

# Positive Handling Policy

Central Hub Brighton



The Connected Hub and Brighton and Hove Pupil Referral Units

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**Note:** Central Hub Brighton operates with a Management Committee as its governing body. For all references to Governing Body and Governors in this document, the duties and responsibilities will be carried out by the CHB Management Committee and its members

# Positive Handling Policy

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## Introduction

The policy has been prepared for the support of all teaching and support staff, who come into contact with pupils and for volunteers working within the school to explain the school's arrangements for positive handling. Its contents are available to parent/carers and pupils. It should be read in conjunction with the schools Relationships and Positive Touch policies.

## Objectives

Good personal and professional relationships between staff and pupils are vital to ensure good order in our school. It is recognised that the majority of pupils in our school respond positively to the behaviour management strategies practised by staff. This ensures the well-being and safety of all pupils and staff in school. It is also acknowledged that in exceptional circumstances, staff may need to act in situations where the use of reasonable, proportionate and necessary force may be required.

CHB acknowledges that physical techniques are only a small part of a whole setting approach to behaviour management.

Every effort will be made to ensure that all staff in this school:

- (i) Clearly understand this policy and their responsibilities in the context of their duty of care in taking appropriate measures where use of force is necessary

- (ii) Are provided with appropriate training to deal with these difficult situations.

The Education and Inspections Act 2006 stipulates that reasonable force may be used to prevent a pupil from doing, or continuing to do any of the following:

- self harming
- causing injury to others
- committing a criminal offence
- engaging in any behaviour prejudicial to maintaining good order and discipline at the school or among any of its pupils, whether the behaviour occurs in a classroom during a teaching session or elsewhere within school (this includes authorised out-of-school activities).

As teaching and non-teaching staff work 'in loco parentis' and have a 'Duty of Care' towards their pupils, they could be liable for a claim of negligence if they fail to follow the guidance within this policy. The use of positive handling techniques is one of our control methods for reducing risks presented by children's challenging behaviour.

The application of any form of physical control inevitably carries an attached risk of unintended harm and this places staff and the school at risk of potential litigation. It can only be justified according to the circumstances described in this policy. Staff, therefore, have a responsibility to follow this policy and to seek alternative strategies wherever possible in order to prevent the need for physical intervention.

All staff must have read and be compliant with Keeping Children Safe in Education 2021 statutory guidance for schools (KCSIE). KCSIE, in its guidance about reasonable force, states: 'Reasonable' in these circumstances means 'using no more force than is needed'.

Staff must be aware that they are responsible for:

- assessing risks (dynamic risk assessment) related to individual circumstances which may arise in the course of their day-to-day duties and
- making judgements about when the use of force is necessary and the degree of force which may be regarded as necessary to manage a situation.
- staff need to be aware that they are required to justify their decisions in writing through the recording and reporting procedures outlined later in this document.

## **Underpinning Values**

Everyone attending or working at TCH 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.

Pupils attending this school and their parent/carers have a right to:

- individual consideration of their 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 pupils and staff working in school;
- expect that children with recognised educational and social, emotional and mental health difficulties (SEMH) have appropriate learning opportunities to be designed to achieve outcomes that reflect the best interests of the child in question and other children that may be affected by that child's SEMH
- be informed about the school's complaints procedure.

The school will ensure that pupils understand the need for and respond to clearly defined limits, which govern behaviour in the school.

### **Use of Positive Handling**

Positive Handling is the term we use to describe the occasions when adults, in the course of fulfilling their duty of care and their job description, need to make physical contact with a child.

Positive Handling includes the use of force for control and restraint, as described in the Education and Inspections Act 2006. No legal definition of reasonable force exists, however for the purpose of this policy and the implementation of it at CHB:

- Positive Handling uses the *minimum* degree of force necessary for the *shortest period of time* to prevent a pupil harming himself, herself, others or property.
- The scale and nature of any physical intervention must be *proportionate* to both the behaviour of the individual to be controlled, and the nature of the harm they might cause.
- Staff are expected to follow the pupil's Behaviour Support Plan/Risk Assessment in the first instance to manage any incidents of challenging behaviour
- If this was unsuccessful and the situation continues to escalate staff would then be expected to employ other Team Teach or Maybo techniques that they have been trained to use.

A member of staff who has not been trained in positive handling techniques, may make the professional judgement that it is *absolutely necessary* to physically intervene to maintain the safety of one or more children or members of staff.

If a member of staff makes such a judgement they must comply with the points above, i.e. that they can physically manage a child in a *reasonable* manner that is *proportionate* to the nature of the incident for the *minimum possible time*. They should take sensible steps to seek the support of a senior colleague as soon as safely possible. Any such incidents are also bound to be recorded as described in this policy.

