



TEMPLE GROVE ACADEMY

POSITIVE HANDLING POLICY

Approved by governors January 2020

Review September 2022

Our school code of conduct is:

“Try, Grow, Achieve”

Introduction

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 positive handling. Its contents are available to parents and pupils. A statement about the School's Behaviour Policy is made to parents in the school prospectus.

Objectives

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 behaviour management strategies practised by staff. This ensures the well-being and safety of all pupils and staff in school. It is also acknowledged that in exceptional circumstances, staff may need to take action in situations where the use of reasonable, proportionate and necessary force may be required. Temple Grove acknowledges that physical techniques are only a small part of a whole setting approach to behaviour management and every effort will be made to ensure that all staff in this school:

- (i) Clearly understand this policy and their responsibilities in the context of their duty of care in taking appropriate measures where use of force is necessary and
- (ii) Are provided with appropriate training to deal with these difficult situations. The Education and Inspections Act 2006 stipulates that reasonable force may be used to prevent a pupil from doing, or continuing to do any of the following:

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

As teaching and non-teaching staff work ‘in loco parentis’ and have a ‘Duty of Care’ towards their pupils, they could be liable for a claim of negligence if they fail to follow the guidance within this policy. The use of Team Teach techniques is one of our control methods for reducing risks presented by children’s challenging behaviour.

The application of any form of physical control inevitably carries an attached risk of unintended harm and this places staff and the school at risk of potential litigation. It can only be justified according to the circumstances described in this policy. Staff, therefore, have a responsibility to follow this policy and to seek alternative strategies wherever possible in order to prevent the need for physical intervention.

All staff must have read and be compliant with Keeping Children Safe in Education 2018 statutory guidance for schools (KCSIE). KCSIE, in its guidance about reasonable force, states:

'Reasonable' in these circumstances means 'using no more force than is needed'.

Staff must be aware that they are responsible for:

- assessing risks (dynamic risk assessment) related to individual circumstances which may arise in the course of their day-to-day duties and making judgements about when the use of force is necessary and the degree of force which may be regarded as necessary to manage a situation.
- staff need to be aware that they are required to justify their decisions in writing through the recording and reporting procedures outlined later in this document.

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 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;
- expect that children with recognised social, educational and/or behavioural difficulties (SEBD) have appropriate learning opportunities to be designed to achieve outcomes that reflect the best interests of the child in question and other children that may be affected by that child's SEBD;
- be informed about the school's complaints procedure.

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

Use of Positive Handling

Positive Handling is the term we use in Temple Grove School to encompass the occasions an adult, in the course of fulfilling their duty of care and their job description, has need to make physical contact with a child.

Positive Handling includes the use of force for control and restraint, as described in the Education and Inspections Act 2006.

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

Staff would be expected to follow the pupil's SEN profile / risk assessment in the first instance to manage any incidents of challenging behaviour

If this was unsuccessful and the situation continues to escalate staff would then be expected to employ other Team Teach techniques that they have been trained to use.

A member of staff who has not been trained in team teach techniques may make the professional judgement that it is absolutely necessary to physically intervene to maintain the safety of one or more children or members of staff. If a member of staff makes such a judgement they must comply with the points above, i.e. that they can restrain a child in a reasonable manner that is proportionate to the nature of the incident for the minimum possible time. They should take sensible steps to seek the support of a senior colleague as soon as safely possible. Any such incidents of restraint are also bound to be recorded as described in this policy.

The overriding consideration should still be the reasonableness and proportionality of the force used.

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

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

They also provide a gradual, graded system of response.

Where behavioural records and/or risk assessment identifies a need for a planned approach, plans (Individual Behaviour Plan/ Pastoral Support Plan) are written for individual children and where possible, these will be designed through multi agency collaboration and, with parental consent, shared with and supported by other agencies/services working with the child to facilitate consistency of approach so far as is possible.

Minimising the Need to Use Force

At Temple Grove School we endeavour to create a calm environment that minimises the risk of incidents arising that might require the use of force. We identify individual needs, including those of social, emotional or mental health and plan with these needs in mind to ensure the most positive outcomes possible for all children. Planning for individual needs includes lesson planning, management of play/lunchtimes, inter-agency working, risk assessments etc.

