

St Mark's CE Primary School

Ramslye Road
Tunbridge Wells
TN4 8LN



Positive Handling Policy

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Chair of Governors: David Hill

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Signed by Chair of Governors: _____

Date: _____

ST MARK'S CE PRIMARY SCHOOL POSITIVE HANDLING POLICY

1.0 Introduction

1.1 Schools have a duty to promote good behaviour and discipline. The school's Governing body of St Marks CE Primary School, with the support of the local authority, has the duty to ensure the health, safety and well-being of everyone in school.

1.2 Legislation that came into force on 1 September 1998 (Section 550a of the Education Act 1996), together with national guidance (DfEE Circular 10/98) establishes the responsibility of teachers and other authorised staff who have lawful control or charge of pupils with regard to the application of reasonable force in order to prevent children committing an offence, causing injury or damage, or engaging in behaviour prejudicial to the maintenance of good order and discipline.

1.3 The 'Use of Force' Guidance 4 / 2012 (DCSF) makes the following two key points:

- (i) School staff have a legal power to use force and lawful use of the power will provide a defence to any related criminal prosecution or other legal action.
- (ii) Suspension should not be an automatic response when a member of staff has been accused of using excessive force.

It also states that schools can use reasonable force to:

- remove disruptive children from the classroom where they refused to follow an instruction to do so
- prevent a pupil behaving in a way that disrupts a school event or a school trip or visit
- prevent a pupil leaving the classroom where allowing the pupil to leave would risk their safety or lead to behaviour that disrupts the behaviour of others
- prevent a pupil from attacking a member or another pupil, or to stop a fight in the playground
- restrain a pupil at risk of harming themselves through physical outbursts

1.4 Under the Race Relations (Amendment) Act 2000, schools have a general duty to promote race equality.

1.5 Reasonable force or restraint is only to be used as a last resort. The Education Act 1997 clarified the position about the use of restraint by authorised school staff when managing the behaviour of the most challenging pupils in our schools. However, the greatest caution needs to be exercised when deciding to use physical restraint that may exacerbate an already volatile situation.

1.6 There is no legal definition of 'reasonable force' so it is not possible to set out comprehensively when it is reasonable to use force, or the degree of force that may reasonably be used. It will always depend on all the circumstances of the case.

1.7 St Mark's C E Primary School recognises that there is a need reflected in common law, to intervene when there is an obvious risk of safety to its pupils, staff and property.

1.8 St Mark's C E Primary School is committed to ensuring that all our 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 physical intervention as a last resort. If used at all it will be in the context of a respectful, supportive relationship with the pupil. We will always aim to ensure minimal risk of injury to pupils and staff. Restraint is an action of last resort and is not a substitute for behaviour management strategies. The emphasis of such

strategies should be on managing incidents and behaviour through non-physical, non-threatening aggression-free strategies.

1.9 This policy applies to all our staff who are authorised to use physical intervention (see paragraph 10.0 of this document for details).

1.10 This policy will be reviewed and discussed with staff and the governing body on a bi-annual basis. The nominated member of the School's Leadership Team with responsibility for advising on the implementation of this policy is the Headteacher.

2.0 School Expectations

2.1 The best practice regarding physical intervention outlined below should be considered alongside other relevant policies in the school, specifically those policies involving behaviour, bullying, child protection and health and safety.

2.2 In the following situations staff must judge whether or not physical intervention would be reasonable or appropriate:

- risk to the safety of the pupil concerned
- risk to the safety of staff, other pupils or visitors or
- where there is a risk of serious damage to property or where a pupil's behaviour is seriously prejudicial to good order and discipline or
- where a pupil is committing a criminal offence.

This judgment will take into account the circumstances of the incident. All staff should be aware that the use of physical intervention in response to a clear or developing danger of injury will always be more justifiable than the use of force to prevent damage or misbehaviour.

2.3 Our staff will view physical intervention or restraint of pupils as a **last resort to maintaining a safe environment**. If pupils are behaving disruptively or antisocially, every effort will be made to manage behaviour positively to prevent a deterioration of the situation and to restore a safe, secure environment.

2.4 Our staff will understand the importance of listening to and respecting children to create an environment that is calm and supportive especially when dealing with pupils who may have emotional and behavioural needs that may increase their aggression.

2.5 At all times staff will endeavour to use a range of de-escalation strategies to avoid the necessity of physical intervention e.g. ignoring where appropriate, distracting, removing an 'audience', offering appropriate, positive choices, reminding of school expectations and removal of objects.

2.6 All our staff will understand the importance of responding to the feelings and well-being of the child, as well as to the behaviour itself.

3.0 Our Practice Regarding Specific Incidents:

3.1 Staff intervening with children will seek assistance from other members of staff as early as possible, since single-handed intervention increases the risks of injury to both parties and does not provide a witness.

3.2 All staff who become aware that another member of staff is intervening physically with a pupil will have responsibility to provide a presence and to offer support and assistance should this be required.

3.3 Before intervening in a non-emergency, consideration will be given to whether or not other staff are available to assist.

3.4 Where possible, staff who have not been involved in the initial confrontation leading up to an incident may be in a better position to intervene or restrain the pupil if this proves necessary. Staff should support colleagues by offering to take over the role of holding to minimise stress.

