



# Lansdowne Turney Federation



## Positive Handling Policy

**Adopted: October 2023**

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## **Positive Handling Policy**

The Federation's positive handling policy is based on the ethos of the school, which is to present a secure, caring and supportive environment in which there is an expectation of pupil achievement and raised attainment. The school follows the principles and recommendation set out in this guidance. Our aim is to create an environment in which the use of force in relation to a pupil is unlikely.

Staff at this school are trained to look after the pupils in their care. Staff have a duty to intervene in order to prevent pupils from hurting themselves or others. There may also be situations in which a child seriously disrupts good order in the school or causes damage to property. If a member of staff ever needs to intervene physically they will follow the school's Positive Handling Policy. Any parents wishing to view this policy may do so on request.

### **Legal framework**

The 2002 Joint Guidance applies whenever restrictive physical intervention is used. The legal framework is set out in the following legislation: Offences Against the Person Act 1861, The Children and Young Persons Act 1933, Health & Safety at Work Act 1974, Violence at Work 2003, Manual Handling Regulations 1992, The Children Act 1989, Disability Rights Act 2001, The Children Act 2004, Section 93 Education & Inspection Act 2006, Section 45 Violent Crime Reduction Act 2006, United Nations Convention on the Rights of the Child (ratified 1991), Section 550A of the Education Act 1996 and the Human Rights Act 1998.

### **Introduction**

For some pupils with the most significant needs it must be recognised that their challenging behaviour is an aspect of their developmental profile. Interventions to manage their behaviour must reflect their overall needs, should be matched to their particular circumstances and also be in the interests of the school as a whole. Pupils with severe learning disabilities sometimes present with behaviours that are a risk to themselves and others. Section 550A of the Education Act 1996 and section 93 of the Education Act 2006 describes the circumstances in which teachers and others authorised by the Headteacher may use reasonable force to control or restrain pupils. Examples of when such action may be reasonable are to prevent a pupil committing any criminal offence, injury to people, damage to property or the breakdown of discipline.

This policy details how we implement the guidance in this school. It is designed to help staff to ensure that any actions they take are reasonable, proportionate and absolutely necessary.

Government guidance on the use of reasonable force in schools states the following:

### **What is reasonable force?**

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 pupil 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. Physical intervention 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.

### **When can reasonable force be used?**

- Reasonable force can be used to prevent pupils from hurting themselves or others, from damaging property, or from causing disorder.
- In a school, force is used for two main purposes – to control pupils or to restrain them.
- The decision on whether or not to physically intervene is down to the professional judgement of the staff member concerned and should always depend on the individual circumstances.

### **Schools can use reasonable force to:**

- Remove disruptive children from the classroom where they have 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 of staff or another pupil, or to stop a fight in the playground; and
- Restrain a pupil at risk of harming themselves through physical outbursts.

### **Schools cannot:**

- Use force as a punishment – it is always unlawful to use force as a punishment.

## **School Expectations**

The management takes seriously its duty of care towards pupils, employees and visitors to the school. Staff protection is an important part of child protection; both depend on confident and competent staff who feel supported by the management. This policy has a clear focus.

The first and paramount consideration is the welfare of the children and young people in our care.<sup>[1.1]</sup><sup>[SEP]</sup> The second is the welfare and protection of the adults who look after them.

## **Positive Behaviour Management**

All physical interventions at this school are conducted within a framework of assertive discipline. The school behaviour policy is intended to reward effort and application, and encourage pupils to take responsibility for improving their own behaviour. Part of our preventative approach to risk reduction involves looking for early warning signs, learning and communicating any factors which may influence dangerous behaviour and taking steps to divert behaviours leading towards foreseeable risk. Pupils are encouraged to participate in the development of their own behaviour management strategies by focusing on positive alternatives and choices. Parents/carers are also encouraged to contribute by reinforcing strategies at home. However, if problems arise, staff have an additional responsibility to support all pupils when they are under pressure and safely manage crises if, and when, they occur.

## **Alternatives to Physical Controls**

A member of staff who chooses not to make a physical intervention can still take effective action to reduce risk. They can:

- Show care and concern by acknowledging unacceptable behaviour and requesting alternatives using negotiation and reason.<sup>[1.1]</sup><sup>[SEP]</sup>
- Give clear directions for pupils to stop.<sup>[1.1]</sup><sup>[SEP]</sup>
- Remind them about rules and likely outcomes.
- Remove an audience or take vulnerable pupils to a safer place.<sup>[1.1]</sup><sup>[SEP]</sup>
- Make the environment safer by moving furniture and removing objects which could be used as weapons.<sup>[1.1]</sup><sup>[SEP]</sup>
- Use positive touch to guide or escort pupils to somewhere less pressured.
- Ensure that colleagues know what is happening and get help.

Staff are advised that as far as possible, they should not use physical intervention unless or until another responsible adult is present to support, observe and call for assistance.<sup>[1.1]</sup><sup>[SEP]</sup> Other interventions could include:

- Standing between pupils
- Leading a pupil by the hand or arm
- Ushering a pupil away by placing a hand in the centre of the back or using the caring 'C's

## **Modifications to Environment**

Ideally, staff will not be waiting until a crisis is underway before conducting a risk

assessment of the environment. We know that occasionally some pupils at this school may exhibit extreme behaviour when distressed. In general it is a good rule to keep the environment clutter free. This may mean giving consideration to secure storage for a range of everyday objects when they are not being used. For example:

- How is the availability of pointed implements (including pens and pencils,) controlled?
- What small items are available to a distressed pupil who may be tempted to throw them?
- What objects are available to be used as blunt instruments?
- Do they all need to be left out all the time?
- Are there sharp edges or corners which present a risk?
- Is the design arrangements or furniture safe and appropriate for pupils who exhibit extreme behaviour?
- Is there a comfortable place to sit with an agitated pupil?
- Are protocols in place to encourage angry pupils to take themselves to a safer place e.g. quiet room?

### **Help Protocols**

The expectation at this school is that all staff should support one another. This means that staff always offer help and always accept it. Help does not always mean taking over. It may mean just staying around in case you are needed, getting somebody else or looking after somebody else's group. Supporting a colleague does not only mean agreeing with their suggestions and offering sympathy when things go wrong. Real support sometimes means acting as a critical friend to help colleagues become aware of possible alternative strategies. Good communication is necessary so that colleagues avoid confusion when help is offered and accepted. They need to have mutually agree words, terms or phrases so that all parties understand what sort of assistance is required and what is available.

### **Well Chosen Words**

A well chosen word can sometimes avert an escalating crisis. When pupils are becoming angry there is no point in getting into an argument. Telling people to calm down can actually wind them up. Pointing out what they have done wrong can make things worse. The only purpose in communicating with an angry person is to prevent further escalation. It is better to say nothing and take time to choose your words carefully than to say the wrong thing and provoke a further escalation. Use of language may often be overwhelming/confusing adding to their distress/anger.

### **The Last Resort Principal**

At this school we only use physical restraint when there is no realistic alternative. This does not mean that we always expect people to methodically work their way through a series of failing strategies, before attempting an intervention in which they have some confidence. Nor does it mean always waiting until the danger is imminent, by which time the prospect of safely managing it may be significantly reduced.

It does mean that we expect staff to conduct a dynamic risk assessment and choose the safest alternative. It also means that we expect staff to experiment and think creatively about any alternatives to physical intervention which may be effective, particular in

behaviour that is reoccurring.

### **Proactive Physical Interventions**

It is sometimes reasonable to use physical controls to prevent extreme behaviour from becoming dangerous provided that it is an agreed part of their behaviour support plan. Examples of this are where a pupil has shown ritual patterns of behaviour, which in the past have led to the child becoming more distressed and violent. In such circumstances it may be reasonable to withdraw the child to a safer place when the pattern of behaviour begins, rather than wait until the child is distressed and out of control. The paramount consideration is that the action is taken in the interest of the child and that it reduces, rather than increases, risk. ï

### **Reasonable and Proportionate**

Any response to extreme behaviour should be reasonable and proportionate. People should not react in anger. If they feel they are becoming angry they should consider withdrawing to allow someone else to deal with the situation. Where staff act in good faith, and their actions are reasonable and proportionate, they will be supported.

When physical controls are considered staff should think about the answers to the following questions:

- How is this in the best interest of the pupil?
- Why is a less intrusive intervention not preferable?
- Why do we have to act now?
- Why am I the best person to be doing this?
- Why is this absolutely necessary?

If staff can answer these questions it is more likely that a physical intervention will be judged to be reasonable and proportionate.

When physical intervention becomes necessary:

### **DO**

- Identify hazards and people likely to come into contact with them.
- Tell the pupil what you are doing and why.
- Prompt positive responses.
- Control the environment, issue clear guidance, provide training and change working practices to reduce exposure.
- Use the minimum force necessary for the shortest amount of time.
- Involve another member of staff if possible.
- Tell the pupil what s/he must do for you to remove the physical intervention (this may need frequent repetition).
- Use simple and clear language and direction.
- Use holds learned in Dynamis / Intelligensa Physical intervention training.
- Relax your physical intervention in response to the pupil's compliance.

## **DO NOT**

- Act in temper (involve another staff member if you fear loss of control).
- Involve yourself in a prolonged verbal exchange with the pupil.
- Involve other pupils in the physical intervention.
- Touch or hold the pupil in sexual areas.
- Twist or force limbs back against a joint.
- Bend fingers or pull hair.
- Hold the pupil in a way which will restrict blood flow or breathing e.g. around the neck.
- Slap, punch, kick or trip up the pupil.

## **Unreasonable use of Force**

It is not reasonable to use force simply to enforce compliance in circumstances where there is no risk. Nor is it reasonable to use any more force than is necessary to achieve a reduction in risk. Under no circumstances should pain be deliberately inflicted or should pupils be deliberately subjected to undignified or humiliating treatment (this should not be confused with the unavoidable discomfort associated with some approved techniques for disengaging from assaults such as bites and grabs). Other than as a one-off emergency measure to protect health and safety, force should never be used to keep a pupil secluded. This includes having a child outside of the classroom without a member of staff present. Seclusion is only lawful by specific court order and cannot become part of a planned strategy at this school.

## **Use of the Quiet room (see Quiet Room Guidance) – Turney School only**

Where a pupil needs a quiet area in which to calm down, they should be taken to the quiet room with as minimal contact as possible. The cushioning should be removed from the window at the door and the pupil should be given strategies to help them calm down. The door should be left open with the member/s of staff in sight of the pupil. Where possible there should be two members of staff. The use of the quiet room should always be logged in the event of the use of Positive Handling.

## **Positive Handling Training**

It is the policy of the Federation that all staff working closely with pupils are trained in the pre-emptive and responsive positive handling strategies and techniques of Dynamis / Intelligensa to complement the behaviour management approaches and strategies reflected in the School Behaviour Policy. Further details of the Dynamis Approach can be found on their website <https://www.dynamis.training/course/welcome-to-positive-handling/>, Intelligensa approach can be found on the website <https://www.intelligensa.co.uk/positive-handling-for-schools/>. This training will be provided on a yearly cycle. Positive handling training is always provided by qualified instructors with rigorous guidelines. The level of training recommended is related to the level of risk faced by the member of staff. Our preferred approach is for whole staff team training.

Any member of staff who has not had the updated training is advised not to use restrictive physical intervention unsupported by a trained member of staff. However, there may be

the necessity for any untrained member of staff to intervene on their own if there is a serious health and safety risk for the pupil him/herself, another young person or a member of staff involved.

## **Health and Safety**

If dangerous behaviour presents a significant risk of injury to people, there is a legal Health and Safety issue to be addressed. Dangerous behaviour should be regarded just as seriously as dangerous equipment. Dangerous occurrences should be reported to the Head of School who has overall responsibility for Health and Safety in the school. We all have shared responsibility to identify risk, communicate potential risks and take active steps to reduce risk wherever possible.

We recognise that it is not possible to entirely remove risk. Sometimes things go wrong even when we make our best efforts to do the right thing. Sometimes we are faced with unpalatable choices. In these circumstances we have to try and think through the outcomes of the options available, balance the risks and choose whatever course of action which seems to involve the least risk.

## **Risk Assessment**

Informal risk assessments should be a routine part of life for staff working with pupils who may exhibit extreme behaviour. Responsible staff should think ahead to anticipate what might go wrong. If a proposed activity or course of action involves unacceptable risk the correct decision is to do something else.

Factors which might influence a more immediate risk assessment, and therefore a decision about how to intervene, might include the state of health and fitness of the staff member, their physical stature, competence, confidence and relationships with the pupils concerned. Confidence and competence are often related to the level of staff training. Other than in an emergency, staff should only attempt physical controls when they are confident that such action will result in a reduction of risk. When faced by extreme behaviour, or even in a fight situation, the judgment may be that by becoming involved, the member of staff will increase the chance of somebody getting hurt. In this the correct decision is to hold back from the physical controls.

If we become aware that a pupil is likely to behave in a disruptive way that may require the use of reasonable force, we will plan how to respond if the situation arises in an Individual Risk Assessment. Such planning will address:

- Management of the pupil (e.g. reactive strategies to de-escalate a conflict, holds to be used if necessary).
- Involvement of parents to ensure that they are clear about the specific action the school might need to take and contribute from their experience.
- Briefing of staff to ensure they know exactly what action they should be taking (this may identify a need for training or guidance).
- Identification of additional support that can be summoned if appropriate.



## **Getting Help**

At this school the following support structures are in place:

Positive Support Plans and pupil profiles are kept on pupil's individual files to ensure all relevant information about each pupil is available to all members of staff working with them.

Regular briefing sessions in the morning to update staff on current issues and share information. Debrief sessions after a crisis, where appropriate, with the pupil(s) involved, reflecting on how crisis was managed by all involved and identifying any points for review or learning. Debrief sessions for all staff to share experiences, concerns and access support from each other, led by a member of the SLT.

## **Risk Assessments and Positive Support Plans**

Risk management is regarded as an integral part of behaviour management planning. All pupils who have been identified as presenting a risk should have a Risk Assessment included in their Positive Support Plan. The plan details any strategies which have been found to be effective for that individual, along with any particular responses which are not recommended. If particular physical techniques have been found to be effective they should be named, along with alerts to any which have proved ineffective or which caused problems in the past. They should take account of age, sex, level of physical, emotional and intellectual development, special need and social context. Positive Support Plans should result from multi-professional collaboration with the class teacher, SLT and the Educational Psychologist and be included in a Risk Assessment.

## **Responding to Unforeseen Emergencies**

Even the best planning systems cannot cover every eventuality and the school recognises that there are unforeseen or emergency situations in which staff have to think on their feet. It is not enough to thoughtlessly apply rules without thinking through the likely consequences. The key principles are that any physical intervention should be:

- in the best interest of the child;
- reasonable and proportionate
- intended to reduce risk
- the least intrusive and restrictive of those options available which are likely to be effective.

Whenever a physical intervention has to be made there should be a verbal warning. Where possible, staff should always attempt to use diversion or diffusion in preference to physical interventions. They should only use the techniques and methods approved for use in this school. Staff should always avoid touching or restraining a pupil in a way that could be interpreted as sexually inappropriate conduct. In general, if staff act in good faith and their actions are reasonable and proportionate, they will be supported.

## **The Post Incident Support Structure for Pupils and Staff**

Following a serious incident, it is the policy of this school to offer support for all involved. People take time to recover from a serious incident. Until the incident has subsided the

only priority is to reduce risk and calm the situation down. Staff should avoid saying or doing anything which could inflame the situation during the recovery phase. Immediate action should be taken to ensure medical help is sought if there are any injuries which require more than basic first aid. All injuries should be reported and recorded using the school's systems. It is important to note that injury in itself is not evidence of malpractice. Even when staff attempt to do everything right, things can go wrong. Part of the post incident support for staff may involve a reminder of this, as people tend to blame themselves when things go wrong. Time needs to be found to repair relationships. When careful steps are taken to repair relationships a serious incident does not necessarily result in long term damage. This is an opportunity for learning for all concerned. Time needs to be given to following up incidents so that pupils have an opportunity to express their feelings, suggest alternative courses of action for the future and appreciate other people's perspective. When time and effort are put into a post incident support structure the outcome of a serious incident can be learning, growth and strengthened relationships.

## **Complaints**

It is not uncommon for pupils and/or parents to make allegations of inappropriate or excessive use of force following an incident. The school has a formal Complaints Procedure. Pupils should be reminded of the procedure and encouraged to use the appropriate channels. The complaints policy applies equally to staff. We are an open school and promote transparent policy and practice in order to protect the interests of staff and pupils alike. Any staff concerns regarding the welfare of children should be taken to the designated person for child protection which is the Head of School. Any safety concerns should be reported to the premises officer in the first instance and then the designated person for Health and Safety, which is the Head of School.

## **Recording**

Whenever overpowering force is used the incident must always be recorded using the approved forms. The Incident forms and restraint forms are kept in the office. All staff involved in an incident should contribute to the record which should be completed by the end of the day.

Staff should:

- Read through the school recording form carefully.
- Take time to think about what actually happened and try to explain it clearly. Complete all names in full.
- Sign and date all forms.

Bear in mind these records will be retained and cannot be altered. They will be kept for many years and could form part of an investigation at some time in the future.

Serious Incident reports requiring restraints should not be completed until the individuals concerned have recovered from the immediate effects of the incident. They should not be rushed. A record is written into the Restraint Log Folder held in the Head of Schools office.

Any use of the quiet room should be logged in the folder outside of the quiet room with reference made to whether the pupil used the room independently or had to be guided or led to the room.

## **Monitoring and Evaluation**

The Head of School will ensure that each incident is reviewed and instigate further action as required. The school incident log is open to external monitoring and evaluation.

## **Follow Up**

Following an incident, consideration may be given to conducting a further risk assessment, reviewing the Positive Support Plan, behaviour management policy or this positive handling policy. Any further action in relation to a member of staff, or an individual pupil, will follow the appropriate procedures. (See staff and pupil disciplinary policy)

## **Other Relevant Policies**

This policy should be read in conjunction with:

- Behaviour Policy
- Staff/Pupil Disciplinary Policy
- Health & Safety Policy
- Child Protection Policy
- Complaints Policy
- Quiet Room Guidance – Turney School Only