Some pupils' SEN may result in increased anxiety levels, and therefore an increase in the likelihood of challenging behaviour; for example, children with a diagnosed developmental disorder. This may necessitate individualised support. Such support may be described in either a risk assessment, Individual Behaviour Plan or Pastoral Support Plan. In some instances a whole school approach is required; in this case the SENCo will inform staff of the protocol for supporting these children.

Through the PSHE curriculum pupils learn about feelings and managing conflict (where this is appropriate to their level of development). The ethos further promotes independence, choice and inclusion; pupils are given maximum opportunity for personal growth and emotional wellbeing.

Members of staff are trained in skills to help them to defuse situations before behaviour becomes challenging and how to de-escalate incidents should they arise.

Reasonable force will only be used when the risks involved in doing so are outweighed by the risks involved in not using force.

Prevention of unsafe behaviour will be enabled through:

- The deployment of appropriate staffing numbers;
- The deployment of appropriately trained and competent staff;
- Avoiding situations and triggers known to provoke challenging behaviour;
- Creating opportunities for choice and achievement;
- Developing staff expertise through a programme of Continuous Professional Development;
- Exploring pupils' preferences relating to the way(s) in which they are managed;
- Staff employ 'defusing' techniques to avert escalation of behaviour into violence or aggression.

Range of Positive Handling

Positive Handling describes a broad spectrum of physical contact with children that staff may use in fulfilling their duty of care and job descriptions. It encompasses care, control and risk reduction strategies. Positive handling is a holistic approach involving policy, guidance, management of the environment, and deployment of staff. It also involves personal behaviour, diversion, defusing, and de-escalation. Risk assessment identifies positive prevention strategies and how a pupil may need to be supported in a crisis.

1. Physical Contact

At Temple Grove we recognise that appropriate physical contact occurs between staff and pupils; for example, in the care of pupils and in order to support their access to a broad and balanced curriculum. It would seem reasonable that young children do require opportunities

for close contact, as long as this is within public view, sensitively carried out and age/person appropriate; for example comforting a child who has fallen in the playground, administering first aid, guiding a child safely past an obstacle, handshakes/ high-fives, demonstration or guidance in PE or sports lessons etc.

2. Physical Intervention

This may be used to divert a pupil from a destructive or disruptive action; for example, guiding or leading a pupil by the arm or shoulder where the pupil is compliant.

This technique cannot be emphasised enough and in the hands of a skilful practitioner, many pupils can be deflected from a potentially volatile situation into a less confrontational situation; i.e. it may be possible to “defuse” a situation by a timely intervention.

3. Physical Control / Restraint

This will involve the use of reasonable force when there is an immediate risk to pupils, staff or property or if the child’s behaviour represents a significant disruption to the maintenance of good order and discipline. The level of compliance from the pupil determines whether or not the interaction is an intervention or a control/restraint. Restraint is the positive application of force by staff, in order to overcome rigorous resistance, completely directing, deciding and controlling a person’s free movement (Team Teach definition).

Types of Incident

The incidents described in The Education and Inspections Act 2006 The Use of Reasonable Force to Control and Restrain Pupils 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 that 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, by rough play, or by misuse of dangerous materials or objects;
 - A pupil 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 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 that fall into the third category are:

- A pupil persistently refuses to comply with an adults’ request to leave a classroom/playground;
- A pupil is behaving in a way that is seriously disrupting a lesson.

The Violent Crime Reduction Act 2006, effective from September 2007, gives schools powers to screen or search pupils for weapons. At Temple Grove School it is extremely unlikely that pupils would conceal weapons and therefore staff have not received training in weapons disarmament. Staff will not be requested to undertake searches. As the power to search should only be used where it is judged to be safe, if the school decides that a search may be necessary then the police would be called.

