary to provide the support later. All staff should feel comfortable with seeking this support.

### **14. Complaints and Allegations**

- 14.1. Pupils and parents have a right to complain about the actions taken by staff, including the use of force. If a specific allegation is made against a member of staff, the Headteacher will follow the guidance set out in 'Safeguarding Children and Safer Recruitment in Education', July 2019.



- 14.2. Other complaints should be dealt with using Rose Wood Academy School's complaints procedure.
- 14.3. Any member of staff who feels that physical intervention has been misapplied, either within school by school staff/ parents or outside of school, should take their concerns to the headteacher in the first instance (see whistle blowing policy). The headteacher will investigate all such concerns according to policy and procedures.

## **15. Monitoring and Reviewing of Incidents**

- 15.1. The Headteacher and Deputy Headteacher will review the frequency and severity of any incidents requiring restraint.

**At Rose Wood Academy School physical intervention should never be used as a substitute to good behavioural management or as a punishment**

## Appendix A

### De-escalation Strategies can include:

- Talking to a pupil in a calm and controlled manner, using his/her name first and a brief instruction.
- Repeating what is happening now and what he/she will be able to do next.
- Having a member of staff assigned to the pupil.
- Organisation of the classroom, e.g. distracting toys not accessible, positioning of pupils in class.
- Advance warning of change of activity, e.g. count down; use of timer / music.
- Staff modelling appropriate behaviour.
- Praise for appropriate behaviour.
- Use of pupil's strengths and interests.

NB Any person who comes into contact with a pupil is informed of what can happen and what strategies are in place to de-escalate situations that may occur.

**Active Strategies** are those which are used when a pupil is displaying signs of challenging behaviour and consists of strategies used to defuse or de-escalate situations:

- Be aware of any warning signs that inappropriate behaviour may occur.
- Divert and distract by adding another activity or topic.
- Display calm body language.
- Talk in a low tone, slowly and quietly.
- Use appropriate humour.
- Continue to remind of appropriate behaviour.
- Offer alternatives and options.
- Offer clear choices.
- Give clear directions for pupils to stop.
- Remind pupils about rules and likely outcomes.
- Set clear enforcement limits.
- Catch pupils being good and praise.
- Calmly and quietly repeat instructions.
- 'First....then....' first do required activity, and then receive favoured activity as reward.
- Remove pupil away from trigger and remove trigger.
- Remove an audience or take vulnerable pupils to a safer place.
- Use safe defensive measures, guiding the pupil away if he is trying to make physical contact.
- Ensure that colleagues know what is happening, and get help.

**Reactive Interventions** are the strategies that will be used if a pupil's behaviour escalates into a crisis situation and could include the following:

- Make the environment safe.
- Move furniture.
- Remove objects that can be used as weapons.
- Change member of staff as needed (give the child a 'fresh face').
- Planned ignoring.
- In a firm tone, repeat instructions.
- Inform pupils of consequences of his/her actions.
- Remove pupils to a safe area.
- Allow pupil time and space to:-
  - i. Process information and respond
  - ii. Physically recover
  - iii. Talk about the incident

## Appendix B

### Reasonable Force:

There is no legal definition of what is considered to be reasonable force. However, the DfES does provide guidance on what it means in circular 10/98: section 550A of the Education Act 1996: The use of force to control or restrain pupils  
(Go to [http://www.dfes.gov.uk/publications/guidanceonthelaw/10\\_98/summary.htm](http://www.dfes.gov.uk/publications/guidanceonthelaw/10_98/summary.htm))

### Some key points from the guidance are as follows

- What is reasonable force will always depend on the circumstances of each case.
- It will only be lawful when warranted by the circumstances of a particular incident.
- The degree of force used must be proportionate to the incident and the seriousness of the behaviour or the consequences it is intended to prevent.
- The age, understanding and sex of the pupil will be relevant to the degree of force which is acceptable and reasonable.
- The pupil's cultural background and attitude toward physical restraint should also be borne in mind.

### Types of Physical Restraint

Examples of the types of physical restraint that **may** be used, depending on the situation are:

- Physically standing between pupils.
- Blocking a pupil's path.
- Holding.
- Leading a pupil by the hand or by the arm.
- Shepherding a pupil by placing a hand on the back.
- More restrictive holds in more extreme circumstances where the employee has had appropriate training (Team Teach)

Staff **should not** act in a way that is likely to cause harm. In particular,

- Holding a pupil by the neck or collar, or any other way that will restrict breathing.
- Slapping, punching or kicking.
- Twisting limbs against a joint.
- Tripping.
- Holding or pulling by the hair or by the ear.
- Holding a pupil face down on the ground.