The overriding consideration should still be the reasonableness and proportionality of the force used. All the techniques used take account of a young person's;

- age
- gender
- level of physical, emotional and intellectual development

- special needs
- social context

They also provide a gradual, graded system of response.

Where behavioural records and/or risk assessment identifies a need for a planned approach, plans (Individual Behaviour Plan/ Pastoral Support Plan) are written for individual children and where possible, these will be designed, with parent/carer consent, shared with and supported by other agencies/services working with the child to facilitate consistency of approach so far as is possible.

### **Minimising the Need to Use Restrictive Practice**

At CHB we endeavour to create a calm environment that minimises the risk of incidents arising that might require the use of physical management. We identify individual needs, including those of social, emotional or mental health and plan with these needs in mind to ensure the most positive outcomes possible for all children. Planning for individual needs includes lesson planning, management of play/lunchtimes, inter-agency working, risk assessments etc.

Some pupils' SEN may result in increased anxiety levels, and therefore an increase in the likelihood of challenging behaviour, for example children with a diagnosed developmental disorder. This may necessitate individualised support. Such support may be described in either a risk assessment, Individual Behaviour Plan or Pastoral Support Plan.

In some instances a whole school approach is required, in this case the Head of School or Key Stage will inform staff of the protocol for supporting these children. Through the Pastoral Support and PSHE curriculum pupils learn about feelings and managing conflict, where this is appropriate to their level of development. The ethos further promotes independence, choice and inclusion; pupils are given maximum opportunity for personal growth and emotional wellbeing.

Members of staff are trained in skills to help them to defuse situations before behaviour becomes challenging and how to de-escalate incidents should they arise.

Reasonable force will only be used when the risks involved in doing so, are outweighed by the risks involved in not using force.

Prevention of unsafe behaviour will be enabled through:

- The deployment of appropriate staffing numbers;
- The deployment of appropriately trained and competent staff;
- Avoiding situations and triggers known to provoke challenging behaviour;
- Creating opportunities for choice and achievement; developing staff expertise through a programme of Continuous Professional Development;
- Exploring pupils' preferences relating to the way/s in which they are managed
- Staff employing 'defusing' techniques to avert escalation of behaviour into violence or aggression

### **The Range of Positive Handling**

Positive Handling describes a broad spectrum of physical contact with children that staff may use in fulfilling their duty of care and job descriptions. It encompasses care,

control and risk reduction strategies. Positive handling is a holistic approach involving policy, guidance, management of the environment, and deployment of staff. It also involves personal behaviour, diversion, defusing, and de-escalation.

Risk assessment identifies positive prevention strategies and how a pupil may need to be supported in a crisis.

### 1. *Physical Contact*

At CHB we recognise that appropriate physical contact occurs between staff and pupils, e.g., in the care of pupils and in order to support their access to a broad and balanced curriculum. It would seem reasonable that young children do require opportunities for close contact, as long as this is within public view, sensitively carried out and age/person appropriate. The parameters for this are set out in the *CHB Positive Touch policy*.

This may include comforting a child who has fallen in the playground, administering first aid, guiding a child safely past an obstacle, handshakes/ high-fives, demonstration or guidance in PE or sports lessons. On some sites it may include a range of sensory diet support as outlined in that policy.

### 2. *Physical Intervention*

This may be used to divert a pupil from a destructive or disruptive action, for example guiding or leading a pupil by the arm or shoulder where the pupil is compliant.

This technique cannot be emphasised enough and in the hands of a skilful practitioner, many pupils can be deflected from a potentially volatile situation into a less confrontational situation i.e. it may be possible to “defuse” a situation by a timely intervention.

### 3. *Physical Control/Restraint*

This will involve the use of reasonable force when there is an immediate risk to pupils, staff or property or if the child’s behaviour represents a significant disruption to the maintenance of good order and discipline.

The level of compliance from the pupil determines whether or not the interaction is an intervention or a control/restraint. Restraint is the positive application of force by staff, in order to overcome rigorous resistance, completely directing, deciding and controlling a person’s free movement (Team Teach definition).

## **Types of Incident**

The incidents described in The Education and Inspections Act 2006 The Use of Reasonable Force to Control and Restrain Pupils fall into three broad categories: -

- Where action is necessary in self-defence or because there is an imminent risk of injury.
- Where there is a developing risk of injury, or significant damage to property.
- Where a pupil is behaving in a way that is compromising good order or discipline.

Examples of situations that fall within one of the first two categories, are:

- A pupil attacks a member of staff, or another pupil;
- Pupils are fighting;
- A pupil is engaged in, or is on the verge of committing, deliberate damage or vandalism to property;
- A pupil is causing, or at risk of causing, injury or damage by accident, by rough play, or by misuse of dangerous materials or objects;
- A primary pupil tries to leave school (NB this will only apply if a pupil could be at risk if not kept at school).

