

POSITIVE HANDLING POLICY

DATE PALM STATEMENT of INTENT

At Date Palm our vision is for the School to ensure our pupils grow like a Date Palm tree – with **strong foundations, lofty branches and produce fresh fruit**:

- ✓ To build **Strong Foundations for Character Development** that:
Instil values; inspire each pupil; display best manners.
- ✓ To have **Lofty Branches of Educational Excellence** that will:
Provide a broad and varied range of experiences and learning opportunities; help each pupil progress and develop in all aspects; support their skills and talents.
- ✓ To produce **Fresh Fruit that provides services to their Communities** in order to:
Become responsible and confident citizens; make a positive difference; commit to charitable endeavours; become effective contributors towards Britain’s future.

Reviewed by	Position	Signature
Afsana Khanam	Deputy Head / DSL	
Sabina Yeasmin	Safeguarding Governor	

Reviewed: June 2020
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Positive Handling Policy

Legal Framework

Physical intervention should be limited to emergency situations and used only in the last resort. Section 93 of the Education and Inspections Act 2006 entitles all members of staff at a school to use such force as is reasonable in circumstances where the pupil may need to be prevented from engaging in behaviours which will result in the commission of an offence; or which cause injury to themselves, others or damage to property; or which prejudice the maintenance of good order and discipline at the school or among any pupils receiving education at the school, whether during a teaching session or otherwise.

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

There is no legal definition of reasonable force. The Criminal Law Act (1967) allows any person to use such force as is reasonable in the circumstances to prevent an offence (e.g. physical assault) being committed.

The DfE (2013) states that:

1. The term 'reasonable force' covers the broad range of actions used by most teachers at some point in their career that involve a degree of physical contact with pupils.
2. Force is usually used either to control or restrain. This can range from guiding a pupil 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.
3. 'Reasonable in the circumstances' means using no more force than is needed.
4. As mentioned above, schools generally use force to control pupils and to restrain them. Control means either passive physical contact, such as standing between pupils or blocking a pupil's path, or active physical contact such as leading a pupil by the arm out of a classroom.
5. Restraint means to hold back physically or to bring a pupil under control. It is typically used in more extreme circumstances, for example when two pupils are fighting and refuse to separate without physical intervention.
6. 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 pupil.

All members of school staff have a legal power (but not a duty) to use reasonable force. Reasonable minimal force must be a matter of personal judgement. All teachers have a professional 'duty of care' within their job description which is underwritten by Section 3 (5) of the Children Act 1989. This legislative framework members of staff to use such force as is reasonable in the circumstances to prevent a pupil from:

- Committing an offence

- Causing personal injury to, or damage to the property of, any person (including the pupil himself); or
- Engaging in any behaviour prejudicial to the maintenance of good order and discipline at the school or among its pupils, whether during a teaching session or otherwise.

Equal Opportunities

The school is committed to the following:

- 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.

Statement for Parents

In keeping with our home/school partnership, we will inform all parents/carers of our policy on Positive Handling.

The statement will highlight:

- Our emphasis on care and protection for everyone within our school community
- Our belief that Positive Handling 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.

The statement will outline:

- When staff are authorised to use reasonable physical intervention.
- What steps will be taken after an incident has been dealt with.
- The responsibilities of staff, pupils and parents/carers in resolving situations.
- To provide a planned process of staff development.
- To give full support to staff who have been assaulted or have suffered verbal abuse from pupils or others.
- To maintain accurate records of incidents where Positive Handling has been employed.

Risk Assessment

Although most young people will never require any form of Positive Handling, staff may have to deal with some young people who exhibit disturbed, distressed and distressing behaviour. It is therefore necessary to carry out risk assessment. 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: and
- 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 disruptive 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 (this may identify a need for training or guidance);
- 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 Behaviour Plan together with information on 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.

More detailed examples of risk assessment and preventative steps can be found in Appendix 2.

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 misbehaving 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 Positive Handling holds will be removed as soon as it ceases to be necessary;
5. Appropriate follow-up action should be taken, which may include:
 - i. Providing medical support
 - ii. Providing respite for those involved

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

Recording

Staff should record (Appendix 3) all incidents of restraint in accordance with School Policy and report these to the Headteacher and Pastoral Support Administrator.

Details should include:

- Name of pupil(s)
- Staff member(s) involved
- Factors necessitating Positive Handling intervention

- The strategies which were employed prior to using Positive Handling
- How Positive Handling was effective
- Outcome of Positive Handling
- Any other action taken in the management of the incident

Parents/carers should be contacted **as soon as possible**, and the incident explained to them. This action should also be recorded.

APPENDIX A

When Might it be Appropriate to Use Reasonable Force?

