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Positive Handling Policy

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Governors/Committee Meeting:	Community, Pastoral & Extended Services Governors Meeting
Signature of Chair:	
SLT Lead:	D Partington

Positive Handling Policy

The purpose of this policy is:

1. To establish clarity amongst Governors, staff, parents and students as to the circumstances in which physical intervention or restraint (reasonable force) may be appropriate.
2. To describe what actions and strategies staff should take in order to de-escalate a situation and if at all possible, avoid the need for using reasonable force.
3. To describe what actions staff may take when incidents occur that may require the use of physical intervention or restraint of a student.
4. To define the procedures that must be taken immediately after any such incident.

What is reasonable force?

The Sheffield safeguarding Children Board 2015 give the following definition based on the Department for Education, Use of Reasonable Force 2013 document

The term 'reasonable force' covers the broad range of actions used by staff that involves a degree of physical contact with pupils:

- 'Force' is usually used either to control or restrain, e.g. guiding a pupil to safety, breaking up a fight, or restraint to prevent violence or injury
- 'Reasonable in the circumstances' means using no more force than is needed
- 'Control' is either passive, e.g. standing between pupils, or active, e.g. leading a pupil by the arm out of a classroom
- 'Restraint' means to hold back physically or to bring a pupil under control

Who can use reasonable force?

All staff have a legal power to use reasonable force.

Staff should use their professional judgement of each situation and attempt to de-escalate, whilst also making a decision whether to physically intervene or not. They should avoid causing injury, pain or humiliation, wherever possible.

When can reasonable force be used at Fir Vale School?

1. Stopping a fight that is underway

- Assess the situation and be mindful of a dynamic risk assessment.
- If you feel it is safe to do so, use high level positive handling responses including reasonable force to split up the fight.

2. Prevent a pupil from attacking a member of staff or another pupil

- Assess the situation and be mindful of a dynamic risk assessment.
- Use de-escalation techniques and a positive handling response in line with the behaviours.
- Send for assistance if the situation does not de-escalate. Note these first 3 bullet points may take just moments.

- If you are working alone, without another staff member, address the most appropriate student and use assertive guidance and if necessary, reasonable force to guide away from the situation.
 - If you feel it is safe to do so, use high level positive handling responses including reasonable force to prevent the attack.
 - If supported, one member of staff works with each pupil.
- 3. Restrain a pupil at risk of harming themselves or others through physical outbursts**
- Assess the situation and be mindful of a dynamic risk assessment.
 - Use de-escalation techniques and a positive handling response in line with the behaviours.
 - Send for assistance if the situation does not de-escalate. Note these first 3 bullet points may take just moments.
 - Move other students away from the situation, if you are in a classroom, consider moving the rest of the class out if you think this is the safest option.
 - If moving the class is not the safest option, if necessary, use high level positive handling responses including reasonable force.
- 4. Prevent a pupil leaving the classroom where allowing the pupil to leave would risk their safety or the safety of someone else**
- Assess the situation and be mindful of a dynamic risk assessment.
 - Use de-escalation techniques and a positive handling response in line with the behaviours.
 - Send for assistance if the situation does not de-escalate. Note these first 3 bullet points may take just moments.
 - Unless you feel it is absolutely necessary for health and safety reasons, do not use physical force until handling assistance arrives.
 - However, if you feel it is safe to do so, use high level positive handling responses including reasonable force to prevent the student leaving and hurting themselves or someone else.
- 5. Guide a child to a more appropriate part of school if they are causing significant disruption or damage to property where they are**
- Assess the situation and be mindful of a dynamic risk assessment.
 - Use de-escalation techniques and a positive handling response in line with the behaviours.
 - Send for assistance if the situation does not de-escalate.
 - Unless the situation escalates use only up to and including medium level positive handling responses. Unless you feel it is absolutely necessary for health and safety reasons, do not use physical force until handling assistance arrives.
- 6. Remove disruptive children from the classroom where they have refused to follow an instruction to do so**
- Assess the situation and be mindful of a dynamic risk assessment.
 - Use de-escalation techniques and a positive handling response in line with the behaviours.
 - Consider pretending to ignore (but actually monitoring) the behaviour, whilst sending for on call, or if the level of disruption is stressful to your other students consider removing them from the classroom.

- If the level of disruption is a health and safety risk remove the other students and send for assistance.
- Unless the situation escalates use only up to and including medium level positive handling responses. Unless you feel it is absolutely necessary for health and safety reasons, do not use physical force until handling assistance arrives.