3.5 A pupil's behaviour may be adversely affected by the presence of an audience. Wherever possible, the audience will be removed, or if this is not possible, the pupil will be removed from the audience. The pupil and member(s) of staff will withdraw to a quiet, but not completely private, place (e.g., two members of staff should be present or a door left open so that others are aware of the situation).

3.6 Staff will be aware of the need to tell the pupil being restrained, in a calm and gentle manner that the reason for the intervention is to keep the pupil and others safe. Staff will explain that as soon as the pupil calms down, he/she will be released.

4.0 Recording an Incident

4.1 All incidents that result in positive handling will be recorded.

4.2 Notes will be made immediately following, or as soon as possible after the incident (i.e. before the end of the day of the incident) by the staff member involved in the original incident.

4.3 Notes will also be made in the same way by any other members of staff involved (i.e. as witnesses or additional providers of support). The notes will be signed and dated on the same day and kept in HT's office.

4.4 The notes must 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 pupil(s) involved
- when and where the incident took place
- names of staff and pupils who witnessed the incident
- the reason the force was necessary
- the progress of the incident. Include details of:
 - behaviour of the pupil which led up to the incident
 - any attempts to resolve the situation
 - what was said by staff and pupils
 - the degree of force used
 - how it was applied
 - how long it was used for
- the pupil's response and the eventual outcome
- details of any injuries suffered by either staff or pupils
- details of any damage to property
- details of any medical treatment required
- details of any follow-up, including contact with the parents/carers
- any other relevant details e.g., the involvement of any other agency

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

5.0 Monitoring use of Restrictive Physical Interventions

5.1 The use of physical intervention in our school will be monitored in order to help our staff learn from experience, promote the well-being of children in our care and provide a basis for appropriate support and school organisation. Monitoring will help us to determine what

specialist help is needed for children. Information on trends and emerging problems will be shared within our school using local procedures. Any incidents of physical intervention will be reported in the next Headteacher's Report to the Full Governing Body.

5.2 Our bound book of recorded incidents will be available for monitoring by local authority officers and Ofsted.

6.0 Post Incident Support

6.1 We will ensure that the pupil and the member of staff have immediate access to first aid for any signs of injury. This must be recorded.

6.2 We will give the pupil time to become calm while staff continue to supervise him/her. When the pupil regains complete composure, a senior member of our staff (or his/her nominee) will discuss the incident with the pupil and try to ascertain the reason for its occurrence. The pupil will be given an opportunity to explain things from his/her point of view. We will take all necessary steps to re-establish the relationship between the pupil and the member(s) of staff involved in the incident.

6.3 In cases where it is not possible to speak to the pupil on the same day as the incident occurred, we will ensure a debrief takes place as soon as possible after the pupil returns to school.

6.4 All members of staff involved will be allowed a period to debrief and recover from the incident. This may involve access to external support. A senior member of our staff (or his/her nominee) will provide support to the member of staff involved.

6.5 The Head teacher will be informed at the earliest possible opportunity of any incidents where physical intervention or restraint has been used.

6.6 We will inform parents/carers of any incident involving physical intervention as soon as possible after the incident and whenever practicable on the day of the incident before the child arrives home.

7.0 Training Needs of Staff

7.1 We will ensure that all our staff receiving this training will keep it updated as prescribed by the trainers, if such physical interventions remain a possibility within the class / school.

Positive handling training was provided to twelve nominated staff members 18.4.17

8.0 Authorisation of Staff to Use Physical Intervention

8.1 We recognise that most of the time physical intervention will be used infrequently, that is, as a last resort to maintaining a safe and secure environment.

8.2 Although, under Section 550A of the Education Act 1996, all our teaching staff are, by the nature of their roles and their duty of care, authorised to use 'force as is reasonable in the circumstances for the purpose...', we will ensure specific training is given as outlined in 9.2 above.

8.3 All staff who attended the training course on 18/4/17 are authorised to use force to restrain children

8.4 Governors will be informed of the number of unplanned / emergency physical interventions and the number of planned physical interventions annually.

9.0 Risk Assessment

9.1 We acknowledge that some children behave in ways that make it necessary to consider the use of restrictive physical intervention as part of a behaviour management plan. All identified behaviours necessitating use of physical intervention will be formally risk assessed.

9.2 The resulting risk management strategy must be compatible with the school's positive behaviour management approach and must also take into account the pupil's statement and Personal Support Plan, if these are applicable to the pupil.

9.3 Techniques and methods for controlling and restraining pupils using restrictive physical interventions must be assessed to ensure they are safe, suitable and appropriate for use with the named pupil.

9.4 The techniques will be agreed in partnership with the pupil, his/her parents (or those with parental responsibility) and other statutory agencies working with the pupil. This is especially the case when children are looked after by the local authority, in respite care, or cared for by others with legal responsibility in order to ensure that there is a consistent approach to the use of intervention strategies both in and out of school. The Risk Assessment should also be documented within pupil's records.

10.0 Responding to Complaints

10.1 If a parent/carer or child is concerned about any aspect of the management of an incident requiring physical intervention, he/she should inform the Headteacher of their concern. If the concern relates to action by the Head teacher, the parent/carer should contact the Chair of Governors and follow the normal school complaint procedures.

11.0 Review of Policy

11.1 This policy will be reviewed bi-annually or earlier if any changes are indicated at national or local level. This policy will next be reviewed and updated, if necessary, in Summer 2016.