



St Boniface's Catholic College.

# Positive Handling Policy

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## **I. INTRODUCTION**

- 1.1 The purpose of this guidance is to provide support for Headteachers and staff in all schools in the management of challenging behaviour in schools or during educational activities off site. It is expected that all schools will produce their own policy as part of a whole school policy on the management of behaviour. A model school policy is attached as Appendix 1.
- 1.2 This guidance cannot cover every situation that may occur. However it is hoped that it will create a framework within which all staff feel confident with the actions they may have to take from time to time when dealing with pupils who have severe behavioural difficulties. The Local Authority will fully support staff who can demonstrate that they have understood and complied with the behaviour procedures outlined in this document.

## **2. LEGAL FRAMEWORK**

### **2.1 Key Legal References**

This Positive Handling guidance is written with reference to the following key legal concepts and documents:

- The Education Act 1996
- Education and Inspection Act 2006
- Health and Safety at Work Act 1974
- Children Act 1989
- Human Rights Act 1998
- Disability Discrimination Act 1995
- DfEE Circular The Use of Force to Control or Restrain Pupils 10/98
- DfES/DoH Guidance for Restrictive Physical Interventions 2002
- DfE Use of Reasonable Force Advice for headteachers, staff and governing bodies July 2013
- The NUT also produce a guidance document called “Education, The Law and You”, which
- provides a helpful summative overview. It is available at [www.teachers.org.uk/resources/pdf/Teachers\\_Law\\_Oct2005](http://www.teachers.org.uk/resources/pdf/Teachers_Law_Oct2005)

### **2.2 The legal position**

Section 93 of the Education and Inspections Act 2006 “enables school staff to use force as is reasonable in the circumstances to prevent a pupil from doing or continuing to do any of the following:

- (a) committing any offence (or, for a pupil under the age of criminal responsibility, what would be an offence for an older pupil);
- (b) causing personal injury to, or damage to the property of, any person (including the pupil himself), or

- (c) prejudicing the maintenance of good order and discipline at the school or among any pupils receiving education at the school, whether during a teaching session or otherwise.”

The definition of ‘school staff’ applies to (as defined in section 95 of the Act):

1. any teacher who works at the school, and
2. any other person whom the head has authorised to have control or charge of pupils.

This

- a. includes support staff whose job normally includes supervising pupils such as teaching assistants, learning support assistants, learning mentors and lunchtime supervisors
- b. can also include people to whom the head has given temporary authorisation to have control or charge of pupils, such as paid members of staff whose job does not normally involve supervising pupils (for example catering or premises-related staff) and unpaid volunteers (for example parents accompanying pupils on school-organised visits)
- c. does not include prefects

It is lawful for all teachers and other staff as described above to use ‘reasonable’ force. However, the definition of ‘reasonable’ is open to interpretation. The DFE advice for Headteachers, staff and Governing bodies (July 2013) describes reasonable force as “the broad range of actions used by most teachers at some point in their career that involve a degree of physical contact with pupils”, which can range from “guiding a pupil to safety by the arm through to more extreme circumstances such as breaking up a fight or where a student needs to be restrained to prevent violence or injury.

‘Reasonable in the circumstances’ means using no more force than is needed. Schools generally use force to control pupils and to restrain them. Control means either passive physical contact, such as standing between pupils or blocking a pupil’s path, or active physical contact such as leading a pupil by the arm out of a classroom. Restraint means to hold back physically or to bring a pupil under control. It is typically used in more extreme circumstances, for example when two pupils are fighting and refuse to separate without physical intervention.

### **3 WHOLE SCHOOL PLANNING**

This guidance provides a framework within which staff judgements will be made and specific events and incidents are addressed. It is intended to ensure that all schools and other educational settings provide a safe working environment for pupils, staff and visitors.

It is expected that schools will have in place a variety of measures which will reduce the likelihood for the need for positive handling to be used. For example:

- A calm and supportive school environment
- Positive relationships
- Whole school approach to developing social, emotional and communication skills

- Structured approach to staff development.

Schools should consider the need to adopt a policy on the physical restraint of pupils. The policy must take account of other current policy documents (e.g. Behaviour Management, Child Protection and Health & Safety). These policies should also make reference to any policy on Physical Restraint. A model policy is provided in Appendix 1.

### 3.1 Pupils with SEN/ Disability

Physical intervention must take into account the age and competence of the child and will be the least detrimental alternative. The judgement on whether to use force with regard to a pupil with SEN or a disability should not only depend on the circumstances of the case but also on information and understanding of the needs of the pupil concerned (DFE Use of Reasonable Force advice July 2013)

### 3.2 Duty of Care

Teachers need to be aware that their employment imposes on them a duty of care in order to maintain an acceptable level of safety. Sometimes the conduct of young people can, on occasions, become dangerous. Physical intervention will then be required which, inevitably, is a high-risk activity. This guidance cannot anticipate every situation and so the sound judgement of staff remains crucial. All teachers and those support staff specifically authorised by the Headteacher may apply physical restraint.

