



HEADLANDS SCHOOL
SINCE 1965

Positive Handling Policy

Written by	Lead Practitioner – Student Welfare		
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Headlands School

Introduction

Headlands School, using our Nurture School status and ethos will work tirelessly to create a culture and climate where the use of physical intervention is always the last resort to maintaining a safe environment. If students are behaving disruptively or anti socially, every effort will be made to manage behaviours positively to prevent a deterioration of the situation and to restore a safe, secure environment. Staff at Headlands School understand the value in listening to and respecting students to create an environment that is calm and supportive, especially when dealing with students who may have emotional and behavioural needs, which may increase their aggression. All of our staff will understand the importance of responding to the feelings and wellbeing of the students, as well as the behaviour itself.

The Six Principles Of Nurture underpin our work at Headlands School:

1. Children's learning is understood developmentally
2. The classroom offers a safe base
3. The importance of nurture for the development of wellbeing
4. Language is a vital means of communication
5. All behaviour is communication
6. The importance of transition in children's lives

Headlands School is committed to ensuring that all staff and adults with responsibility for children's safety and welfare will deal professionally with all incidents involving aggressive or reckless behaviour, and only use positive handling as a last resort in line with government advice and guidelines.

This policy is based on guidance outlined in the DfE (July 2013) use of Reasonable Force. The guidance refers to the Education and Inspection Act 2006 which clarifies the position regarding the use of physical force by teachers and other staff working in the school, to control or restrain students.

This policy should be read in conjunction with the following internal policies:

- Positive Discipline policy
- Child Protection policy
- SEN policy
- Whistle Blowing policy
- Health & Safety policy
- First Aid policy
- Staff Code of Conduct

Equality Act 2010

At Headlands School we do not discriminate against any child or adult on the grounds of race, disability, gender, age, gender reassignment, pregnancy, maternity, religion or belief, sex, or sexual orientation. We embrace the individuality of all our community members and comply fully and wholeheartedly with the Equality Act 2010.

The term reasonable force covers the broad range of actions used by many teachers at some point in their career that involve a degree of physical contact with students. Force is usually used either to control or restrain. This can range from guiding a student to safety by the arm through to more extreme circumstances such as breaking up a fight or where a student needs to be restrained to prevent violence or injury.

‘Reasonable in the circumstances means ensuring no more force is needed’

School staff should always try to avoid acting in a way that might cause injury, but in extreme cases it may not always be possible to avoid injuring the student.

Behaviour is always a form of communication. Understanding that children are communicating through their behaviour gives adults the opportunity to respond differently or plan appropriate interventions. At Headlands School we are committed to a positive behaviour policy which encourages children to make positive behaviour choices. On rare occasions circumstances may result in a situation that requires some form of physical intervention by staff.

Our policy for physical intervention is based upon the following principles:

- Physical intervention should be used only as a last resort when all other appropriate (including de-escalation) strategies have failed;
- Any physical contact should be only the minimum required;
- Physical intervention must be used in ways that maintain the safety and dignity of all concerned;
- Incidents must be recorded and reported to the Headteacher as soon as possible;
- Parents/Carers must be informed on the day of the incident.

Headlands School believes everyone in the 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.

Students and their parents attending Headlands School have a right to:

- Individual consideration of student 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 students and staff working in school.

Managing challenging behaviour

Headlands School also recognises that there is a need, reflected in common law, to physically intervene when there is an obvious risk to the safety of children, staff and property. This applies both on and off setting sites. If used at all, the use of force to control or restrain students will be used in the context of a respectful, supportive relationship with the child in order to ensure minimal risk of injury to children and staff.

The Legal Framework

Section 93 of the Education & Inspections Act 2006 allows ‘teachers and other persons who are authorised by the Headteacher who have control or charge of students to use such force as is reasonable in all the circumstances to prevent a student from doing, or continuing to do, any of the following:

- Causing injury to his/herself or others;
- Committing an offence;
- Damaging property;
- Prejudicing the maintenance of good order, safety & discipline.