Examples of situations that fall into the third category are:

- A pupil persistently refuses to comply with an adults' request to leave a classroom/playground;
- A pupil is behaving in a way that is seriously disrupting a lesson.

### **Strategies: Time-Out / Withdrawal / Planned and Emergency Physical Interventions / Recovery**

#### **Time out**

This involves restricting the child's access to positive reinforcements. It is a specific behaviour management technique and does not necessarily mean time spent out of the class/group, but rather refers to a withdrawal of attention and/or things they find rewarding. It could be as simple as turning away from a child who is attention-seeking, or positioning a child away from the class/group. This withdrawal of attention could also be achieved by sending a pupil to another class/group or a quiet area.

#### **Withdrawal**

This involves removing the child from a situation that causes anxiety or distress to a location where they can be continuously observed and supported until they are ready to resume their usual activities. This can mean removing a child from the class/group, to allow them time to calm down or to prevent a situation from escalating. They may need time away from staff and pupils (either on their own or in another class/group) in order to break the cycle/pattern of their behaviour or to reduce their level of anxiety/distress. The arrangement of "quiet time" shall be negotiated between the child and staff involved.

#### **Planned Physical Intervention**

Is described/outlined in the pupil's Risk Assessment and/or Behaviour Plan. This should cover most interventions, as possible scenarios will be identified and planned for when the plans are drawn up. These interventions may include the use of Team Teach or Maybo techniques

#### **Emergency Physical Intervention**

This may be necessary if a situation arises that was not foreseen or is uncharacteristic of the pupil. Members of staff retain their duty of care to pupils and any response, even in an emergency, must be proportionate to the circumstances.

Staff should use the minimum force necessary to prevent injury and maintain safety, consistent with the training that they have received. Following any such incident, a

risk assessment/behaviour plan will be devised (or the existing one updated) to support effective responses to any such situations that may arise in the future.

Wherever possible assistance will be sought from another member of staff, trained in positive handling strategies, at the first opportunity.

Positive Handling at CHB (defined as the full range of strategies used to manage behaviour including where necessary physical intervention) is seen as a proactive response to meet individual pupil needs and any such measures will be most effective in the context of the overall ethos of the school, the way that staff exercise their responsibilities and the range of behaviour management strategies used.

### **Recovery**

Pupils who may be distressed by events can be offered the following support:

- Quiet time taking part in a calming activity
- Quiet time away from the incident/trigger
- Resuming their usual routine/previous activity as soon as possible, especially for pupils with special needs
- Time with a member of staff to debrief the incident

Staff should make special consideration to support the child with a period of reflection. It is an expectation that all members of our community take responsibility for the consequences of our own actions. However, for some young people, the complex feelings following an incident may re-escalate a situation, increase risk and therefore

undermine the practice outlined in this policy. Therefore members of staff who work most closely with the child responsible will seek to find a suitable time and way to reflect (taking consideration of the child's developmental level and SEN).

At the same time staff will show care to the hurt party and may themselves make an apology such as "I am sorry you were hurt by \_\_\_\_, I expect them to apologise for their actions when they can."

### **Injury to the Child**

Whilst the physical techniques are intended to reduce risk, there is always risk when two or more people engage to use force to protect, release or restrain. Positive handling techniques seek to avoid injury to the child, but it is possible that bruising or scratching may occur accidentally, and these are not to be seen necessarily as a failure of professional technique, but a regrettable and infrequent side effect of ensuring that the child remains safe. Any such injury will be reported using the 'Positive Handling Incident Report,' logged on SIMS and may be noted on C-POMS.

Any injuries to pupils as a result of incidents involving restraint will be reported to the Head of School, Safeguarding Lead and parents/carers.

**Staff: Authorised Staff / Health and Safety / Training / Support**

**Authorised Staff**



All teachers, staff and the Headteacher are authorised to have control, or charge, of pupils automatically; they have the statutory power to use reasonable force within the context of The Education and Inspections Act 2006 and the subsequent guidance.

Supply staff must ensure that they are familiar with this school's policy. Appropriate guidance will be given if they have not undertaken Positive handling training.

Please note: whilst DFE Guidance on Use of Reasonable Force (2013) recognises that this can extend to: 'people whom the headteacher has temporarily put in charge of pupils such as unpaid volunteers or parent/carers accompanying students on a school organised visit' At CHB we would not expect volunteers, students on placement, visitors or parent/carers to have to use this power as they will not generally have charge/control of pupils who may present with the most challenging behaviour.

