



Whitcliffe Mount School

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POSITIVE HANDLING POLICY (Use of reasonable force)

Written: October 2019

Ratified by Governors: December 2019

Reviewed: January 2022

Review due: July 2024

A – Rationale (Duty of Care)

Whitcliffe Mount School students need to be safe and encouraged to take responsibility for their own behaviour. The vast majority will behave well, but some (generally only a few and very occasionally) lose control and need someone else to supply it. The need to know we are able to control them safely and confidently. Our students nearly always respond well to the school rules, expectations and Power of 3. Situations in which physical intervention may be needed are therefore likely to be relatively few in number.

Whitcliffe Mount School Staff need to be safe and confident in how they manage inappropriate behaviour. They have to be clear about options open to them when all the normal systems have failed or when there is a clear emergency in which, for example, talking calmly to someone in danger is irrelevant. They need to be free of undue worries about the risks of legal action against them if they use appropriate physical interventions; and need to know that we and the LA will offer support if they are challenged. Training for staff should be available at regular intervals.

Whitcliffe Mount School parent/carers need to know that their child and those who are teaching her or him are safe and free from disruptive influences or danger. They also need to know that they will be properly informed if their child is the subject of physical intervention; and they need to know the nature of the intervention and the rationale for its use. The school is open to any parent/carer queries about its policy and review.

B – Our approach: “Prevention is better than cure”

We always try to avoid using physical interventions and regard them as a last resort for a tiny minority of situations. We provide a properly planned and differentiated curriculum that provides appropriate levels of challenge to all students, and maintain an effective school behaviour policy that is known and understood by all staff and students.

Positive Handling is then our method of last resort, after all other approaches have been tried or in situations of clear danger or extreme urgency. **95% of crisis situations can be dealt with through calm, dignified and skilled intervention.** (The use of non-confrontational approaches and understanding of messages received from body language are vital).

We utilise only the minimum force required to resolve the situation safely. How we respond always has regard to the circumstances and to the age and understanding of the child or young person.

Where there is a foreseeable risk that a students could behave in such a way as to require restrictive physical intervention we undertake a risk assessment in order to balance the risks to the student and to others of intervening or not. Planning is also undertaken to see if trigger situations can be avoided and other positive strategies employed to lessen the likelihood of such incidents occurring.

C – Who may use physical intervention and when (Education & Inspections Act 2006)

The law allows staff to use such force as is reasonable in all the circumstances to prevent a student from doing, or continuing to do, any of the following:

(1) A person to whom this section applies may use such force as is reasonable in the circumstances for the purpose of preventing a student from doing (or continuing to do) any of the following, namely—

- (a) committing any offence,
- (b) causing personal injury to, or damage to the property of, any person (including the student himself), or
- (c) prejudicing the maintenance of good order and discipline at the school or among any students receiving education at the school, whether during a teaching session or otherwise.

(2) This section applies to a person who is, in relation to a student, a member of the staff of any school at which education is provided for the student.

There are also a small number of staff in school that have been trained in positive handling and the use of force in order to restrain. This was completed by REACT UK Training.

All school staff are also, like anyone else, allowed to use reasonable force (the minimum necessary) to defend themselves.

We take the view that staff are not expected to put themselves in danger; and that removing students and themselves from a source of danger is a proper thing to do. We appreciate the integrity of our staff and value their efforts to rectify situations that are difficult and in which they exercise their duty of care for their students. However, Staff are not required to intervene to restore safety at the expense of their own personal safety.

D – Positive Handling Strategies

Reasonable force is not defined legally in isolation. It must be justified as necessary and proportionate the circumstances. We use only the minimum force that is needed to restore safety or appropriate behaviour; and we take account of the age, understanding and gender of the student. An uncaring attitude is likely to provoke students. The **positive handling through REACT training** approach advocates;

- **At least two members of staff**
- **Minimum force and time**
- **Maximum care and control**
- **Last resort – after use of behavioural management strategies**

Acceptable forms of intervention in this school include all stipulated on REACT training course which allow;

- leading or guiding a student by the hand or arm, or shepherding them with a hand in the centre of the back;
- holding a student who has lost control until they are calm and safe;
- physically moving between and separating two students;
- blocking a student's path where necessary;
- where there is immediate risk of injury, any necessary action that is consistent with the concept of 'reasonable force' – for example to prevent a student running into a busy road or hitting or hurting someone;
- using more restrictive restraints in extreme circumstances.

