



SOHO PARISH PRIMARY POLICY

Positive Handling

Most recent review	Nov 2017	Next review due	Sep 2020
Governor committee responsible	SAW	Written by	Louise Ritchie

This policy was not updated in September 2020, due to the pandemic and impracticality of training staff online. Training has been arranged for June 2022, as a part of which the policy will be reviewed. Therefore, this policy has been extended to July 2022, with approval from the Chair of Governors. In red are interim additions.

Most recent review	Feb 2022	Next review due	July 2022
Governor committee responsible	Chair	Written by	Louise Ritchie

1. Introduction

The policy has been developed in response to Circular 10/98 'The Use of Force to Control or Restrain Pupils', issued following the enactment of Section 550A of the 1996 Education Act. It also takes cognisance of recent DCSF guidance, the Education act 2006, and the DOH/DFES GUIDANCE 2002.

The policy should be read in conjunction with other school policies relating to interaction between adults and pupils.

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 the care and control of pupils presenting very challenging behaviour. Its contents are available to parents on request.

2. Purpose of policy

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 discipline and control practised by staff. This ensures the well-being and safety of all pupils and staff at Soho Parish. It is also acknowledged that in exceptional circumstances, staff may need to take action in situations where the use of reasonable force may be required. Soho Parish School 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 this school:

- clearly understand this policy and their responsibilities in the context of their duty of care for taking appropriate measures where reasonable force is necessary and

- are provided with appropriate training to deal with these difficult situations.

3. Implications of the policy

The 1996 Education Act (Section 550A), updated by the Education Act 2006, stipulates that reasonable force may be used to prevent a pupil from doing, or continuing to do, any of the following:

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

Individual members of staff cannot be required to use physical restraint. However, 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 (where possible) when all other behaviour management strategies have failed or when pupils, staff or property are at risk.

4. Definitions

No legal definition of reasonable force exists. However, for the purpose of this policy and the implementation of it in Soho Parish School:

- positive handling uses the minimum degree of force necessary for the shortest period of time to prevent a pupil harming him/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.

Physical contact

There are some situations in which physical contact properly occurs between staff and pupils, e.g. in the care of pupils with learning disabilities; in games/PE; to comfort pupils. In such situations, staff should have regard to the guidance in the staff handbook.

The importance of touch and physical contact

Besides having physical needs for food, cleanliness and shelter, we also have touch and physical contact needs. What is the first sense that develops in the womb? **The sense of touch**. What is the first language baby understands after being born? **Touch and crying**. Unlike animals, human babies are born not able to walk or move around on their own. Our senses of sight, smell, hearing and taste only fully develop after birth. But our sense of touch develops while still in the womb. This proves how essential and important touch is for our survival. Touch is a vital component to successful social, emotional, cognitive and physical development. Therefore, at Soho Parish we recognise that appropriate touch forms part of healthy relationships.

What kind of touch is ok?

Gentle, affirmative, non-invasive touch

It can consolidate a verbal message to place a friendly hand on a child's shoulder to congratulate them on their learning or achievements; it is appropriate to place an arm around an upset child's shoulder. Younger children may particularly enjoy sitting closely next to an adult and reading, or giving a high five to an adult in a sports game. However, adults should always be mindful that some children do not like to be touched at all. We teach the children that their friends must always consent to a game (such as 'tag') which involves physical touch, or to be hugged. This also applies to between adults / between adults and children.

What kind of touch is not ok?

Invited / forced affection, touch which causes pain, touch for punishment

Staff should never instruct a child to touch them (e.g. 'give me a hug') or court physical contact from children. If a child hugs a member of staff, a friendly pat and steering the child to one side of the body is recommended, so that the child is standing alongside not facing the adult.

In general, children should not sit on the lap of an adult unless they are very young and in need of extreme comfort (for example where they are injured) or it is in a specific positive touch care plan for that child. In these cases, staff should not be alone or in a separate space with a child.

Staff must never take any deliberate action to hurt or control a child involving touch. This includes holding the child in any way – a grab, push or drag. In the main, children will follow verbal instructions, even if these have to be repeated.

Sometimes a 'physical intervention' may be appropriate (see 6., overleaf), but staff should think carefully whether it is necessary. It is very difficult to prove that little or no force has been applied and is subjective.

The remainder of this policy outlines how to identify and what to do in cases where further physical control / restraint (see 7. Overleaf) is needed.

6. Physical intervention

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

7. Physical control/restraint

This will involve the use of reasonable force when there is an immediate risk to pupils, 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 pupil determines whether or not the interaction is an intervention or a control/restraint.

8. Underpinning values

Everyone attending or working in this school 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/provision and their parents have a right to:

- individual consideration of pupil 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;
- be informed about the school's complaints procedure.

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

Authorised staff In this school:

All staff are authorised to use reasonable force within the context of Education act 2006 'The use of reasonable force to control and restrain pupils'.

The school provides training for all staff and the Headteacher retains a list of all those staff trained. The list is reviewed on an annual basis (or more frequently if the context requires it). Authorisation is not given to volunteers, students or parents.

At present, as staff have not had recent training provided by Soho Parish school, no staff member should use any of the holds illustrated in this policy other than 'prompting' (see page 10). No children have been risk assessed as needing a positive handling plan. Should children presenting a risk be identified before the training, the training will be brought forward as part of their plan.

Staff may nevertheless be required to use 'reasonable force' in certain situations. Those actions in sections 10 and 11 which a staff member who is not recently trained in positive handling may carry out are highlighted in yellow.

The Headteacher is responsible for making clear to whom such authorisation has been given (in what circumstances and settings they may use force and for what duration of time this authorisation will last). The Headteacher will ensure that those authorised are aware of, and understand, what the authorisation entails. Those whom the Headteacher has not authorised will be told what steps to take in the case of an incident where control or restraint is needed.

9. Training

It is the responsibility of the Headteacher to arrange suitable training. 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.

Training will include theory on the following:

- causes of challenging behaviour;
- prevention strategies;
- positive behaviour management;
- de-escalation;
- risk assessment;
- behaviour support planning;
- de-brief following incidents.

10. Strategies for dealing with challenging behaviour

As endorsed in the school's 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 pupils 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 and in association with Circular 10/98:

- verbal acknowledgment of unacceptable behaviour with request for the pupil 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 pupil complies. If possible, summon assistance from senior management .
- physical intervention. Reasonable force being used to prevent a child harming him or herself, others or property.

11. Types of incident which may require the use of reasonable force

Incidents where reasonable force may be required 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, which 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, rough play, or by misuse of dangerous materials or objects;
- a pupil is running in a corridor or on a stairway such that he or she might have or cause an accident likely to injure him or herself or others;
- a pupil absconds from a class or tries to leave school (NB: this will only apply if a pupil could be at risk if not kept in the classroom or at school).

Examples of situations which fall into the third category are:

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

12. Acceptable measures of physical intervention

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

- strategies for preventing the occurrence of behaviours which precipitate the use of a physical intervention;
- strategies for 'de-escalation' or 'de-fusion' which 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:
 - the seriousness of the incident;
 - the relative risks arising from using a physical intervention compared with using other strategies;
 - the age, cultural background, gender, stature and medical history of the child or service user concerned;
 - the application of gradually increasing or decreasing levels of force in response to the person's behaviour;
 - the approach to risk assessment and risk management employed;
 - the distinction between:
 - seclusion where an adult or child is forced to spend time alone against their will (NB: this is not a permissible form of control).
 - time out which involves restricting the service user's access to all positive reinforcements as part of the behavioural programme;
 - withdrawal which involves removing the person from a situation which causes anxiety or distress to a location where they can be continuously observed and supported until they are ready to resume their usual activities;
 - 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);
 - 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;

- unacceptable practices that might expose service users or staff to foreseeable risk of injury of psychological distress.

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

Positive handling at Soho Parish is seen as a proactive response to meet individual pupil needs.

All the techniques used take account of a young person's:

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

Also, they provide a gradual, graded system of responses.

Behaviour plans and risk assessments

A behaviour plan, which may include guidance on positive handling, should be written for any child whose behaviour is causing serious concern, and/or who has had to be or is considered likely to have to be restrained. The plan should be written by the Class Teacher in consultation with the Headteacher, SENCO or Learning Mentor. Behaviour plans should include detail of identified target behaviour(s) and any known triggers, and should list strategies which have been successful in managing the child's behaviour. Plans should include a sequence of interventions to be followed in the event of unacceptable behaviour. They should also include a general risk assessment in relation to the child in question and their inclusion in everyday school activities, with guidance on how the risks are to be minimised.

