

Fern Hill Primary School

POSITIVE HANDLING POLICY

Approved	29 March 2023
Next Review	March 2024
Last Review	January 2022
Committee	Fern Hill Local Academy Committee

Statement of Intent

This policy has been prepared for the guidance and support of all staff (including adults providing support in school) and adheres to Department for Education guidance, including [Keeping Children Safe In Education](#) September 2022.

At Fern Hill Primary School, relationships between staff and pupils are based on mutual trust and respect. Such relationships are the firm foundation of communicating expectations regarding individual learning targets as well as managing all behaviours.

We have a comprehensive Behaviour Policy that has been developed by all staff and shared with children, parents and trustees/trust associates. It includes guidance on how staff should manage poor behaviour.

We recognise that there will be circumstances that may make it necessary, exceptionally, for responsible adults in schools to use positive handling strategies to manage extreme behaviour. It is expected that, in those circumstances, interventions are made within the framework of agreed policy.

At Fern Hill Primary School, physical intervention will never be used as a substitute to good behavioural management or as a punishment.

This policy outlines key principles, approaches, procedures and arrangements which make the use of these interventions as safe and secure as possible for all children, young people and staff. Emphasis is expected to be placed on the importance of de-escalation and opportunities for learning from incidents that will help in the prevention of incidents in the future.

In line with good practice, our policy:

- Encourages the development of self-worth
- Sets high expectations of behaviour for all within the organisation
- Promotes a positive ethos within a safe and secure environment
- Fosters mutual respect amongst staff and pupils
- Plans approaches to managing inappropriate behaviour

- Includes monitoring practices to enable effectiveness of policy to be evaluated

This policy should be read in conjunction with other related school policies, specifically the school's Code of Conduct, Behaviour Policy, SEND Policy and Safeguarding Policy.

The policy will be reviewed annually by the Headteacher and the Local Academy Committee.

Legal framework

1.1. This policy has due regard to all relevant legislation including, but not limited to, the following:

- The Education Act 2011
- The Children Act 1989
- The Equality Act 2010

1.2. This policy has due regard to the following guidance:

- DfE (2013) 'Use of reasonable force in schools'
- DfE (2018) 'Working Together to Safeguard Children'
- DfE (2022) 'Keeping children safe in education'

Purpose of the policy

Good professional relationships between staff and pupils are vital to ensure good order in school. It is recognised that the majority of pupils in school respond to positive behaviour management practised by the staff. This ensures the well-being and safety of all pupils and staff.

It is acknowledged that, in exceptional circumstances, staff may need to take action in situations where the use of positive handling may be required.

Every effort will be made to ensure that all staff at Fern Hill Primary School:

- Clearly understand this policy and their responsibilities in the context of their duty of care in taking appropriate measures where positive handling is necessary.
- Are provided with appropriate training to deal with these difficult situations should they occur.

This policy will ensure that all staff:

- Are aware of what is expected of them, their contribution to the ethos of the school as well as their contribution to the management of pupils' behaviour.
- Understand that the application of any form of positive handling places staff in a potentially 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 positive handling.
- Understand that Positive Handling will only be used as a last resort when all other

behaviour management strategies have failed or when pupils, staff or property are at risk.

- Understand that Positive Handling will only take place when de-escalation techniques have failed.
- Are explicitly informed during the induction process of their responsibilities in relation to this policy and the school's ethos and practice regarding behaviour management, de-escalation and the use of force.
- Are aware of support and training available to them to augment existing awareness, knowledge and competencies relating to the management of behaviour.

Staff Authorised to Use Reasonable Force

All school staff members have a legal power under Section 93 of the Education Act 2006 to use force which is necessary, reasonable and proportionate to prevent pupils:

- Committing a criminal offence (including behaving in a way that would be an offence if the pupil were not under the age of criminal responsibility)
- Injuring themselves or others
- Causing damage to property (including own property)
- Engaging in behaviour prejudicial to maintaining good order and discipline at school or among any of its pupils, whether that behaviour occurs in a classroom during a teaching session or elsewhere.

