

Positive Handling Policy

Policy Review

The responsibility of reviewing and maintaining this policy is Craig Dembicki (Managing Director). This policy will be reviewed annually.

Start date of policy: **23rd July 2015**

Date of next review: **13th August 2024**

Signed



Craig Dembicki
Managing Director
Education 1st

Introduction

The 'Attitude to Learning Policy' outlines how staff create and maintain good order and cultivate effective positive relationships between staff and students. We aim to achieve a culture where students behave, enjoy learning, feel safe, engage enthusiastically in activity and make progress. Our approaches to supporting students to achieve these things are successful for the vast majority of the time. This policy on the use of positive handling supplements the main Attitude to Learning Policy. Both should be read in conjunction with the SEN, Health & Safety, Complaints and Child Protection policies. We are committed to sharing information about our policies and procedures with the parents and carers of students at Education 1st.

Purpose of this policy

This policy aims to give all members of the Education 1st community clear guidance so that any positive handling that they undertake is carried out in a way that supports the values and principles described and follows the National Framework relating to Physical Intervention within schools. In particular, it aims to describe the circumstances in which restrictive physical intervention is an appropriate response and how staff at Education 1st will fulfil their responsibilities in those circumstances.

The Managing Director will be responsible for ensuring that staff and parents are aware of the policy and ensure that all necessary training/awareness-raising takes place so that staff know their responsibilities.

Related Policies:

Attitude to Learning Policy
Child Protection and Safeguarding Policy
Complaints Policy
Exclusion Policy

Background

In July 2013, the DFE issued new guidance on the use of force to control or restrain students. This guidance supersedes previous guidance. While the guidance does not in itself have statutory status, compliance nevertheless is 'strongly advised'. It should be pointed out, however, that it is mandatory for schools to report and record significant incidents, under section 246 of the Apprenticeship, Skills, Children and Learning Act 2009. Staff members may be concerned about the possibility of false accusations of unreasonable or unlawful conduct in the form of a complaint or even legal action if force is used to restrain or control a student. This DFE guidance is intended to help staff feel confident about using force when they think it is right and necessary. It states 'if the force used is reasonable, all staff will have a robust defence against any such accusations'

Physical Touch

In our setting physical touch can be an essential part of student staff relationships e.g. adults may well use touch to prompt, to give reassurance or to provide support.

To use touch/physical support successfully, staff will adhere to the following principles. It must:

- Be non-abusive, with no intention to cause pain or injury
- Be in the best interests of the child and others
- Have a clear educational purpose (e.g. to access the curriculum or to improve social relationships)

The Senior Leadership team are responsible for ensuring that relevant staff are aware of any student who finds physical touch unwelcome. Such sensitivity may arise from the student's cultural background, personal history, age etc.

Physical Intervention - Definitions

It is helpful to distinguish between non-restrictive interventions and restrictive physical interventions

<p>Non-restrictive Positive Handling. (As already stated touch/physical contact can be a small but important and natural part of teacher-student relationships in our settings).</p>	<p>Either where the child's movement is not restricted or where the child is held supportively but such that they will be released immediately should they so wish</p>	<p>Examples:</p> <ul style="list-style-type: none"> • Guiding/shepherding a person from A to B • Removal of a cause of distress
<p>Restrictive Positive Handling</p>	<p>Prevent, impede or restrict movement or mobility. To use force to direct.</p>	<p>Examples:</p> <ul style="list-style-type: none"> • Isolating a child in a room • Holding a student • Blocking a person's path • Inter-positioning • Pushing/pulling

and also;

<p>Emergency/unplanned interventions</p>	<p>Occur in response to unforeseen events</p>
<p>Planned interventions</p>	<p>In which staff employ, where necessary, pre-arranged strategies and methods which are based on a risk assessment and recorded in the individual education plan for the management of a student.</p>

When is restrictive physical intervention permissible at Education 1st?

It may be necessary to prevent a student injuring themselves or others or to prevent them from putting themselves or others at risk (For example, a student throwing a heavy object at/near to an expensive computer equipment). [Section 550A, DFES Circular 10/98].

Section 550A also allows the use of reasonable force 'to prevent a student from engaging in any behaviour prejudicial to maintaining good order and discipline'. However, the use of positive handling for this purpose is acceptable only when all other behaviour management strategies have been tried.