Staff may consider it appropriate to use reasonable force when a pupil is:

1. Committing an offence;
2. Causing personal injury to, or damage to the property of, any person (including the pupil himself);
3. Engaging in any behaviour prejudicial to the maintenance of good order and discipline at the school or amongst its pupils, whether during a teaching session or otherwise. Examples of situations that fall into one of the first two categories are
 - A pupil attacks a member of staff, or another pupil;
 - Pupils fighting;
 - A pupil is causing, or at risk of causing, injury or damage by accident, by rough play, or by misuse of dangerous materials, substances or objects;
 - A pupil is running in a corridor or on a stairway in a way in which he/she might have or cause an accident likely to injure her/himself or others;
 - A pupil absconds from a class or tries to leave school (NB: this will only apply if a pupil could be at risk if not kept in the classroom or at school).

Examples of situations that fall into the third category are:

- A pupil persistently refuses to obey an instruction to leave a classroom.
- A pupil is behaving in such a way that is seriously disrupting a lesson.

APPENDIX B

STRATEGIES

All members of staff need to be aware of strategies and techniques for dealing with difficult pupils and steps, which they can take to defuse and calm a situation. Over 30 of our school staff have had recent 'Team Teach' training, which involves training in positive handling strategies through a whole setting holistic approach to managing difficult, disturbing and sometimes dangerous behaviours.

- Move calmly and confidently.
- Make simple, clear statements.
- Intervene early.
- Try to maintain eye contact.
- If necessary, summon help before the problem escalates.
- Remove audience from the immediate location.

There are situations where staff should not intervene without help:

Assistance should be sought when dealing with:

- A physically large pupil,
- More than one pupil, or
- When the teacher believes that s/he may be at risk of injury.

In those circumstances where the member of staff has decided that it is not appropriate to use positive handling techniques the pupil without help, they should:

- Remove other pupils who might be at risk,
- Summon assistance from colleagues,
- Where necessary, telephone the police,
- Inform the pupil(s) that help will be arriving,
- Until assistance arrives, the member of staff should continue to attempt to defuse the situation orally and try to prevent the incident from escalating.

The method of positive handling employed must use the **minimum force** for the **minimum time** and must observe the following requirements:

POSITIVE HANDLING MUST NOT:

- Involve hitting the pupil;
- Involve deliberately inflicting pain on the pupil;
- Restrict the pupil's breathing;
- Involve contact with sexually sensitive areas.

DURING ANY INCIDENT THE RESTRAINER SHOULD:

- Offer verbal reassurance to the pupil;
- Cause the minimum level of restriction of movement;
 - Reduce the danger of any accidental injury.

POSITIVE HANDLING CAN TAKE SEVERAL FORMS. IT MIGHT INVOLVE STAFF:

- Physically interposing between pupils;
- Blocking a pupil's path;
- Holding;
- Pushing;
- Pulling;
- Leading a pupil by the hand or arm;
- Shepherding a pupil away by placing a hand in the centre of the back or using

'Caring C' hold

- (In extreme circumstances) using more restrictive holds.

SOME DOS AND DON'TS DO

- Be aware of any feelings of anger
- Summon help
- Continue to talk to the pupil in a calm way
- Provide a soft surface if possible
- Be aware of any accessories worn by you or the pupil
- Hold the pupil's arms by his/her sides

DON'T

- Try to manage on your own
- Stop talking even if the pupil does not reply
- Straddle the pupil
- Push arms up the back
- Touch the pupil near the throat or head
- Put pressure on joints

APPENDIX C

REPORTING AND RECORDING PROFORMA

RECORD OF RESTRAINT

Pupil name:	D.O.B:	Date of incident:	Time of incident:
Name of member(s) staff involved:	Adult witnesses to restraint:		Pupil witness to restraint:
Outline of event leading to restraint – <i>including other strategies tried and reasons for using restraint rather than another strategy:</i>			
Outline of incident of restraint (including restraint method/hold used):			
Outcome of restraint: Description of any injury(ies) sustained by injured pupil and any subsequent treatment:			
Date parent/carer informed of incident:	Time:	Who informed parent/carer:	
Outline of parent/carer response:			

Signature of staff completing report:		Date	
Signature of Teacher in charge:		Date	
Signature of Head Teacher:		Date	
Brief description of any subsequent inquiry/complaint or action:			

APPENDIX D

TRAINING

It is the responsibility of the Headteacher to ensure that staff are fully informed of the school policy.

(ii) It is the responsibility of the Headteacher to arrange training or guidance to staff, possibly through a senior member of staff.

(iv) There are **no** government approved training techniques for Positive Handling. However, a list of staff who have been trained to use Positive Handling techniques should be maintained.

(v) Additional advice and support on managing behaviour can be provided through the Educational Psychology Service or Behaviour Support Service.

APPENDIX E

AUTHORISED PERSONS

FROM SECTION 93 OF THE EDUCATION AND INSPECTIONS ACT 2006:

The Act entitles all members of staff at a school to use reasonable force to control or restrain pupils to prevent a pupil from committing an offence, or causing personal injury or damage to property, or behaving in such a way as to prejudice the maintenance of good order and discipline at the school. The same power also applies to 'people whom the Headteacher has temporarily put in charge of pupils such as unpaid volunteers or parents accompanying students on a school-organised visit'.