The staff to which this power applies are:

- Any member of staff at the school
- Any other person whom the Head has authorised to have control or charge of pupils. This can also include people to whom the headteacher has given temporary authorisation to have control or charge of pupils such as unpaid volunteers (for example parents accompanying pupils on school- organised visits)

It does not include any pupils.

Physical Handling

We believe physical handling should always be a last resort, based on the professional judgement of the member of staff within the context of individual circumstances.

The main reason for using physical handling is to bring a dangerous situation under rapid control in order to keep people safe. It can range from guiding a pupil to safety by the arm, to more extreme circumstances such as breaking up a fight or where a pupil needs to be restrained to prevent violence or injury.

Before using physical handling, staff should engage the pupil in a calm and measured tone, making clear that their behaviour is unacceptable and setting out how the pupil could choose to change their behaviour. Other de-escalation techniques should be tried.

Staff should not give the impression of acting out of anger or frustration, or to punish a pupil, and should make it clear that they only intend to use physical intervention as a last resort to

ensure that the situation is addressed as safely as possible.

The use of physical handling must always be reasonable and proportionate to the level of risk. Staff should use no more force than is needed and this should always be reduced at the earliest possible time.

Whenever they do so, staff should be clear about why it is necessary and any actions taken should be reasonable and proportionate and should be in the pupil's best interest.

It is ALWAYS unlawful to use force as a punishment.

When to use physical handling

The judgement on whether to use physical handling and what type of physical handling to use should always depend on the circumstances of each case and, crucially in the case of pupils with additional and/or complex needs/disabilities, information about the individuals concerned.

If the threatening person is someone other than a pupil, then physical handling should only be used as a means of defending oneself as permitted under common law and should be reasonable and proportionate.

Fern Hill Primary School considers that restraint should only be used as a last resort when:

- The potential consequences of not intervening are sufficiently serious to justify considering the use of physical intervention.
- The chances of achieving the desired result by other means (such as de-escalation) are low.
- The risks associated with not using restraint outweigh those of using restraint.
- All other attempts to defuse a situation have broken down and then only with the minimum amount of reasonable force for the shortest possible time.

Behaviour Management Plans

A behaviour management plan will be created plus a possible personal risk assessment (where appropriate) for all children where it is known that the child is more likely to be at risk of physical handling due to behaviours that may threaten his/her own safety, the safety of others, or may lead to the destruction of property.

The behaviour management plan will be created following a period of assessment, when possible triggers to behaviours are investigated and strategies to de-escalate behaviour have been trialled.

The behaviour management plan will take account of the age of the child, the activity they are involved in and whether they have SEN or additional needs.

Behaviour management plans will be created in consultation with the pupil (where applicable, according to their age), their parents/carers and all relevant professionals e.g. Speech and

Language Therapist, Physiotherapist, Occupational Therapist.

Any planned use of Restrictive Physical Intervention (RPI) should be compatible with a pupil's SEN/EHCP and properly documented in school records and behaviour care plan.

Using Restrictive Physical Intervention (RPI)

Fern Hill Primary School recognises that a pupil may, on occasion, be unable to control his/her own actions to such an extent that his/her behaviour meets the agreed criteria for the set procedures for a restrictive physical intervention to be implemented.

'Restrictive Physical Intervention' is defined, in accordance with Section 550A of the Education Act 2006 as the application by a member of staff of a school of some degree of reasonable force in relation to a pupil for the purpose of preventing him/her from doing any of the following:-

- Committing an offence.
- Causing personal injury to or damage to the property of, any person (including the pupil himself / herself).

Staff should use existing systems to request support from a member of the SLT/Inclusion team if a restrictive physical intervention is likely to be necessary. Staff should consider whether it is appropriate for the rest of the class to be removed to another place.