7. Prevent a pupil behaving in a way that disrupts a school event or a school trip or visit

- Assess the situation and be mindful of a dynamic risk assessment.
- Use de-escalation techniques and a positive handling response in line with the behaviours.
- Send for assistance if the situation does not de-escalate.
- Unless the situation escalates use only up to and including medium level positive handling responses. Unless you feel it is absolutely necessary for health and safety reasons, do not use physical force until handling assistance arrives.

8. Prevent a pupil leaving the classroom where allowing the pupil to leave would lead to behaviour that disrupts the behaviour of others

- Assess the situation and be mindful of a dynamic risk assessment.
- Use de-escalation techniques and a positive handling response in line with the behaviours.
- Use appropriate positive handling responses up to and including stage 2 (medium level). Unless you feel it is absolutely necessary for health and safety reasons, do not use physical force until handling assistance arrives.
- If the situation does not de-escalate allow the student to leave, if you feel it is safe to do so, and report immediately.

9. Prevent a pupil from attacking a member of staff or another pupil or stop a fight that is underway outside the school gates

- Follow the same steps as for situations 1 and 2 in school. We have a duty of care to protect our pupils on their way to and from school. Wherever possible, when dealing with a situation outside the school gates, make sure you or a member of staff who you are with is in contact with other school staff via a walkie-talkie and ask for assistance or, if appropriate ask school to call 101, or if urgent and life threatening 999.

Note

There is a power, not a duty, to use force so members of staff have discretion whether or not to use it. However, teachers and other school staff have a duty of care towards their pupils and it might be argued that failing to take action (including a failure to use reasonable force) may in some circumstances breach that duty.

Also note

Staff may follow the same steps when dealing with a student who has a disability or special education needs, but will make appropriate adjustments. The judgement on whether to use force should not only depend on the circumstances of the case but also on information and understanding of the needs of the pupil concerned.

Staff cannot

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

Power to search

In addition to the general power to use reasonable force described above, the headteacher and authorised staff may use such force as is reasonable given the circumstances, to conduct a search for the following “prohibited items

- knives and weapons
- alcohol
- illegal drugs
- stolen items
- tobacco and cigarette papers
- fireworks
- pornographic images
- any article that has been or is likely to be used to commit an offence, cause personal injury or damage to property.

This does include checking hand held devices for pornographic images or evidence of an offence, personal injury or cyber bullying.

Force **cannot** be used to search for other items, not listed, that are banned under our school rules.

At Fir Vale we will

- Build a team of 20 Team Teach trained staff.
- Ensure that all Fir Vale school staff familiarise themselves with our positive handling policy and its appendices and the Department for Education document ‘Use of reasonable force, Advice for headteachers, staff and governing bodies, July 2013’
- Publish our positive handling policy on our website and communicate the policy to all our stakeholders.
- Speak to mothers/fathers/carers about **serious incidents** involving the use of force.
- Record **serious incidents**, where force has been used. We will record the child’s level of behaviour (behaviour stage) and the level of positive handling response taken by the school, and the effect on the staff and child.

What about other physical contact with pupils?

At Fir Vale we understand there are occasions when physical contact with a child/young person is proper and necessary. For example: providing comfort, praise or congratulation, demonstrating the use of a musical instrument or techniques during PE lessons, and giving first aid.

Complaints against staff

- All complaints about the use of force will be thoroughly, speedily and appropriately investigated.
- Our staff have a power to use force and lawful use of the power will provide a defence to any related criminal prosecution or other legal action.
- Suspension will not be an automatic response when a member of staff has been accused of using excessive force.
- Senior school leaders will support their staff when they use this power lawfully.

Behaviour Levels and Positive Handling Responses (in Line with Team Teach)

Stage 1 – Low Level Behaviours

- Individual show signs of anxiety
- Hiding face in hands or bent over/under table
- Pulling collar up or pulling down hat
- Rocking or tapping
- Withdrawing from group
- Refusing to speak or dismissive
- Refusing to co-operate
- Adopting defensive postures

Low Level Positive Handling Responses

- Read the body language
- Read the behaviour
- Intervene early
- Communicate – “Talk and I’ll listen”
- Use appropriate humour
- Display CALM body language
- Talk low and slow and quietly
- Offer reassurance – including positive physical prompts
- Assess the situation
- Divert and distract by introducing another activity or topic