Our approach at Headlands School

We aim to avoid the need for physical intervention and regard this as a last resort in managing situations. We always aim to deal with behaviour using a positive approach and therefore this policy should be read in connection with our Positive Discipline. Classrooms and school should provide students with a safe place. Any use of intervention or restraint should protect and restore this.

It is not possible to define every circumstance in which physical restraint would be necessary or appropriate and staff will have to exercise their own judgement in situations which arise within the above categories. Staff should always act consistently within the Positive Discipline policy, particularly in dealing with disruptive behaviour. Carefully following each stage, rather than overreacting to poor behaviour. Within this; ensuring that children receive a reward every time they've earned them, and a sanction every time they deserve one.

Staff should be aware that when they are in charge of children during the school day, or during other supervised activities, they are acting in loco parentis and have a 'Duty of Care' to all children they are in charge of. They must, therefore, take reasonable action to ensure all students' safety and wellbeing.

Staff are not expected to place themselves in situations where they are likely to suffer injury as a result of their intervention. If a child is behaving disruptively or anti-socially, every non-physical strategy will be used to manage the behaviour positively to prevent a deterioration of the situation. Staff should view physical intervention with a child as a 'last resort' and for the purposes of maintaining a safe environment.

Use of physical restraint

Physical restraint should be applied as an act of care and control with the intention of re-establishing verbal control as soon as possible and, at the same time, allows the student to regain self-control. It should never take a form which could be seen as punishment.

What is reasonable force?

'Reasonable force' is usually used either to control or restrain. This can range from guiding a student to safety by the arm through to more extreme circumstances such as breaking up a fight or where a student needs to be restrained to prevent violence or injury. Section 93 of the Education and Inspection Act 2006 and guidance issued by the DfE enables school staff to use such force as is reasonable in the circumstances to prevent a student from doing, or continuing to do, any of the following:

- committing any offence (or, for a student under the age of criminal responsibility, what would be an offence for an older student);
- causing personal injury to, or damage to the property of, any person (including themselves); or
- prejudicing the maintenance of good order and discipline of that school or among any Students receiving education at the school, whether during teaching sessions or otherwise

Restrictive physical intervention may also be appropriate where, although none of the above have yet happened, they are judged as highly likely to be about to happen. There is no legal definition of when it is reasonable to use force and each case must be judged on its circumstance. Those exercising the power to use force must also take account of any particular SEN and/or disability. Staff will always try to avoid acting in a way that might cause injury, but in extreme cases it may not always be possible to avoid injuring a student.

Schools cannot use force as a punishment

Who can use reasonable force?

All members of school staff have a legal power to use reasonable force, including teaching assistants and lunchtime supervisors. This power may also apply to people whom the Headteacher has temporarily put in charge of students such as unpaid volunteers supporting an organised visit. As far as possible, staff should not use force unless or until another responsible adult is present to support, observe and call for assistance. Staff are only authorised to use reasonable force in applying physical restraint, although there is no absolute definition of this. What constitutes reasonable force depends upon the particular situation and the student to whom it is being applied. Teachers should apply the training they receive to de-escalate where possible then use the appropriate holds as practised in the training. However, as a general rule, only the force necessary to stop or prevent danger should be used, in accordance with the guidelines below.

In minimising the need to use force, Headlands School will:

- create and maintain a calm, safe, orderly and supportive learning environment that minimises the risk of incident that might force arising;
- develop effective relationships between staff and students that are to good order;
- use appropriate approaches to teach students how to manage conflict and strong feelings;
- de-escalate incidents if they arise;
- Be nurturing in their approach, understanding this in the context of wellbeing; its development and maintenance.
- only use force when the risk involved is doing so, outweigh the risk involved in not using force.

When can reasonable force be used?

Physical restraint should only be used as a last resort where possible; other non-physical strategies for diffusing the situation must be tried first. Whenever possible, the age, level of understanding and gender of the student should be considered. Staff need to keep themselves safe at all times.

