



Positive Handling Policy

Policy Details	
Policy prepared by:	Andrew Wakefield, Principal
Date reviewed:	November 2019
Approved by Governors:	November 2019
Date of next review:	November 2020

Introduction

'This policy refers to 'The use of Positive Handling to manage physically challenging behaviour.' It follows the outline of the Birmingham City Council model "Care and Control Policy".

The policy has been prepared for the guidance of all teaching, support staff and volunteers who come into contact with students whilst working within The Edge Academy to explain the arrangements for care and control. It is available to parents and students.

Purpose of policy

Mutually respectful personal and professional relationships between staff and students are vital to ensure calm order in The Edge Academy. It is recognised that some students in The Edge Academy have had difficulties in managing their behaviour prior to entry to the school. Students can respond positively to the expectations and control practised by The Edge staff. It is acknowledged that, in certain circumstances, staff may need to take further action where the use of reasonable force may be required. The Edge Academy acknowledges that physical techniques are only part of a whole-setting approach to behaviour management.

Every effort will be made to ensure that all staff in The Edge Academy clearly understand this policy and their responsibilities, in the context of their duty of care, in taking appropriate measures where reasonable force is necessary and are provided with appropriate training to deal with these difficult situations.

Implications of the policy.

The 'Use of Reasonable Force in School; Advice for headteachers, staff and governing bodies' (2013) stipulates that;

"Reasonable force can be used to prevent pupils from hurting themselves or others, from damaging property, or from causing disorder."

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;
- 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.

The preceding list is not exhaustive but provides some examples of situations where reasonable force can and cannot be used.

Teaching and non-teaching staff work in 'loco parentis' and should always operate with an appropriate 'Duty of Care'. They could be liable for a claim of negligence if they fail to follow the guidance within this policy.

The application of any form of physical control places staff in a vulnerable situation. It can only be justified according to the circumstances described in this policy. Staff, therefore, have a responsibility to follow the policy and to seek alternative strategies wherever possible in order to prevent the need for physical intervention.

Reasonable force will only be used as a last resort when all other behaviour management strategies have failed or when students, staff or property are at risk.

Definitions of Positive Handling.

No legal definition of reasonable force exists however for the purpose of this policy and the implementation of it in The Edge Academy:

- Positive Handling uses the minimum degree of force necessary for the shortest period of time to prevent a student 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.

1 Physical Contact

This may occur in situations in which proper physical contact occurs between staff and students, eg: in the care of students with learning disabilities; in games/PE; to comfort students.

2 Physical Intervention

This may be used to divert a student from a destructive or disruptive action, for example guiding or leading a student by the hand, arm or shoulder with little or no force.

3 Physical Control/Restraint

This will involve the use of reasonable force when there is an immediate risk to students, staff or property. It is important to note that the use of 'reasonable force' should be seen as a last resort. All such incidents must be recorded and stored in an accessible way.

The level of compliance from the student determines whether or not the interaction is an intervention or a control/restraint.

Underpinning values

Everyone attending or working in The Edge Academy 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.

Students attending the Edge Academy and their parents/carers have a right to:

- individual consideration of student needs by the staff who have responsibility for their care and protection;
- expect staff to undertake their duties and responsibilities in accordance with The Edge Academy's policies;
- be informed about schools' rules, relevant policies and the expected conduct of all students and staff working in the school.
- be informed about The Edge's complaints procedure.

The Edge Academy will ensure that students are given support to understand the need for and respond to clearly defined limits, which govern behaviour in The Edge Academy.

Authorised staff

The Edge Academy staff are authorised to use reasonable force within the context of the 'Use of Reasonable Force in School; Advice for headteachers, staff and governing bodies' (2013. "The Team Teach" approach to care and control is the formal training used with members of The Edge Academy staff who have either user or observer status.

The Edge Academy provides training for all staff and the DSL retains a list of all those staff trained. This is reviewed on an annual basis or more frequently if the context requires it.

Only staff specifically authorised by the Principal of The Edge Academy to have control or charge of students may use reasonable force to manage or control students. Authorisation is not given to volunteers, students or parents.

Training

It will be the responsibility of the DSL to ensure suitable training continues to take place. Training for all staff will be made available. No member of staff will be expected to undertake the use of reasonable force 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.

The Edge acknowledges that physical techniques are only a part of a whole setting approach to behaviour management. The Principal of The Edge

Academy is committed to ensuring that the all training will include theory on at least the following:

- Causes of challenging behaviour
- Prevention strategies
- Positive behaviour management
- De-escalation
- Risk Assessment
- Positive Listening skills
- De-brief following incidents

Physical techniques are not treated in isolation and The Edge is committed to ensuring that as a result of incidents, learning opportunities are created for students that allow them to 'own' and take responsibility for their behaviour. Whilst the physical techniques used can reduce risk there is always a risk when two or more people engage to use force to protect, release or restrain.

In addition, procedures are also in place to ensure that appropriate support is provided for staff and that following an incident student/staff relationships are rebuilt and repaired to ensure that a positive learning environment is maintained.

All the techniques provide a gradual, graded system of responses and take account of a young person's:

- age,
- gender,
- level of physical, emotional and intellectual development,
- special needs,
- social context.

Strategies for dealing with challenging behaviour

As endorsed in The Edge Academy Behaviour Policy, staff consistently use positive strategies to encourage acceptable behaviour and good order. Every effort will be made to resolve conflicts positively and without harm to students or staff, property, buildings or the environment. Where unacceptable behaviour threatens good order and discipline and provokes intervention, some or all of the following approaches should be taken according to the circumstances of the incident.

Verbal acknowledgement of unacceptable behaviour with request for the student to refrain; this includes negotiation, care and concern.

Further verbal reprimand stating:

- that this is the second request for compliance;
- an explanation of why observed behaviour is unacceptable;

- an explanation of what will happen if the unacceptable behaviour continues.
- Warning of intention to intervene physically and that this will cease when the student complies, if possible, summon assistance from colleagues.
- Physical intervention: reasonable force being used to prevent a child harming him or herself, others or property.
- The emphasis is to keep everyone involved as safe as possible

Types of Incident

The incidents described in Section 93 of the Education and Inspections Act 2006 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 student 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 student attacks a member of staff, or another student;
- students are fighting;
- a student is engaged in, or is on the verge of committing, deliberate damage or vandalism to property;
- a student is causing, or at risk of causing, injury or damage by accident, by rough play, or by misuse of dangerous materials or objects;
- a student is running in a corridor or on a stairway in a way which he or she might have or cause an accident likely to injure him or herself or others;
- a student absconds from a class or tries to leave the premises (NB this will only apply if a student could be at risk if not kept in the classroom or at the academy).

Examples of situations that fall into the third category are:

- a student persistently and dangerously refuses to obey an order to leave a classroom;
- a student is behaving in a way that is seriously disrupting a lesson.

Acceptable measures of physical intervention

The Edge Academy will put in place systems for managing and reviewing the following:

- Strategies for preventing the occurrence of behaviours that precipitate the use of a physical intervention.
- Strategies for 'de-escalation' or 'diffusion' that can avert the need for a physical intervention.
- Procedures for post incident support and de-briefing for staff, children, service users and their families.

The concept of reasonable force where 'reasonableness' is determined with reference to all the circumstances, including:

- 1 The seriousness of the incident:
- 2 The relative risks arising from using a physical intervention compared with using other strategies
- 3 The age, cultural background, gender, stature and medical history of the child or service user concerned
- 4 The application of gradually increasing or decreasing levels of force in response to the person's behaviour
- 5 The approach to risk assessment and risk management employed
- 6 The distinction between **planned** physical interventions (where incidents are foreseeable in that they have occurred previously and a response planned following a risk assessment) and the use of force in **emergency** situations (which cannot reasonably be anticipated)
- 7 With some disengagement techniques students may encounter some minimal discomfort when appropriate release techniques are used
- 8 First aid procedures to be employed and those responsible for implementation in the event of an injury or physical distress arising as a result of a physical intervention
- 9 **Unacceptable** practices that might expose service users or staff to foreseeable risk of injury or psychological distress.

Wherever possible assistance will be sought from another member of staff.

Positive Handling at The Edge is seen as a proactive response to meet individual student needs and any such measures will be most effective in the context of the overall ethos of The Edge, the way that staff exercise their responsibilities and the behaviour management strategies used.

Recording

Where physical control or restraint has been used a record of the incident will be kept. This record should be made in the school Physical Intervention book. This is a pre-printed book, with numbered pages, retained by the Principal.

The incident form will be completed as soon as possible after the incident (within 24 hours) normally prior to staff going off duty and will be signed by all staff involved and the Principal or Vice Principal.

After the review of the incident, copies of the incident report may be placed on the student's file. Risk assessments should then be reviewed to ensure that best possible practice is used.

A Health and Safety Accident/Incident Form will be completed and returned to the Local Authority in situations where injury has occurred to either members of staff or students. Where staff have been involved in an incident involving

reasonable force they should be debriefed and have access to counselling and support.

Monitoring incidents

Whenever a member of staff has occasion to use reasonable force, this will always be recorded and documented following agreed procedures. Monitoring of incidents will help to ensure that staff are following the correct procedures and will alert the Principal or DSL to the needs of any student(s) whose behaviour may require the use of reasonable force. Monitoring of incidents will take place on a regular basis in leadership meetings and the results used to inform planning to meet individual student and school needs.

Action after an incident

The Principal/ DSL will ensure that each incident is reviewed and investigated further as required. If further action is required in relation to a member of staff or a student, this will be pursued through the appropriate procedure:

- Review of Behaviour Programme
- Safeguarding Procedure (this may involve investigations by Police and/or Social Services)
- Staff or Student Disciplinary Procedure. The member of staff will be kept informed of any action taken.
- Exclusions Procedure in the case of violence or assault against a member of staff
- Risk assessments should be reviewed to ensure that best possible practice is used

In the case of any action concerning a member of staff, he/she will be advised to seek advice from his/her professional association/union.

Complaints

The availability of a clear policy about reasonable force and early involvement of parents should reduce the likelihood of complaints but may not eliminate them.

Any complaints about staff will be investigated through The Edge Academy's Complaints Policy. If necessary, the complaint will be dealt with by the Staff Disciplinary Procedures and/or Safeguarding Procedures.