



## PORTFIELDS PRIMARY SCHOOL

### POSITIVE HANDLING POLICY (PHYSICAL RESTRAINT)

Date	Review Date	Co-ordinator
June 2017	June 2018	Vikki Pegg

#### Introduction

This policy has been developed in response to The Education and Inspections Act 2006 section 93, which reinforces and replaces previous guidance. It follows the guidance for 'The Use of Reasonable Force to Control or Restrain Pupils'.

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. The contents of the policy will be made available to parents and carers.

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.

#### Physical contact with pupils

We are a primary school and physical contact is part of our nurture principle, for example:

- hugging (when comforting a distressed pupil or to praise and congratulate a pupils performance)
- holding the hand of a pupil at the front/back of a line when going to assembly or when walking around the school or on school organised visit
- to demonstrate how to use a musical instrument
- to demonstrate exercises/techniques during PE lessons/sports coaching
- in circumstances where a child has injured themselves or application of first aid

#### Objectives

Good personal and professional relationships between staff and pupils are vital to ensure good order in 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. 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 in taking appropriate measures where use of force is necessary
- are provided with appropriate training to deal with these difficult situations

## 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 ILPs 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 rules, which govern behaviour in the school.

## Definitions of 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.

### Physical Contact

Situations will occur in which physical contact between staff and pupils is necessary 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 sometimes require opportunities for close contact, as long as this is within public view, sensitively carried out and age-appropriate.

### 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 arm or shoulder 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.

### Physical Handling

This will involve the use of reasonable force when there is an immediate risk to pupils, staff or property. The level of compliance from the pupil determines whether or not the interaction is an intervention or a control/restraint.

Restraint is defined 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

There are exceptions where the use of reasonable force and physical restraint may be necessary. 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:

1. Where action is necessary in self-defence or because there is an imminent risk of injury.
2. Where there is a developing risk of injury, or significant damage to property.
3. 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 (to themselves or others) 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 (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.
- A pupil 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).

## Use of Physical Handling

No legal definition of reasonable force exists. However, The Use of Reasonable Force guidance describes it as using no more force than is needed to prevent the harm happening.

- 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 ILP / Risk Assessment in the first instance to manage an incident/challenging behaviour.
- If this was unsuccessful and the situation continued to escalate, staff would then be expected to seek the help of other members of staff.
- Only if all of the above have been tried and are unsuccessful should staff even consider any other form of restraint. 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:

- age
- gender
- level of physical, emotional and intellectual development
- Special Educational Needs and Disabilities
- social context to include bereavement issues

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;
- exploring pupils' preferences relating to the way/s in which they are managed;
- staff employing de-escalation techniques to avert behaviour becoming violent or aggressive.

## Injury to the Child

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:

- assessing risks related to individual circumstances which may arise in the course of their day-to-day duties
- 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

Staff need to be aware that any situations resulting in the use of physical handling must be recorded by the member of staff involved (on a Physical Handling Report Form). This must be given to a member of the Senior Management Team by the end of the school day at the latest. It will be filed in a secure drawer.

There is always a risk of injury when two or more people engage to use force to protect, release or restrain. We will always seek to avoid injury to the child, but it is possible that bruising or scratching may occur accidentally. This should not be seen necessarily as a failure of professional technique, but a regrettable and infrequent side effect of ensuring that the child remains safe. Any such injury should be treated by a member of staff who is trained in First Aid and would be recorded in the normal way, following school policy and procedures.

Should a child require positive handling for their own safety or the safety of others, the parent/carer will always be informed.

## Complaints

The availability of a clear policy about reasonable force and early involvement of parents should reduce the likelihood of complaints but may not eliminate them. Where the nature of any complaint made by a pupil, parent or other person in relation to the use of physical hold within the school indicates that an allegation of mishandling by a member staff is warranted, the school's complaints policy will be followed.

In such circumstances the investigation of the complaint/allegation and any resulting action in respect of child protection, disciplinary or other procedures will be carried out in accordance with the guidance received from the Local Authority.