Reporting Incidents

All significant incidents where physical restraint has been used must be reported and records with details of circumstances and key people involved will be kept on the pupil's file. This will also be recorded on the Child protection online management system (CPOMs).

The member of staff with lead responsibility for safeguarding will check the record and ensure that the school provides the member of staff involved in the incident with a copy of the final version.

All accounts of the same incident should be recorded, including those of the pupil or pupils involved. It is important that this information is treated in confidence.

Records of such incidents will be retained by the school until the member of staff involved has reached normal retirement age or for 10 years from the date of any allegation if that is longer.

Criteria for significant incidents

An incident is significant when

- There has been the use of a physical intervention (e.g. physically removing a pupil from a room)
- There has been the use of a physical restraint technique.
- A pupil has behaved in a dangerous or potentially dangerous manner.

- An incident where a child was very distressed.

Informing parents/ carers of significant incidents

Parents should be informed by telephone initially and later in writing, of any significant incident.

In this case 'parent' has the meaning of those having the day to day care of the pupil and the local authority where the pupil is the subject of a care order. The requirement is to notify each 'parent'. Where a child has a mother and father who both have parental responsibility and where the child is subject to a Care Order the requirement will be to report the incident to the mother, father and the relevant local authority (usually the Social Services Department).

The exception to this is if it is likely that reporting an incident to a parent will result in significant harm to the pupil, e.g. where a child would be chastised inappropriately and/or excessively, then concerns should be reported to the Designated Safeguarding Lead, following the process in the school's Safeguarding policy. The headteacher will make the decision about the likelihood of significant harm in consultation with the Designated Safeguarding Lead. Any decision not to inform parents and the reasons for this will be recorded on CPOMS.

In the case of Looked After Children (LAC), the allocated social worker should be informed.

Post Incident Support

For pupils

Pupils are provided with support and learning opportunities which allow them to reflect on, take responsibility for, and learn from their behaviour at a level appropriate to their stage of development. These opportunities enable pupils and staff to build or rebuild positive relationships. Wherever possible this should take place within 24 hours.

Support may take the form of some quiet time, a walk around the playground with a member of staff, a discussion with a member of staff or other appropriate strategies.

Pupils will be monitored at appropriate intervals after an incident.

If any pupil is severely distressed following Restrictive Physical Intervention or a Significant Incident, it may be agreed by the headteacher, deputy or member of SLT, and parent/carers that the pupil could return home to recuperate if they are not well enough to be in school.

For staff

Staff are provided with support, guidance and a designated time in which to debrief.

Within school, support will be made available through colleagues and the SLT, e.g. a short break and/or a time for debriefing.

In some situations individuals may need immediate support. In some circumstances where support is not immediately available it may be necessary to provide the support later. All staff should feel comfortable with seeking this support.

Complaints and Allegations

Pupils and parents have a right to complain about the actions taken by staff, including the use of force. If a specific allegation is made against a member of staff, the Headteacher will follow the guidance set out in the Keeping Children Safe in Education guidance and the school's Allegations Policy.

Other complaints should be dealt with using Fern Hill Primary School's complaints procedure.

Any member of staff who feels that physical intervention has been misapplied, either within school by school staff/ parents or outside of school, should take their concerns to the headteacher in the first instance (see Whistleblowing Policy). The headteacher will investigate all such concerns according to policy and procedures.

Monitoring and Reviewing of Incidents

The Designated Safeguarding Lead will review the frequency and severity of any incidents requiring restraint. The Headteacher will present a termly summary of incidents that have involved the use of force to the Local Academy Committee.

Date: 29 March 2023

Signed: [signed copy held by the Head of Governance]

Sean Weston, Chair Fern Hill Local Academy Committee

Adam Scott, Head teacher

Staff declaration

Please PRINT name:

Post held:

I confirm that I have received a copy of Fern Hill Primary School's Positive Handling Policy and that I have read and understood it.

Signed:

Date:

