



# **Biggin Hill Primary School Positive Handling Policy**

## **March 2017**

Persons Responsible: Inclusion Manager

Formally adopted by FGB:

Review date: March 2018

## Purpose of policy

- To ensure care and protection for everyone within our school community
- To reinforce our belief that restraint will be needed on very rare occasions.
- Our endeavour to handle situations with care and responsibility.
- Our intent to apply follow-up and repair strategies.

## Tenets that underpin action

- To protect every person in the school community from harm.
- To protect all pupils against any form of physical intervention which is unnecessary, inappropriate, excessive or harmful.
- To use the minimum degree of force necessary to accomplish positive handling.
- To recognise that children have a variety of special needs and endeavour to provide appropriately for the needs of individuals.

## Legal Framework

This policy sets out the framework for the use of reasonable force or positive handling, but it must be clearly understood that this should always be set within the school's overall behaviour management (see Behaviour Policy) framework and is only used as a last resort under-pinned by a sound risk assessment. Providing successful inclusion may necessitate physical restraint but only as one of the strategies available for the management of challenging behaviour. Only in the event of failure of clearly defined protocols to bring control to the situation, or imminent danger to persons, should positive handling be considered.

Legislation that came into force on 1/9/98 (Section 550 of the Education Act 1996) together with the national guidance (DfES Circular 10/98), establishes the power of teachers and other staff to use reasonable force if required. This applies to all occasions when that member of staff is in charge of children both on and off school premises. There is no legal definition of reasonable force. The Criminal Law Act 1967 (Section 3:1) and the Criminal Justice and Immigration Act 2008 (section 76) allows any person to use such force as is reasonable in the circumstances to prevent an offence (e.g. physical assault) being committed. Reasonable minimal force must be a matter of personal judgement: this would depend on the individual circumstances of each case. Common Law also governs the use of physical force in UK.

Positive Handling should only be used when all other strategies which do not employ force have been tried and found unsuccessful or in an emergency situation.

All teachers have a professional 'duty of care' within their job description which is underwritten by paragraph 58.7 of School Teachers' Pay and Conditions Document 2002. Together with the legislative framework this enables teachers and other members of staff in the school, authorised by the Headteacher to use such force as is reasonable in the circumstances listed below.

Types of incident where the use of force may be necessary are given as:-

- Action due to imminent risk of injury.
- Action due to imminent risk of significant damage to property.
- Action where a child is compromising good order and discipline.

*The third type of incident is unlikely to be cause for restraint in a primary school as it is usually possible to remove the rest of the children from the scene and allow the child concerned to calm down safely.*

The definition of restraint or safe handling is the positive application of force with the intention of overpowering the child. The use of restraint requires skill, judgement and knowledge of non-harmful methods of control. Reasonable force would include those methods taught and practised in training. The degree of force employed must be in proportion to the circumstances of the incident and the seriousness of the behaviour the consequences it is intended to prevent. Any force should always be the minimum needed to achieve the desired result. In all cases, the person exercising the restraint must be authorised by the Head teacher and have received appropriate training.

Staff must take into account if the child has an individual risk assessment and follow any guidelines mentioned (kept in the child's SEND file electronically and hard copy in the SEND office, as well as the teacher's SEND folder).

If possible in the event of restraint becoming necessary, before touching the child, the member of staff should advise the child calmly and repeatedly about what they are going to do and why, and how the child might change his/her behaviour, in order that the restraint become unnecessary.

Note: this warning should not come across as a threat or form of attack.

When possible a second adult should be called to reduce the risk of the member of staff or child suffering bodily harm and as a witness if allegations of assault are made later by the child.

While intervening, the member of staff must:-

- Employ minimum physical force necessary for the minimum period needed
- Wherever possible reassure the child and give choices as to how they could behave that would end the need of restraint.
- Avoid using any methods of restraint as a punishment.
- Remain calm throughout.

Types of restraint which may be appropriate:

- Any holding tactic which a young child is restrained without injury until the child calms down.
- Physical contact with a child designed to control the child's movements, which pose a danger (e.g. holding by the arms against the side of the body) Standing by the side or close to the child is likely to minimise the risk to the adult and child.
- The holding of arms and/or legs to prevent/restrict striking/kicking.
- The use of sufficient physical force – without causing to remove a weapon or dangerous object from the grasp of the child.
- Physically preventing a child from exposing themselves to possible danger by leaving the premises.

If restraint is required for an extended period (for example more than 5 minutes), a senior member of staff should be informed and monitor the situation closely with a view of safeguarding both the child and staff concerned.