Examples of when it may be necessary to use reasonable force:

- Remove disruptive children from the classroom where they have refused to follow an instruction to do so;
- Prevent a physical attack by a student on an adult or other student;
- A student behaving in a way which places other students at risk e.g. pushing, tripping, rough play, running in corridors;
- Prevent a student running into a road
- Prevent a student behaving in a way that disrupts a school event or a school trip/visit;

When physical restraint becomes necessary:

- Tell the student what you are doing and why;
- Use the minimum force necessary;
- Involve another member of staff if possible, never students;
- Tell the student what s/he must do for you to remove the restraint (this may need frequent repetition);
- Use short exchanges with simple and clear language;
- Hold limbs above a major joint if possible e.g. above the elbow, never hold the neck or bend them over as it may restrict breathing;
- Relax your restraint in response to the student's compliance
- Remain clam
- Hold students respectfully, and not in a way that could be viewed as sexually inappropriate

Staff Training

All staff will receive training on behaviour management this will include ways of avoiding or defusing situations in which physical intervention might become necessary as well as methods of physical intervention. Reminders of the policy will be given regularly through staff meetings.

Specific training will be provided for those staff working closely with any student with SEN and/or disabilities associated with extreme behaviour. Positive Handling Plans (PHPs) must also be produced. Examples of situations where Positive Handling may be appropriate include:

- Child or young person attacks member of staff or another child;
- Child or young person is fighting;
- Child or young person is engaging in, or on the verge of, committing deliberate damage or vandalism to property;
- Child or young person is causing or at risk of causing injury or damage by accident, by rough play or by misuse of dangerous materials or objects;

Refusal of a student to remain in a particular place is not enough on its own to justify force. It would be justifiable where allowing a student to leave would:

- entail serious risks to the student's safety (taking into account age and understanding), to the safety of other students or staff, or of damage to property

The procedure for restrictive physical intervention set out below must always be followed:

- Give the child clear warning. Offer an escape route from the situation, for example, through calming or following instructions;
- Once the restrictive physical intervention is judged necessary it should happen quickly, smoothly and confidently;
- Always remain calm and talk in a conciliatory tone. Ignore any abuse and let the high emotional state run its course;
- Once things begin to calm, it can be coupled with significant changes in restrictive physical intervention, this should be on staff terms, not when demanded by the child;
- The aim is to talk through the situation and discuss the behaviour that caused the whole episode;
- The extent of force used should be no more than necessary to control the situation.

Actions after an incident

Physical restraint often occurs in response to highly charged emotional situations and there is a clear need for debriefing after the incident, both for the staff involved and the student. The Headteacher should be informed of any incident as soon as possible and will take responsibility for making arrangements for debriefing once the situation has stabilised. An appropriate member of the teaching staff should always be involved in debriefing and supporting the student involved and any victims of the incident should be offered support. The parents/carers will be informed at the very earliest possible opportunity, following consultation with the Headteacher.

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

All incidents should be recorded immediately on the Physical Intervention recording document (Restraint Report Form -Appendix 1). All sections of this report should be completed so that any patterns of behaviour can be identified and addressed. In the event of any future complaint or allegation this record will provide essential and accurate information. A copy should be filed in the child's appropriate file on CPOMS and may be used in order to inform individual and school risk assessments.

There may be occasions where minor touch is necessary rather than restraint and therefore should be recorded on the same form as a Restraint. Not all touch needs to be recorded however if it could be perceived in a negative way please discuss with the Headteacher, Deputy Headteacher or the DSL and record if appropriate.

Debriefing arrangements

The child/young person and the member of staff must be checked for any sign of injury after an incident. First Aid will be administered to anyone who requires it, or medical treatment obtained.

The child or young person will be given time to become calm while staff continue to supervise them. When the child regains complete composure, a senior member of staff (or their nominee) will discuss the incident with the child and try to ascertain the reason for its occurrence.

The child will be given the opportunity to explain things from their point of view. All necessary steps will be taken to re-establish the relationship between the child and the member(s) of staff involved in the incident, when appropriate to do so. In cases where it is not possible to speak to the student on the same day as the incident occurred, the debrief will take place as soon as possible after the child returns to school. Students may take a long time to recover- perhaps up to an hour. Students and staff will be afforded time and space to recover, especially before any restorative conversations take place, such conversations will only take place once both parties are prepared and supported prior to a restorative meeting. Appendix 2 contains the Restorative Practice guidance questions. Such meetings will only be held by staff trained in restorative practices.