Strategies: Time-Out / Withdrawal / Planned and Emergency Physical Interventions / Recovery

Time out

This involves restricting the child's access to positive reinforcements. It is a specific behaviour management technique and does not necessarily mean time spent out of the class/group, but rather refers to a withdrawal of attention and/or things they find rewarding. It could be as simple as turning away from a child who is attention-seeking, or positioning a child away from the class/group. This withdrawal of attention could also be achieved by sending a pupil to another class/group or a quiet area.

Withdrawal

This involves removing the child from a situation that causes anxiety or distress to a location where they can be continuously observed and supported until they are ready to resume their usual activities. This can mean removing a child from the class/group, to allow them time to calm down or to prevent a situation from escalating. They may need time away from staff and pupils (either on their own or in another class/group) in order to break the cycle/pattern of their behaviour or to reduce their level of anxiety/distress. The arrangement of "quiet time" shall be negotiated between the child and staff involved.

Planned Physical Intervention

Is described/outlined in the pupil's Risk Assessment and/or Individual Behaviour Plan. This should cover most interventions, as possible scenarios will be identified and planned for when the plans are drawn up. These interventions may include the use of Team Teach techniques.

Emergency Physical Intervention

This may be necessary if a situation arises that was not foreseen or is uncharacteristic of the pupil. Members of staff retain their duty of care to pupils and any response, even in an emergency, must be proportionate to the circumstances. Staff should use the minimum force necessary to prevent injury and maintain safety, consistent with the training that they have received. Following any such incident, a risk assessment will be devised (or the existing one updated) to support effective responses to any such situations that may arise in the future. Wherever possible assistance will be sought from another member of staff trained in Team Teach.

Teach strategies at the first opportunity

Positive Handling at Temple Grove School (defined as the full range of strategies used to manage behaviour including where necessary physical intervention) is seen as a proactive response to meet individual pupil needs and any such measures will be most effective in the context of the overall ethos of the school, the way that staff exercise their responsibilities and the range of behaviour management strategies used.

Recovery

Pupils who may be distressed by events can be offered the following support:

- Quiet time taking part in a calming activity;
- Quiet time away from the incident/trigger;
- Resuming their usual routine/previous activity as soon as possible, especially for pupils with special needs;
- Time with a member of staff to debrief the incident.

Staff should make special consideration if expecting the child to apologise or make amends for their actions after an incident. It is an expectation that apologies are made and that we are all responsible for the consequences of our own actions. However, for some children, being expected to apologise immediately may re-escalate a situation, increase risk and therefore undermine the practice outlined in this policy.

Therefore members of staff who work most closely with the child responsible will seek to find a suitable time and way to make amends (taking consideration of the child's developmental level and SEN). At the same time staff will show care to the hurt party and may themselves make an apology such as "I am sorry you were hurt by _____. I expect them to apologise for their actions when they can."

Injury to the Child

Whilst the physical techniques are intended to reduce risk, there is always risk when two or more people engage to use force to protect, release or restrain. Team Teach techniques seek to avoid injury to the child, but it is possible that bruising or scratching may occur accidentally, and these are not to be seen necessarily as a failure of professional technique, but a regrettable and infrequent side effect of ensuring that the child remains safe. Any such injury will be reported using the 'Restraint Incident Report' or by making a note on My Concern. Any injuries to pupils as a result of incidents involving restraint will be reported to the Headteacher and parents/carers.

Staff: Authorised Staff / Health and Safety / Training / Support

Authorised Staff

All teachers, staff and the Headteacher are authorised to have control, or charge, of pupils automatically; they have the statutory power to use reasonable force within the context of The Education and Inspections Act 2006 and the subsequent guidance. **Supply staff must ensure that they are familiar with this school's policy.** Appropriate guidance will be given if they have not undertaken Team Teach training.

Please note: whilst DFE Guidance on Use of Reasonable Force (2013) recognises that this can extend to 'people whom the head teacher has temporarily put in charge of pupils such as unpaid volunteers or parents accompanying students on a school organised visit'.

At Temple Grove we would not generally expect volunteers, students on placement, visitors or parents to have to use this power as they will not generally have charge/control of pupils who may present with the most challenging behaviour.