After the incident, it is vital that a report is completed by staff concerned. In the event of restraint being required an incident form will be completed within 24 hours. **(See appendix 1)**. If possible all staff and children involved will undertake a de-briefing meeting with the Head teacher. Parents will be informed and given an opportunity to discuss the incident with the Headteacher.

The Head teacher, Senior Leadership team and Governors need to ensure that all authorised staff are appropriately trained, accept their responsibilities and are aware of the guidelines of this policy. The records of any incidents must be kept as they will be part of an ongoing annual review procedure that examines practise and informs future planning. In addition a named Governor, Wendy Wolfcarius, will support the Head teacher in the monitoring and reviewing.

Selected staff have attended training in January 2017 led by School Staff Safety Training. In addition a further tranche of staff had previously attended for Positive Handling in 2016.

The Head teacher, Leadership team and Governors need to ensure that, as far as possible, preparation and planning has taken place to identify areas where physical restraint might be used. When physical restraint takes place, the school will endeavour to protect children and adults from physical harm, however, there may be cases in which some discomfort and/or bruising may occur to both staff and children as a result of the restraint taking place.

If after receiving a report of an incident where physical intervention has occurred, the Head teacher considers the schools guidelines have been seriously breached and that further investigation is warranted, action in accordance with Child Safeguarding procedures will be taken. If the schools guidelines have been breached, the Head teacher will contact the LA Personnel Division and advise the staff member to consult his/her professional association.

### Equality and Equal opportunities

At Biggin Hill Primary School, we are committed to offering an inclusive curriculum to ensure the best possible progress. We are committed to:

- Opposing all forms of discrimination – individual and institutional, direct and indirect.
- Challenging all forms of discrimination about different groups in society.
- Translating good equal opportunities principles into all our policies and practice.
- Maintaining and developing an inclusive culture where every individual feels valued and aspires to succeed

(See Equal Opportunities Policy and Racial Equality Policy)

### Risk Assessment

Although most children will never require any form of Positive Handling, staff may, on infrequent occasions, have to deal with some children who exhibit distressed and distressing behaviour.

Some children may have high SEMH needs or social communication needs which results in a low ability to self-regulate; in this context individual risk assessments will be carried out and agreed with parents and become part of the Pastoral Support Plan. We will attempt to reduce risk by managing:

- The environment • Body language • The way we talk • The way we act

### Individual Risk Assessments

The school's respect for the rights of the individual takes into consideration the context of The Human Rights Act (1998) and The United Nations Convention on the Rights of the Child (1991). The school's ethos and the guidance in this policy is based on the presumption that every adult and child is entitled to:

- Respect for his/her private life
- The right not to be subjected to inhuman or degrading treatment
- The right to liberty and security
- The right not to be discriminated against in his/her enjoyment of those rights.

If we become aware that a pupil is likely to behave in a potential way that may require the use of reasonable force, it is our intention to plan how to respond if the situation arises. Such planning needs to address:

- Managing the pupil (e.g. reactive strategies to de-escalate a conflict, holds to be used if necessary);

- Involving the parents to ensure that they are clear about the specific action the school might need to take;
- Briefing staff to ensure they know exactly what action they should be taking (staff will have received training for this specific reason);
- Ensuring that additional support can be summoned if appropriate.
- If Positive Handling is likely to be necessary this should be included in the pupil’s Individual Provision Map or the Pastoral Support Plan. On the risk assessment will be included proactive strategies de-escalation strategies; the manner in which the pupil will be held; how support can be summoned if needed; any medical factors to be considered.

The school has currently developed a calming room, which is a sensory lowered room containing only bean bags. Children with high needs in social communication or SEMH can take time to become calm and may be moved (through positive handling) to this room; an adult remains with the children at all times.

**Procedures**

In the event of Positive Handling having been used it is important to consider the strategies, which are deemed acceptable, and the recording procedures that should be in place.

**Action Steps:**

1. Tell the pupil who is endangering him/herself or others to stop and state possible consequences of failure to do so;
2. If possible summon another adult;
3. Continue to communicate with the pupil throughout the incident;
4. Make it clear that safe handling will be cease as soon as it determined to be no longer necessary;
5. Appropriate follow-up action should be taken, which may include: providing medical support; providing respite for those involved.

A calm and measured approach to a situation is given so that staff should never give the impression that they have lost their temper or are acting out of anger or frustration when handling a problem.

This policy was adopted by the Governing Body on.....

It will be reviewed in.....