“We care enough about you not to let you be out of control”

It is also acceptable for doors to be locked to ensure student safety, as long as a member of staff is always with the students in such circumstances. (Care needs to be taken here regarding Health and Safety Fire Regulations).

Staff may move, defend themselves, lead, restrain or block someone, bearing in mind the whole time their own safety as well as that of others and of the child who is the subject of any restraint or other intervention.

It is unacceptable and likely to be illegal or grounds for disciplinary action for staff to use any physical intervention designed to cause pain or injury including:

- any form of corporal punishment, slapping, punching or kicking;
- holding by the neck or collar, or otherwise restricting the ability to breath;
- holding by the hair or an ear;
- twisting or forcing limbs against a joint;
- tripping up a student or holding an arm out at neck or head height to stop them;
- holding a student face down on the ground or sitting on them;
- shutting or locking a student in a room, except in extreme situations whilst summoning support.

Staff should also avoid touching or holding a student in a way that might be considered indecent.

The dignity of students is vital, and we need to foster their self-respect.

Physical interventions are not in general used to achieve a search of clothing or property even if we had good reason to believe that a weapon or dangerous drugs were being concealed.

E – Using Physical Intervention

Except in cases where there is immediate danger we would normally try other ways of resolving or de-escalating a situation. These could include:

1. Calmly re-stating the rules and expectations for the situation;

2. Empathetic listening showing that you care
3. Removing other students from the situation and thus from danger of from being an audience;
4. Use of physical proximity, but not in a threatening way;
5. Encouraging the student to withdraw to a safer and calmer situation;
6. Calling another adult for support or to take over.

If more than minor physical intervention is judged to be necessary, the teacher or adult in charge should;

- Whilst we understand everyone has the right to use reasonable force, to minimise any risk from injury, staff should send for the assistance of a teacher with Positive Handling training. **Two support assistants working together without a teacher should only be used as an extreme last resort.**
- Remove other students from the scene if possible;
- Continue to talk calmly to the student explaining what will happen, and under what circumstances the physical intervention will cease (but not in a threatening way);
- Use the minimum force necessary and cease the intervention as soon as it is judged safe;

In some circumstances we may consider it appropriate to call the police.

Following a significant incident of physical intervention, when a student has resisted or challenged and force has been used, the teacher or adult responsible should as soon as possible inform the Headteacher. We acknowledge that such events are stressful for both students and staff and both parties will need time to recover, with the chance of debriefing and resolving the situation.

NB – In exceptional circumstances, it may be necessary to use physical intervention on intruders from outside the school community. Points 1 – 4 listed above should still be used, and again, only when resolving and de-escalating strategies have failed.

Intervention Removal Areas

- Ground Floor – 046/047/048 – SSL Offices. 042 – Assistant Headteacher.
- First Floor – 128 – Deputy Headteacher. 114 – Assistant Headteacher.
- Second Floor – 225 – Deputy Headteacher,

A full written account of the incident will be made by the member of staff concerned and recorded on the 'USE OF FORCE INCIDENT REPORT FORM' (appendix A). This must then be uploaded to CPOMS.

The report will contain:

- Name(s) of student(s) concerned, when and where the incident occurred
- Names of staff or students who witnessed
- The reason why force was needed
- How the incident began and progressed, who said what, who did what
- What was done to calm things down
- What degree of force was used? What kind of hold, where and for how long
- Student's response and the outcome of the incident
- Details of any injury to any person or damage to property* (An unfortunate consequence of restrictive physical intervention is that the student may suffer minor injury to prevent a major injury or safety concern)

and must be signed and dated by the member of staff and countersigned if possible by another member of staff who was at the incident. Time should also be spent after the incident to;

- discuss the incident with the student as soon as possible. The aim is for the student and staff members to learn from the incident so that Positive Handling is not needed in the future.
- interview staff involved and any other witnesses;
- inform the student's parent/carers/carers and social worker if relevant (letter and phone call) record any disagreements expressed by the student or adults about the event;
- take any appropriate further action, liaising with LA, Governors or Unions as appropriate, and acting within the LA's Child Procedures

F – Planning for Physical Intervention

Where we think a student might require physical restraint we plan in advance and know who will do what. This planning includes helping students to avoid provoking situations, helping them find success and minimise frustration, and develops our own skills. It also helps us see better where we can head off difficulties when we spot them early enough. The student's support plan would;

- involve the parent/carers and the student to gain their views and to ensure that they are clear about what specific action the school might need to take;
- manage the student (e.g. reactive strategies to de-escalate a conflict, at what stage and what type of holds to be used):
- identify key staff who should know exactly what action they should be taking. Any member of staff who may have to use a physical intervention should always be fully briefed about the child in question, and it is best if they are well known to the child.