Health and Safety of Staff

Under the Health and Safety at Work Act, employees have a responsibility to report any circumstances that give rise to an increased risk to their Health and Safety. Staff who have, or acquire, permanently or temporarily, any medical condition that may impact on their ability to carry out pupils' plans have a duty to report these to the Headteacher or Deputy Heads immediately, as there may be an impact on their own safety and that of colleagues and/or pupils.

Through the provision of Team Teach training, the risk of harm towards staff is reduced but it is possible for some injury to be received. All such occurrences should be treated and subsequently recorded, on the Restraint Incident or Accident Form.

Staff Training

It is the responsibility of the Headteacher to ensure that Team Teach training in the use of positive handling is available to staff and is kept up to date. The school provides training for all authorised staff and the Headteacher retains a list of all those staff trained. The list is reviewed on an annual basis.

Note that the availability of Team Teach training will usually only be given when there is a clear and evident need for it e.g: where the school has on roll a child who regularly presents with challenging behaviours requiring the use of reasonable force.

No member of staff will be expected to use Team Teach techniques 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.

If staff are unable to support physically they are expected to support with other de-escalation techniques.

Staff Support Following Incidents

Any member of staff or pupil at the school involved in or witnessing a serious incident involving the use of physical hold, may require additional support following the incident. Staff should ensure that they are fully recovered from an incident before resuming their duties and colleagues are encouraged to seek and offer support where it is deemed necessary.

It is good practice for staff involved in the incident to 'debrief' as soon as possible after the incident. The debrief should involve a member of the senior leadership team and can support the completion of the Restraint Incident Report.

Recording and Monitoring Incidents

Recording

Where physical control or restraint has been used an appropriate member of staff (Class teacher, SENCo or senior leadership team) must record the details (see appendix 1) as soon as possible after the incident. If anyone is injured an accident report must also be completed, again as soon as possible. The Headteacher holds a hard copy of the form on record and copies are given to the Class teacher to keep on the child's file and the parents. The Class teacher ensures that information about the incident is shared, on a need to know basis, with other classroom and playground staff.

Monitoring

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 (at least termly) and the results used to inform planning to meet individual pupil and school needs. The Headteacher will present an annual summary of incidents that have involved the use of force to the Governing Body.

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:

Visits Out of School

Our equal opportunities policy states that all pupils should be included in all curriculum activities. However, Health and Safety remains a priority and staff should carry out risk assessments for pupils that may be a possible danger prior to each visit into the community. Due consideration should be given to the following:

- Is the pupil able to cope with the demands of the proposed visit?
- Are there sufficient, suitably trained staff - particularly if there should be an incident?
- How will you contact school to get extra help if necessary and how will you get back?

Whistle Blowing

Whilst the training in Team Teach provided to staff, encourages the use of help protocols and reflective practice, it is acknowledged that under some circumstances, physical intervention can be misapplied. Staff are reminded that part of their duty of care to pupils includes the requirement to report any such matters which cause them concern in relation to pupil management and welfare. Any such concerns should be raised with the Headteacher, another member of the Senior Leadership Team or with the Chair of Governors (where the concern relates to the Headteacher), in order to allow concerns to be addressed and practice improved

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.

Where the nature of any complaint made by a pupil, parent or other person in relation to the use of physical hold within the school indicates that an allegation of mishandling by a member staff, the school's complaints policy will be followed.

References:

- Team Teach Work Book v 2013.1
- Team Teach Website www.team-teach.co.uk
- DfE Guidance Use of Reasonable Force: advice for head teachers, staff and governing bodies
(Crown Copyright July 2013)
- Positive Handling Policy Park Primary School, Lincolnshire
- Positive Handling Policy: The Learning Trust, London Borough of Hackney
- Keeping Children Safe in Education: Statutory Guidance for Schools and Colleges (2019)



Appendix 1: Restraint Incident Report Form

Restraint Incident Report Temple Grove School

Name of pupil:.....
.....

Report completed by:.....on..... (date and time)

Copies to:

- Parents
- Class teacher
- Headteacher

Date and time:

Place:.....
.....

Staff and pupils witnessing the incident:

Nature of incident:

Why was force necessary:

How resolved:

Please add this note to the child's record on Temple Grove's My Concern