

# Positive Handling Policy

Forest Skies Federation

Approved by **forbes**solicitors.



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## INTRODUCTION

The term "Positive Handling" includes a wide range of supportive strategies for managing challenging behaviour. Included in this framework are a small number of responses which many involve the use of force to control or restrain a pupil. The term "physical restraint" is used when force is used to overcome active resistance.

These are referred to as "Restrictive Physical Interventions" in national Guidance (DfES/DoH 2002). A clear and consistent positive handling policy supports pupils who have social, emotional, and behavioural difficulties within an ethos of mutual respect, care and safety.

Pupils with severe behavioural difficulties sometimes present a risk to themselves and others. Section 550A of the Education Act 1996 describes the circumstances in which teachers and others authorised by the Headteacher may use reasonable force to control or restrain pupils. Examples of when such action may be reasonable are to prevent injury to people, damage to property or the breakdown of discipline. This policy details how we implement the guidance at this school. It should be considered alongside the most recent LEA policy statements and recent local and national guidance. It is designed to help staff to ensure that any actions they take are reasonable, proportionate and necessary.

## **SCHOOL EXPECTATIONS**

The management takes seriously its duty of care towards pupils, employees, and visitors to the school. Staff protection is an important part of child protection; both depend on confident and competent staff who feel supported by the management. This policy has a clear focus:

- The first and paramount consideration is the welfare of the children in our care.
- The second is the welfare and protection of the adults who look after them.

## **POSITIVE BEHAVIOUR MANAGEMENT**

All physical interventions at this school are conducted within a framework of positive behaviour management. The school behaviour policy is intended to reward effort and application and encourage pupils to take responsibility for improving their own behaviour. Part of our preventative approach to risk reduction involves looking for early warning signs, learning and communicating any factors which may influence behaviour and taking steps to divert behaviours leading towards foreseeable risk. However, if problems arise staff have an additional responsibility to support all pupils when they are under pressure and safely manage crises, if, and when, they occur.

## **ALTERNATIVES TO PHYSICAL CONTROLS**

A member of staff who chooses not to make a physical intervention can still take effective action to reduce risk. They can:

- Show care and concern by acknowledging unacceptable behaviour and requesting alternatives using negotiation and reasoning.
- Give clear directions to the pupils to stop
- Remind them about rules and likely outcomes
- Remove an audience or take vulnerable pupils to a safer place
- Make the environment safer by moving furniture and removing objects which could be used as weapons
- Use positive touch to guide or escort pupils to somewhere less pressured
- Ensure that colleagues know what is happening and get help.
- Use restorative approaches.

## **MODIFICATIONS TO THE ENVIRONMENT**

Ideally staff will not be waiting until a crisis is underway before conducting a risk assessment of the environment. We know that some pupils at this school may exhibit extreme and possibly dangerous behaviour. In general, it is a good rule to keep the environment clutter free. This may mean considering secure storage for a range of everyday objects when they are not being used. For example:

- How is the availability of pointed implements (including pens, pencils, compasses and darts) controlled?
- What small items are available to an angry pupil who may be tempted to use them as missiles?
- What objects are available to be used as blunt instruments?
- Do they all need to be left out all the time?
- Are there sharp edges or corners which present a risk?
- Is the design and arrangement of furniture safe and appropriate for pupils who exhibit extreme behaviour?
- Is there a comfortable place to sit with an agitated pupil?
- Are protocols in place to encourage angry pupils to take themselves to a safer place?

## HELP PROTOCOLS

The expectation at this school is that all staff should support each other. This means that staff always offer help and always accept it. Help does not always mean taking over. It may mean just staying around in case you are needed, getting somebody else or looking after somebody else's group. Supporting a colleague does not only mean agreeing with their suggestions and offering sympathy when things go wrong. Real support sometimes means acting as a critical friend to help colleagues become aware of possible alternative strategies. Good communication is necessary so that colleagues avoid confusion when help is offered and accepted. They need to agree scripts so that all parties understand what sort of assistance is required and what is available.

## WELL CHOSEN WORDS

A well-chosen word can sometimes avert an escalating crisis. When pupils are becoming angry there is no point in getting into an argument. Telling people to calm down can actually wind them up. Pointing out what they have done wrong can make things worse. The only purpose in communicating with an angry person is to prevent further escalation. It is better to say nothing and take time to choose your words carefully than to say the wrong thing and provoke further escalation.

## THE LAST RESORT PRINCIPLE

At this school we only use physical restraint when there is no other realistic alternative. This does not mean that we always expect people to methodically work their way through a series of failing strategies before attempting an intervention in which they have some confidence. Nor does it mean always waiting until the danger is imminent, by which time the prospect of safely managing it may be significantly reduced. National guidance is clear on this point:

"If necessary, staff have the authority to take immediate action to prevent harm occurring even if the harm is expected to happen sometime in the predicted future."

*Para 10 Pg 4 Department of Health - 1997 - "The Control Of Children In The Public Care: Interpretation Of The Children Act 1989" - London HMSO*

It does mean that we expect staff to conduct a risk assessment and choose the safest alternative. It also means that we expect staff to experiment and think creatively about any alternatives to physical intervention which may be effective.

*"the positive application of force by staff, in order to overcome rigorous resistance; completely directing, deciding and controlling a person's free movement. The purpose of its application should be to safeguard the person, other people or prevent significant damage to property" Team-Teach definition of restraint.*

## **PROACTIVE PHYSICAL INTERVENTIONS**

It is sometimes reasonable to use physical controls to prevent extreme behaviour from becoming dangerous provided that is an agreed part of the Positive Handling Plan. Examples of this are where a pupil has shown ritual patterns of behaviour, which in the past have led to the child becoming more distressed and violent. In such circumstances it may be reasonable to withdraw the child to a safer place when the pattern of behaviour begins, rather than wait until the child is distressed and out of control. The paramount consideration is that the action is taken in the interest of the child and that it reduces, rather than increases, risk.

## **REASONABLE AND PROPORTIONATE**

Any response to extreme behaviour should be reasonable and proportionate. People should not react in anger. If they feel they are becoming angry they should consider withdrawing to allow someone else to deal with the situation. Where staff act in good faith, and their actions are reasonable and proportionate they will be supported.

When physical controls are considered, staff should think about the answers to the following questions:

- How is this in the best interests of the pupil?
- Why is a less intrusive intervention not preferable?
- Why do we have to act now?
- Why am I the best person to be doing this?
- Why is this absolutely necessary?

If staff can answer these questions, it is more likely that a physical intervention will be judged to be reasonable and proportionate.

### **UNREASONABLE USE OF FORCE**

It is not reasonable to use force simply to enforce compliance in circumstances where there is no risk. Nor is it reasonable to use any more force than is necessary to achieve a reduction in risk. Under no circumstances should pain be deliberately inflicted, or should pupils be deliberately subjected to undignified or humiliating treatment (this should not be confused with the unavoidable discomfort associated with some approved techniques for disengaging from assaults such as bites and grabs). Other than as a one-off emergency measure to protect health and safety, force should never be used to keep a pupil secluded. Seclusion is only lawful by specific court order and cannot become part of a planned strategy at this school

### **HEALTH AND SAFETY**

If dangerous behaviour presents a significant risk of injury to people, there is a legal Health and Safety issue to be addressed. Dangerous behaviour should be regarded just as seriously as dangerous equipment. Dangerous occurrences should be reported to the person responsible for Health and Safety in school. We all have shared responsibility to identify risk, communicate potential risks and take active steps to reduce risk wherever possible. We recognise that it is not possible to entirely remove risk. Sometimes things go wrong even when we make our best efforts to do the right thing. Sometimes we are faced with unpalatable choices. In these circumstances we must try to think through the outcomes of the options available, balance the risks and choose whatever course of action seems to involve the least risk. As a minimum requirement, to comply with Health and Safety legislation, each employee has a responsibility to ensure that they are conversant with school policy and guidance,



and to co-operate to make the school safer. It is also a requirement that they participate in training if they are directed to do so. This does not necessarily mean that all staff can be involved in all the physical activities. The non-physical aspects of positive handling training are crucially important too.

When considering a pupil's behaviour staff should think about the following questions:

- Can we anticipate a Health and Safety risk related to this pupil's behaviour?
- Have we got all the information we need to conduct a risk assessment?
- Have we produced a written plan as a result?
- What further steps can we take to prevent dangerous behaviour from developing?

## **RISK ASSESSMENT**

Dynamic risk assessments should be a routine part of life for staff working with pupils who may exhibit extreme behaviour. Responsible staff should think ahead to anticipate what might go wrong. If a proposed activity or course of action involves unacceptable risk the correct decision is to do something else.

Factors which might influence a more immediate risk assessment, and therefore a decision about how to intervene, might include the state of health and fitness of the staff member, their physical stature, competence, confidence, and relationships with the pupils concerned. Confidence and competence are often related to the level of staff training. Other than in an emergency, staff should only attempt physical controls when they are confident that such action will result in a reduction of risk. When faced with extreme behaviour, or even in a fight situation, the judgement may be that by becoming involved the member of staff will increase the chance of somebody getting hurt. In this case the correct decision is to hold back from physical controls.

## **GETTING HELP**

At this school the following support structures are in place:

1. Informal de-briefing with team members
2. Discussion with Head/ Deputy/Assistant Head
3. Staff supervision with CAMHS, if required.

## **RESPONDING TO UNFORESEEN EMERGENCIES**

Even the best planning systems cannot cover every eventuality and the school recognises that there are unforeseen or emergency situations in which staff must think on their feet. It is not enough to thoughtlessly apply rules without thinking through the likely consequences. The key principals are that any physical intervention should be:

- In the best interest of the child
- Reasonable and proportionate
- Intended to reduce risk
- The least intrusive and restrictive of those options available which are likely to be effective.

When a physical intervention has to be made there should be a verbal warning. Where possible staff should always attempt to use diversion or diffusion in preference to physical interventions. They should only use the techniques and methods approved for use in this school. In general, if staff act in good faith and their actions are reasonable and proportionate, they will be supported.

## **PHYSICAL INTERVENTION WITHIN THE HOME**

Occasionally members of staff have to transport children home, particularly if the child has experienced difficulties in school and it is felt they are unsafe to be transported in their taxi. Parents will be contacted before the staff set off and informed that there is a possibility that physical intervention will be used if necessary, on the way home. If parents are unhappy about this, they will be asked to come to the school to collect their child. Parents will also be asked to meet the school car on arrival. On arrival if the child is still in distress parents will be asked if they require assistance into and or within the home.

## THE POST INCIDENT SUPPORT STRUCTURE FOR PUPILS AND STAFF

Following a serious incident, it is the policy of this school to offer support for all involved. The Headteacher, Deputy & Assistant Headteacher within the school are responsible for this. People take time to recover from a serious incident. Until the incident has subsided the only priority is to reduce risk and calm the situation down. Staff should avoid saying or doing anything which could inflame the situation during the recovery phase. Immediate action should be taken to ensure medical help is sought if there are any injuries which require more than basic first aid. Any injury will be initially checked by the school first aider and in discussion with the Headteacher any necessary decision will be made. All injuries should be reported and recorded using the school systems. It is important to note that injury in itself is not evidence of malpractice. Even when staff attempt to do everything right things can go wrong. Part of the post incident support for staff may involve a reminder of this, as people tend to blame themselves when things go wrong.

*"Team-Teach techniques seek to avoid injury to the service user, 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 service user remains safe" (George Matthews - Director, Team-Teach)*

Time needs to be found to repair relationships. When careful steps are taken to repair relationships, a serious incident does not necessarily result in long term damage. This is an opportunity for learning for all concerned. Time needs to be given to following up incidents so that pupils have an opportunity to express their feelings, suggest alternative courses of action for the future and appreciate other people's perspective. When time and effort are put into a post incident support structure the outcome of a serious incident can be learning, growth and strengthened relationships.