Risk assessment – when should staff intervene?

The use of positive handling will be the outcome of a professional judgement (dynamic risk assessment) made by staff on the basis of this provisions policy. It is avoided whenever possible and will not be used merely for the convenience of staff.

Restrictive positive handling will only be considered if other behaviour management options have proved ineffective or are judged to be inappropriate or as a response to a serious emergency situation. Before deciding to intervene in this way, staff will undertake a dynamic risk assessment and weigh up whether the risk of not intervening is greater than the risk of intervening. Any actions will be carried out only with the young person's best interests at heart. Positive handling will never be used to punish a pupil and will never be used to intentionally cause pain, injury or humiliation.

Staff are not expected to positively handle against their better judgement nor are they expected to place themselves at unreasonable risk. In such circumstances, they must take steps to minimise risks. For example, by removing other students and calling for assistance.

Who may use restrictive physical interventions?

Under the DfE July 2011 guidance, all members of Education 1st staff have a legal power to use reasonable force and no Alternative Learning Provision is allowed to have a "no contact" policy. At Education 1st, all staff are authorised to intervene by the Managing Director and will ensure that all staff are aware, understand what is involved and have been trained.

Parents, volunteers and visitors in the provision are not given authorisation.

Staff Training

All staff will undertake positive handling intervention training. This will be delivered by colleagues and from a reputable and external provider. Training will be re-accredited on a three year basis with opportunities for practice and discussion at least on an annual basis.

They will be informed about:

- De-escalation techniques and strategies which will be implemented as a first instance
- Types of restraints, touches and holds that could be used
- Any form of restraint that could injure a student will only be used in extreme emergencies and where there is no viable alternative.
- The use of any force must be **reasonable, proportionate and necessary**.

How staff at Education 1st might intervene

When a restrictive physical intervention is justified, staff will use 'reasonable force'. This is the degree of force 'warranted by the situation'. It will 'be proportionate to the circumstances of the incident and the consequences it is intended to prevent'. Any force used will always be the minimum needed to achieve the desired result and for the shortest amount of time.

Staff will:

- Use the minimum amount of force for the minimum amount of time;
- Avoid causing pain or injury; avoid holding or putting pressure on joints;
- In general hold long bones.
- *Never* hold a young person face down on the ground or in any position that might increase the risk of suffocation.

During an incident the member of staff involved may tell the young person that his or her behaviour may be leading to being held. This will not be used as a threat or said in a way that could inflame the situation. Staff will not act out of anger or frustration. They will try to adopt a calm, measured approach and maintain communication with the pupil at all times.

Staff will use the de-escalation techniques and holds specified within their training unless under exceptional circumstances.

What staff must do after the use of a restrictive physical intervention:

- Details of the incident will be logged in a positive handling bound book.
- Recording will be completed as soon as possible after the event and always within 12 hours. Staff will be offered the opportunity to seek advice from a senior colleague or professional representative when compiling their report
- Any injuries suffered by those involved will be recorded following normal procedures.
- Parents/carers will be informed by telephone on the day of the incident. Parents/carers will be offered the opportunity to discuss any concerns that they may have regarding an incident and any positive handling plan/risk assessment.
- Support/debriefing will be available for adults and students who have been involved in any incident involving restrictive physical interventions. This will be provided by another member of Education 1st staff.
- Mentor Managers will assess the incident which led to the intervention and plan how the risk of a repetition of the incident can be minimised, documented in a student Positive Handling Plan.
- Primary and Secondary leads will use the records kept to analyse patterns of behaviour and so decide whether responses are being effective. Mentor Managers will report on this information to the Operations Manager.

Complaints procedure

Any complaint will need to be made in line with Education 1st Complaints policy. This policy is available on the website. Under the DfE updated guidance July 2011 it should be noted that when a complaint is made, the onus is on the person making the complaint to prove that his/her allegations are true – it is not for the member of staff to show that he/she has acted reasonably. Suspension should not be an automatic response when a member of staff has been accused of using excessive force.

Reference documents

The Use of Reasonable force –for heads and Governors DfE updated guidance 2013

<https://www.education.gov.uk/publications/eOrderingDownload/Use%20of%20Reasonable%20Force%20-%20Advice%20for%20Head%20teachers%20staff%20and%20governing%20bodies.pdf>