Following the incident, a senior member of staff (or their nominee) will provide support to member(s) of staff involved. The Headteacher will be informed at the earliest possible opportunity of any incidents where Positive Handling was used. The Headteacher (or their nominee) will initiate the recording process if not already under way and review each incident to ensure that any necessary lessons are learned.

External agencies, such as CYPS, the local safeguarding board or the police, will be informed of the incident by the Headteacher depending on the nature and seriousness of the incident.

Arrangements for informing parents

All parents/carers will be informed immediately after an incident where positive handling is used with a child. Parents/carers will need to be notified sensitively and to be made aware of the full

circumstances. This will be a member of the Leadership team, following discussion with the Headteacher.

Parents/carers should be informed of this policy regarding positive handling and any other relevant policies.

Staff who work with particular children who have learning or physical disabilities (and who have Individual Education Plans, Individual Behaviour Plans and/or Pastoral Support Plans), may need to use specific techniques routinely to manage challenging behaviour. Such arrangements must be discussed with parents/carers in advance on an individual basis using Positive Handling Plans. All interventions will be routinely recorded and monitored with the expectation that steps are taken to reduce the number of restrictive physical interventions year on year.

Complaints or Allegations

All complaints about the use of force will be thoroughly, speedily and appropriately investigated. Complaints will be dealt with under the school's Complaints Policy however, if an allegation of abuse is made against a member of staff, the school will follow the procedures outlined in the Child Protection Policy.

Recording an incident

All incidents where staff feel that they have used force to modify behaviour or conduct should be recorded. It is not necessary to record every incident of contact with a child, but where a member of staff perceives that contact has been received at all negatively, or deemed unnecessary by the student a colleague or the member staff themselves on reflection, they are advised to record the circumstances.

Physical Intervention Recording Forms are available in the CPOMS library and in the DSL office and should be submitted to the DSL. The Headteacher will be informed of the intervention that has taken place. It is the responsibility of the intervening member of staff to complete the record form on the day that the intervention took place.

The circumstances and nature of the physical intervention will be held on the record of the student involved. The DSL will inform any necessary agencies/authorities (eg. LADO) of the physical intervention in accordance with DFE and LA guidance. The Headteacher will ensure that parents/carers are appropriately informed on the same day as the incident. It is also expected that the child's Social Worker be informed if they are Looked After. For the safeguarding of both staff and student, any subsequent investigation of the situation/incident should be undertaken by a member of staff other than the one applying the physical intervention.

A contemporaneous record (i.e. written as soon as possible and no longer than 2 hours after the incident's occurrence) should be made by the staff member involved in the incident and a copy given to a senior member of staff and parent/carer. Similarly, contemporaneous notes will also be made by all other members of staff involved (i.e. as witnesses or additional providers of support). The notes will be signed and dated.

The record will contain the following information:

- The name(s) and the job title(s) of the member(s) of staff who used reasonable force;
- The name(s) of the child(ren) involved;
- When and where the incident took place;
- Names of staff and child(ren) who witnessed the incident
- The reason that force was necessary;
- Behaviour of the child(ren) which led up to the incident including any triggers;

- Any attempts to resolve the situation;
- The degree of force used;
- How it was applied;
- How long it was used for;
- The child's/children's response and the eventual outcome;
- Details of any injuries suffered by either staff or child(ren);
- Details of any damage to property;
- Details of any medical treatment required (an accident form will be completed where medical treatment is needed);
- Details of follow-up including contact with the parents/carers of the child(ren) involved;
- Details of follow up involvement of other agencies, police, social services.

Child witnesses may also be asked to provide a written account if appropriate.

Risk Assessments or Positive Handling Plans

If we become aware that a Student is likely to behave in a disruptive and/or challenging way that may require the use of reasonable force, we will plan how to respond if the situation arises. Such planning will address:

- Strategies to be used prior to intervention;
- Ways of avoiding 'triggers' if these are known;
- Involvement of parents/carers to ensure that they are clear about the specific action the school might need to take;
- Briefing of staff to ensure they know exactly what action they should be taking;
- Identification of additional support that can be summoned if appropriate.