Additional risk assessments should be carried out for offsite visits, which are specific to the activity and venue. Additional staffing may be required, at the Headteacher's discretion, to accompany children who are the subjects of behaviour plans on offsite visits.

Recording

Where physical control or restraint has been used, a record of the incident will be kept. **This record should be made in CPOMS, under 'Team Teach Incident'.**

The Restraint Form will be completed as soon as possible after the incident, normally prior to staff going off duty and be signed by all staff involved and the Headteacher. After the review of the incident, copies of the Restraint Form will be placed on the pupil's file. A Health and Safety Accident/Incident Form will be completed and returned to the Local Education Authority in situations where injury has occurred to either members of staff or pupils. Where staff have been involved in an incident involving reasonable force, they should 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 Headteacher to the needs of any pupil(s) whose behaviour may require the use of reasonable force. Monitoring of incidents will take place on a regular basis and the results used to inform planning to meet individual pupil and school needs.

Action following an incident

The Headteacher 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 pupil, this will be pursued through the appropriate procedure:

- review of behaviour programme;
- child protection procedure (this may involve investigations by police and/or social services);
- staff or pupil disciplinary procedure;
- school behaviour policy;
- exclusions procedure in the case of violence or assault.

The member of staff will be kept informed of any action taken.

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.

Physical techniques are not treated in isolation and the school is committed to ensuring that, as a result of incidents, learning opportunities are created for children that allow them to 'own' and take responsibility for their behaviour.

In addition, the Headteacher should ensure that appropriate support is provided for staff and that following an incident pupil/staff relationships are rebuilt and repaired to ensure that a positive learning environment is maintained.

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 school's Complaints Policy. If necessary, the complaint will be dealt with by the Staff Disciplinary Procedures and/or Child Protection Procedures.

Other relevant policies

Other relevant policies that cross reference with this one are:

Examples of positive handling

Prompting

“Incite or move person to action”, “assist (hesitant person) with suggestion etc.,” “thing said to help memory esp. of actor (“Oxford English Dictionary)

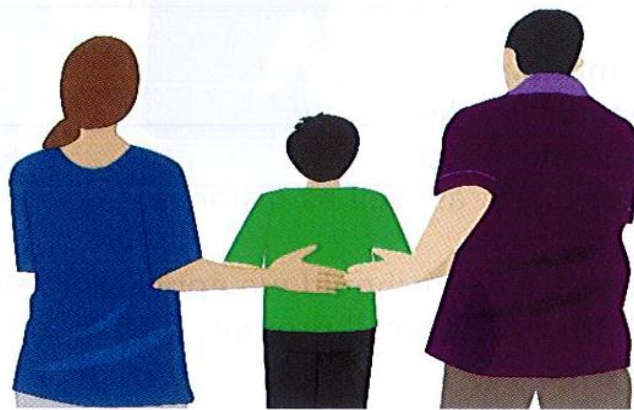
When ‘prompting’ a person we should make effective use of good communication skills as well as distance.



Only if it is safe to do so should we approach a subject to use any form of ‘physical’ prompt, such as an elbow touch as shown.

Escorting/Guiding

Escorting is defined as: *“to accompany for the purpose of protection of guidance” (Oxford English Dictionary)*. In general when we are escorting someone they are normally compliant and therefore the use of force is not restrictive or applied against a person’s consent. When ‘escorting’ or ‘guiding’ someone we can do so as shown in the pictures below.



The hand on the back is there purely and primarily as a 'prompt' to encourage the subject to move. No direct pressure is to be applied to the back or spine in any forceful or direct way. The hand on the back is only a means of encouraging guidance.



Holding

One definition of 'Holding' can be found in Children's legislation (Children Act 1989) which defines 'holding' as: *"a commonly used, and often helpful containing experience for a distressed child."*

Note:

A "holding technique" however, may be used as a 'low-level intervention' to support someone who may be unstable on their feet and/or to assist them in walking. Generally speaking, the holding technique shown is 'limited' in its effectiveness and will only be effective if applied with the consent of the person being held.



Low-Level / Least Restrictive Restraint / Intervention

In the example below immobilisation and restriction is achieved by the person's arms being held back and high with their elbows tucked under the member of staff's armpits.