## COMPLAINTS

It is not uncommon for pupils to make allegations of inappropriate or excessive use of force following an incident. The school has a formal complaints procedure. Pupils should be reminded of the

procedure and encouraged to use the appropriate channels. The complaints policy applies equally to staff. We are an open school and promote transparent policy and practice in order to protect the interests of pupils and staff alike. Any staff concerns regarding the welfare of children should be taken to the designated person for child protection. Any safety concerns should be reported to the designated person for Health and Safety.

## **TRAINING**

Teachers and anyone authorised by the Headteacher who are expected to use planned physical techniques should be trained. This school has adopted the Team Teach model of training. Positive handling training is always provided by qualified instructors within rigorous guidelines. The school staff members are retrained and certified every three years and where necessary new staff are trained within induction.

The level of training recommended is related to the level of risk faced by the member of staff. Our preferred approach is for whole staff team training. Office staff may not require the same level of training in physical techniques as those working directly with the most challenging pupils. However, all staff benefit from whole school training. The level of training required is kept under review and may change in response to the needs of our pupils.

All training courses have been fully accredited by the British Institute of Learning Disabilities (BILD) in accordance with DfES and Department of Health guidance. Positive Handling training is always provided by qualified instructors within rigorous guidelines.

## **RECORDING**

When overpowering force is used the incident must be recorded using the approved forms. The bound P.I. book and hard-backed incident book are kept in the headteacher's office overnight, checked, and stored. They have individual log numbers. The same incident is also logged and cross referenced in an incident book as well as recorded on CPOMS. The book and CPOMS incident are both monitored and signed on a daily basis by a member of the senior management team. All staff involved in an incident should contribute to the record which should be completed within 24 hours, read through the school recording form carefully, take time to think about what actually happened and try to explain in clearly. Parents are informed, by telephone. Names should be completed in full and all forms should be signed and dated, staff should bear in mind that these records will be retained and cannot be altered; they will be kept for a minimum period of 25 years from the date of the incident and could form part of an investigation sometime in the future. Serious incident reports should not be completed until the individuals concerned have recovered from the immediate effects of the incident and completed within 24 hours. A concise record should be written into the CPOMS entry linked the incident number, which can refer to supporting bound P.I. books and other relevant information. A copy of the current Positive Handling Policy and relevant sections of the Staff Practice Guide are archived alongside the individual records each year. Our records take the form of a ring bound book containing Positive Handling forms.

## **MONITORING AND EVALUATION**

The Headteacher will ensure that each incident is reviewed and instigate further action as required. The school incident log is open to external monitoring and evaluation.

Data will be extracted from the PI Book and CPOMS entry and produced as graphs at the end of each term and again at the end of the school year. Each child's individual statistics will show the time of day, the technique used and the reason for intervention. The end of year data will compare the terms and show any progress made. At the beginning of term in January and April the three children with

the highest number of Positive Handling Incidents will be identified. A meeting with the classroom staff and senior management team will follow to discuss each child's behaviour management plan with a view to reducing the number of physical interventions used.

The graphed data will be regularly shared with a member of the Governing body and reported back to the full Governing body. Staff will be informed termly of the number of P.Is and actions taken to reduce escalating behaviour.

### **FOLLOW UP**

Following an incident consideration may be given to conducting a further risk assessment, reviewing the Positive Handling Plan, Behaviour Management Policy or this Positive Handling Policy. Any further action in relation to a member of staff, or an individual pupil, will follow the appropriate procedures.

### **POLICY STATEMENT**

Staff at this school are trained to look after pupils in their care. Staff have a duty of care to intervene to prevent pupils from hurting themselves or others. There may also be situations in which a child seriously disrupts good order in the school or causes damage to property. If a member of staff ever needs to intervene physically, they will follow the school's positive handling policy. Any parents wishing to view this policy may do so on request.

### **OTHER RELEVANT POLICIES**

This policy should be read in conjunction with:

- Behaviour Management Policy
- Exclusion Policy
- Policy Health and Safety Policy
- Child Protection Policy

<b>Responsibilities:</b>	<b>Staff member:</b>	<b>Governor:</b>
Person Responsible for Health & Safety	Headteachers	Cliff Penning
Designated Safeguarding Leader	Matthew Davies Joanne Bingwa Naomi Haughton	Heather Saunders

Location of Bound P.I Book	Headteacher's Office
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