Powers to search Students without consent

In addition to general power to use reasonable force, the Headteacher and authorised staff can use such force as is reasonable given the circumstances to conduct a search for the following 'prohibited items':

- knives or weapons
- alcohol
- tobacco and cigarette papers
- fireworks
- illegal drugs
- stolen items
- pornographic images
- any article that the member of staff reasonably suspects has been, or is likely to be used

i) to commit an offence,

ii) to cause personal injury to, or damage to the property of, any person (including the student)

The Headteacher and authorised staff can also search for any item banned by the school rules which has been identified in the rules as an item which may be searched for.

School staff can confiscate any prohibited items found as a result of a search. The Headteacher must ensure the person carrying out the search is of the same sex as the student, and the search must be carried out in the presence of another adult also of the same sex as the student. Students cannot be required to remove any clothing other than outer garments. If a student's possessions

are searched this must also be done in the presence of another adult. The person carrying out the search is able to use such force as is reasonable in the circumstance for exercising that power.

Key Legal References

This Positive Handling guidance is written with reference to the following key legal concepts and documents:

- DfE Use of Reasonable Force Guidance;
- Offences Against the Persons Act 1861 (concepts of Assault and Assault and Battery);
- Common Law concepts of false imprisonment and common law defence;
- Duty of Care;
- DfE Circular 10/98;
- The Children Act 1989;
- DoH/DfES Joint Guidance on Physical Interventions 2002;
- The Education Act 1996;
- Education and Inspection Act 2006;
- Human Rights Act 1998;
- Disability Discrimination Act 1995;
- Health and Safety at Work Act 1974.

Further sources of information.

Guidance on the Use of Restrictive Physical Interventions for Staff Working with Children and Adults who display Extreme Behaviour in Association with Learning Disability and/or Autistic Spectrum Disorders (2002)

Guidance on the Use of Restrictive Physical Interventions for Students with Severe Behavioural Difficulties (2003)

Use of reasonable force - Advice for Headteachers, staff and Governing Bodies (DfE, 2013)

Screening, searching and confiscation - Advice for headteachers, staff and governing bodies. (DfE, 2013)

Dealing with allegations of abuse against teachers and other staff - Keeping Children Safe in Education, 2019.

Guidance for Safe Working Practice for Adults who work with Children and Young People in Education Settings (DfE, 2009)

Appendix 1



- Firm clear directions
- Negotiation
- Humour
- Limited Choices
- Distraction
- Diversion
- Reassurance
- Planned Ignoring
- Contingent Touch
- C.A.L.M. Talking/Stance
- Take Up Time
- Withdrawal Offered
- Withdrawal Directed
- Transfer Adult
- Reminders About Consequences
- Success Reminders
- Other

Please add details discussing how the strategy was used, the impact and also the timeframes.

Physical Intervention Strategies Attempted:

- Help Hug
- Use of Caring C walk
- Cradle Hug
- Wrap
- Sitting Wrap
- Double Elbow
- Caring C Hold
- Half Shield
- Sitting Double Elbow (Single Person)
- Single Elbow (Two Person)
- Siting Single Elbow (Two Person)
- Figure of Four (Two Person)
- **Other- describe**

Describe in detail what happened, including what was said to the student and how they were talked through this.

Response and view of the student:

Parent/Carer informed Y/N

By:
Report written and uploaded on CPOMS to outline parental response. Y/N

Date:
Time:

Any other relevant information:

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Head Teachers Comments:

Signed:

Date:

Appendix 2



Using Restorative Questions

To the student

What happened?

What were you thinking of at the time?

What have you thought about since?

Who has been affected by what you have done?

In what way have they been affected?

What do you think you need to do to make things right?

To the staff

What was your reaction at the time of the incident?

How do you feel about what happened?

What did you think at the time?

What have you thought about since?

How has it upset/hurt/harmed you?

What has been the worst or hardest thing for you?

The student:

Is there anything else you want to say?

To each person

What would you like to see happen to repair the harm?

Is that okay? / **Do** you agree? Is that fair?

Is this realistic and achievable?

How can we make sure this doesn't happen again?

Is there anything I can do to help?

Is there anything else you would like to say?