### **Health and Safety of Staff**

Under the Health and Safety at Work Act, employees have a responsibility to report any circumstances that give rise to an increased risk to their Health and Safety. Staff who have, or acquire, permanently or temporarily, any medical condition that may impact on their ability to carry out pupils' plans have a duty to report these to the Head of School teacher or Head of Key Stage immediately, as there may be an impact on their own safety and that of colleagues and/or pupils.

Through the provision of positive handling training, the risk of harm towards staff is reduced but it is possible for some injury to be received. All such occurrences should be treated and subsequently recorded, on the Physical Management Incident log and Accident book. An HS2 form may also need to be completed. The Head of School/Key Stage will co-ordinate this.

### **Staff Training**

It is the responsibility of the Executive Headteacher to ensure that training in the use of positive handling is available to staff and is kept up to date. The school provides training for all authorised staff and the Heads of School retain a list of all those staff trained. The list is reviewed on an annual basis.

No member of staff will be expected to use positive handling techniques without appropriate training. Prior to the provision of training, guidance will be given on action to be taken. Arrangements will be made clear as part of the induction of staff and training will be provided as part of on-going staff development.

If staff are unable to support physically they are expected to support with other de-escalation techniques and may act as observers to an incident.

### **Staff Support Following Incidents**

Any member of staff or pupil at the school involved in or witnessing a serious incident involving the use of positive handling may require additional support following the incident. Staff should ensure that they are fully recovered from an incident before resuming their duties and colleagues are encouraged to seek and offer support where it is deemed necessary.

It is good practice for staff involved in the incident to 'debrief' as soon as possible after the incident. The debrief should involve a member of the senior or operational

leadership team and can support the completion of the Positive Handling Incident Report.

## **Recording and Monitoring Incidents**

### **Recording**

Where physical control or restraint has been used an appropriate member of staff must record the details (see appendix 1) as soon as possible after the incident. If anyone is injured an accident report must also be completed, again as soon as possible. Each site at CHB has its own method of recording positive e handling incidents. The Head of School holds a hard copy of the form on record. Each incident of physical management should also be recorded on SIMS and parents/carers informed.

The Head of School/Key Stage will ensure that information about the incident is shared, on a need to know basis, with other staff.

Incidents are recorded under three categories as follows:

*Guide:* Where a student needs caring C support to move from one area to another

*Control:* Where a higher level of support is needed to support the student using escorting techniques

*Restrictive:* Where a student may need to be held for their safety by 2 adults, often seated on suitable chairs.

### **Monitoring**

Monitoring of incidents will help to ensure that staff are following the correct procedures and will alert the Head of School/Executive Head to the needs of any pupil(s) whose behaviour may require the use of positive handling.

Monitoring of incidents will take place on a regular basis (at least termly) and the results used to inform planning to meet individual pupil and school needs. The Head of School will present an annual summary of positive handling incidents to the Governing Body/Management Committee.

The Heads of School will ensure that each incident is reviewed and investigated further where required. If further action is deemed appropriate in n relation to a member of staff or a pupil, this will be pursued through the appropriate procedure.

### **Out of School Visits/Activities**

From an equal opportunities and enrichment perspective we believe that all pupils should be included in all curriculum activities. However, Health and Safety remains a priority and staff should carry out risk assessments for pupils that may be a possible danger prior to each visit into the community. Due consideration should be given to the following:

Is the pupil able to cope with the demands of the proposed visit?

Are there sufficient, suitably trained staff - particularly if there should be an incident?

How will you contact school to get extra help if necessary and how will you get back?

## **Whistleblowing**

Whilst the Team Teach and Maybo training provided to staff, encourages the use of help protocols and reflective practice, it is acknowledged that under some circumstances, physical intervention can be misapplied.

Staff are reminded that part of their duty of care to pupils includes the requirement to report any such matters which cause them concern in relation to pupil management and welfare. Any such concerns should be raised with the Executive Head Teacher, another member of the Senior Leadership Team or with the Chair of Governors (where the concern relates to the Executive Head Teacher), in order to allow concerns to be addressed and practice improved. See separate whistleblowing policy for further details.

## **Complaints**

The availability of a clear policy about reasonable force and early involvement of parent/carers should reduce the likelihood of complaints but may not eliminate them. Where the nature of any complaint made by a pupil, parent, carer or other person in relation to the use of physical hold within the school indicates that an allegation of mishandling by a member staff, the school's complaints policy will be followed.

## **References:**

Team Teach Work Book v 2.3 (2019)

Team Teach Website [www.team-teach.co.uk](http://www.team-teach.co.uk)

Maybo Website [www.maybo.com](http://www.maybo.com)

DfE Guidance Use of Reasonable Force: advice for head teachers, staff and governing bodies (Crown Copyright July 2013)

Positive Environments where Children can Flourish: Ofsted Guidance (2018)

Keeping Children Safe in Education: Statutory Guidance for Schools and Colleges (2021)