Stage 2 – Medium Level Behaviours

- Individual begins to display higher tension
- Belligerent and abusive
- Making personal and offensive remarks
- Talking louder – higher – quicker
- Adopting aggressive postures
- Changes in eye contact
- Pacing around
- Breaking minor rules
- Low level destruction
- Picking up objects which could be used as weapons
- Challenges – “I will not....you can’t make me”

Medium Level Positive Handling Responses

- Continue to use Level One de-escalation responses +
- State desired behaviours clearly
- Set clear enforceable limits
- Offer alternatives and options
- Offer clear choices
- Give a get out with dignity
- Assess the situation, consider making the environment safer and getting help
- If necessary guide to safety, firstly using a non-contact method, or if needed guide the elbows to safety (caring Cs).

Stage 3 – High Level Behaviours

- Shouting and screaming
- Crying
- Damaging property
- Moving towards danger
- Fiddling with electrics
- Climbing trees, roofs or out of windows
- Tapping or threatening to break glass
- Moving towards weapons
- Picking up objects which can be used as weapons
- Hurting self
- Grabbing or threatening others
- Hurting others (kicking – slapping – punching)

High Level Positive Handling Responses

- Continue to use all the Level One and Two De-escalation responses
- Make the environment safer
- Moving furniture and removing weapon objects
- Guide assertively – hold or restrain if absolutely necessary
- Ensure face, voice and posture are supportive not aggressive
- Used Help Protocol to save face by changing face

Policy Under Review

Tips from Team Teach

- Know your client – (be familiar with the Positive Handling Plan if appropriate)
- Make a link – build a bridge
- Start where they are – describe what they are doing
- Find something to praise – what have they shown potential to be good at?
- Use reminders about former relationships and success
- Remind people about Rules, Rights and Responsibilities
- Offer limited choices with guided help
- Divert away from confrontation
- When safety allows provide a “get out with dignity” – “I’ll come back to speak to you when things have cooled down a bit”
- Start sentences with “I” rather than “YOU”. We can avoid unhelpful remarks that imply blame. Giving our reasons and saying how we felt will model to others how to express their anger and frustration
- Express honest feelings in a calm and constructive manner – “when you spit and swear it upsets me”
- Repeat simple clear directions
- Take time out and use the support of colleagues. Take time to consider a considered response rather than a sudden reaction
- Know and share your triggers with your colleagues. By knowing and sharing our triggers we are less likely to respond when provoked
- Try to stay focussed and objective
- Try not to overreact or take the behaviour personally
- See beyond the behaviour – “where is this coming from?”
- Think – “what function does this behaviour serve?”
- Stick to the most important issue and deal with one issue at a time
- Avoid the spiral of the power struggle
- Stay in control. In order to help others control their feelings we must first accept the need to control our own
- Take a step back, both physically and mentally
- Think of CALM images

Frequently asked questions taken from “Use of reasonable force, Advice for headteachers, staff and governing bodies, July 2013”

Q: I’m worried that if I use force a pupil or parent could make a complaint against me. Am I protected?

A: Yes, if you have acted lawfully. If the force used is reasonable all staff will have a robust defence against any accusations.

Q: How do I know whether using a physical intervention is ‘reasonable’?

A: The decision on whether to physically intervene is down to the professional judgement of the teacher concerned. Whether the force used is reasonable will always depend on the particular circumstances of the case. The use of force is reasonable if it is proportionate to the consequences it is intended to prevent. This means the degree of force used should be no more than is needed to achieve the desired result. School staff should expect the full backing of their senior leadership team when they have used force.

Q: What about school trips?

A: The power may be used where the member of staff is lawfully in charge of the pupils, and this includes while on school trips.

Q: Can force be used on pupils with SEN or disabilities?

A: Yes, but the judgement on whether to use force should not only depend on the circumstances of the case but also on information and understanding of the needs of the pupil concerned.

Q: I’m a female teacher with a Year 10 class - there’s no way I’d want to restrain or try to control my pupils. Am I expected to do so?

A: There is a power, not a duty, to use force so members of staff have discretion whether or not to use it. However, teachers and other school staff have a duty of care towards their pupils and it might be argued that failing to take action (including a failure to use reasonable force) may in some circumstances breach that duty.

Q: Are there any circumstances in which a teacher can use physical force to punish a pupil?

A: No. It is always unlawful to use force as a punishment. This is because it would fall within the definition of corporal punishment, which is illegal.