G – Training

We are clear that training of staff is vital in this area if we are to be seen to adopt best practice and maintain a record of safe management of all school situations. We therefore make budgetary allowance to develop behaviour management in the school. Training and refreshers will also be made available when needed in restraining techniques.

H – Who needs to know?

Everyone connected with the school should know of the existence of the policy and feel free to study it in detail if they wish or need to do so. However, not everyone needs to know about specific incidents. The chart below sets out the information.

	About the policy	About a specific incident
Governors	Yes	Yes – Next Governors Wellbeing Committee
Parent/carers	Yes	About incidents relating to their own child - verbal – same day - letter within 3 days if no verbal contact made
Staff	Yes	About any incidents involving students they may have charge of
Students	Yes	Only those they witness
Unions	Yes	If informed by members

I – Complaints

We hope that by adopting this policy and keeping parent/carers well informed should help to avoid the need for complaints. Any disputes that do arise about the use of force by a member of staff will be dealt with in accordance with the LA Child Protection procedures, a copy of which is available in school. This could in some circumstances lead to an investigation by police and social services.

Complaints about this policy should be directed to the head or chair of governors.

J – References

Reference can be made to the following documents:

- Criminal Law Act 1967 Section 3(i)
- Health & Safety at Work Act 1974
- Human Rights Act 1998
- Section 93 of the Education and Inspections Act 2006
- DfE Guidance on the use of reasonable force (July 2013)
- HM Government Reducing the need for restraint and restrictive intervention (June 2019)

USE OF FORCE INCIDENT REPORT FORM

Name of person handled:			
Your name:			
Date and time of Incident			
Date (inc Day)		Time	
Who else was involved in the handling?			
Name(s):			
<p>Adult statement – what occurred in your own words Your statement must set out what happened; give details of your part in the use of force, your 'Honestly Held Belief', any restraints you applied and how the incident was finally resolved. It must give details of any attempts made to de-escalate throughout the incident. Your statement should be completed independently of other staff involved in the incident. The report should be completed within 24 hours.</p>			
The use of force must only be used when it is Reasonable in the circumstance, meaning: i. You believed that it was absolutely necessary & ii. Proportionate to the seriousness of the situation		When restraint was used, please tick your primary role: <input type="checkbox"/> Right arm <input type="checkbox"/> Left arm <input type="checkbox"/> Supervising	
What were you doing just before the incident took place?			
What was the child/young person doing just before the incident took place?			
What signs of dysregulation were being communicated by the child/young person?			
Explain what you think may have triggered this behaviour?			
How did you try to de-escalate the situation?			
What was the child/young person's response?			
Why did you believe it was necessary to handle the child/ young person?			
<input type="checkbox"/> To prevent or stop harm to themselves		<input type="checkbox"/> To prevent or stop harm to others	
<input type="checkbox"/> Damage to property– Please specify		<input type="checkbox"/> Other – Please specify	
Who else was involved in the incident/were there any other witnesses? (Provide details)			
Describe exactly what happened (i.e. which restraints were used and by whom, why it was absolutely necessary, strictly proportionate and what your 'Honestly Held Belief' was, other steps taken to gain assistance)			

<i>How long was the child/young person held?</i>		
<i>How was the child/ young person helped back to calm state of regulation?</i>		
<i>Did anybody sustain an injury? If so, what did you do?</i>		
<i>SLT informed (Name/ Date/ Time)</i>		
<i>Who consulted the child/ young person and when?</i>		
Signed:		
Date/Time:		
Student Statement:		
Name		
Signed		
Date		
Parent informed (Please date)		
<input type="checkbox"/> Face to face	<input type="checkbox"/> Telephone	<input type="checkbox"/> Letter
Action Points for Risk Assessment		
<i>Was the practice in keeping with existing risk assessment and behaviour support plan?</i>		
<i>What can we learn regarding the child/ young person's behaviour from this specific incident?</i>		
<i>What actions are to be taken to avoid a repeat of this behaviour?</i>		
<i>Incident Review Meeting Date:</i>		
Signed: <i>(SLT member)</i>	Date:	