The general legal rule is that any person who touches another person without his or her consent commits an unlawful act. In most circumstances physical contact with pupils is not necessary. However, a member of staff who has used appropriate physical restraint will have a good defence to any legal action against them if:-

- the purpose of the physical intervention was to avert immediate danger of injury to any person or an immediate danger to the property of any person (“person” includes the pupil)  
and
- no more than the minimum force was used, in proportion to the circumstances, to achieve the desired result.

In an emergency, staff need to respond appropriately and within the guidance in this document. Indeed, staff have a legal obligation to safeguard the welfare of pupils in their care.

Members of staff must understand that if they do not feel able to intervene, they should seek assistance immediately in order to exercise their duty of care within the school.

A summary sheet for staff regarding the use of control and restraint is provided in Appendix 2.

If a school is aware that a pupil is likely to behave in a way that might require physical restraint, it should plan how to respond. Such planning should address:-

- Ensuring all relevant staff are trained by an accredited trainer.
- Undertaking a risk assessment

- Maintain records as part of a behaviour management plan.
- Specify the type of intervention that can be used and when (e.g. re-active strategies to de-escalate a conflict, what holds might be used)
- Briefing staff (to ensure they know what action they should be taking).
- Involving the parents (so that they are clear about what action the school may need to take and secure their agreement to the plan).
- Ensuring that additional support can be summoned if appropriate.
- The need to take medical advice about the safest way to hold pupils with specific health needs (particularly in SEN settings).
- Review on a regular basis.

### 3.3 Safe handling principles

Staff must always consider whether a risk is urgent and whether there is any alternative to physical intervention. Staff should always try to deal with the situation using other agreed strategies to calm a situation before using force.

The principles of safe handling are based on certain assumptions.

- A situation is about to exist in which people or property will be in serious danger of injury or damage.
- Close proximity to pupils who are in a highly agitated state can make matters worse.
- Steps to avoid the need for physical intervention have been taken. The physical restraint of a pupil will be considered as a last resort attempt to cope with a particular situation.

Handling techniques will be addressed through training. (LA advice may be sought regarding training providers) Methods of restraint adopted by a school must form part of a clearly agreed and understood policy which accords with the expectations set out in this policy.

All staff should be made aware of safe handling expectations before any incident arises.

Handlers must use the minimum force necessary for the minimum amount of time and must meet the following criteria; -

- If a school identifies a pupil as likely to require physical restraint the appropriate staff should be trained via an appropriately accredited trainer.
- The appropriate handling strategies should be laid out in a restraint management plan.
- Handling must not involve hitting the pupil with your person or any other object.
- Handling must not involve punitive acts, deliberately inflicting pain on the pupil e.g. joint locks or twisting /forcing limbs against the joint, finger holds, slapping, punching, kicking, tripping up, locking in a room, holding or pulling by the hair or ear.
- Handling must not restrict the child or young person's breathing e.g. must not involve throat or neck holds or pressing the side of a young person's face into soft furnishings.
- Handling must not involve holding a pupil face down on the ground.

- Pupil safety is paramount. Staff must be aware of signs of distress such as vomiting, changes in colour, breathlessness etc.
- Adults must avoid touching the genital area, the buttocks or the breasts of the pupil.
- Handling must avoid the adult putting weight on the pupil's spine or abdominal area.
- Locking a pupil in a room against their will (seclusion).

### **3.4 Risk Evaluation**

The law says that the restraint of a child or young person should calm the situation and not lead to greater injury or an escalation of violence. The following factors need to be taken into account in evaluating the risks involved and in determining the techniques to be employed: -

- All staff including teaching assistants and other colleagues in the school must be informed when appropriate about pupils/families who are vulnerable or volatile.
- Vulnerable or volatile pupils/families should be clearly identified in documentation e.g. on the pupil's profile and on the main records which will be annotated.
- A risk assessment based on knowledge and previous experience will be carried out and a plan of action for individuals will be written by the Headteacher or delegated member of staff.

### **3.5 Risk assessment for physical intervention**

Consideration should be given to the following:-

- The age, and relative physiques and known SEN, Disability or medical conditions of the pupil.
- The gender of the pupil.
- Spectacles, hearing aids, jewellery, hearing aids, clothing worn by the pupil.
- Knowledge of the pupil's previous experience of restraint and their previous reactions.
- The scope to secure the presence of a second or further adult.
- The presence of a second adult available to assist, supervise and become involved in the intervention.
- The restrainer's capacity to act calmly and systematically.
- The location of the incident and the potential for the restraint to be carried out safely.
- The presence of any weapons.
- The pupil's known or perceived substance abuse.

Any physical intervention involves a degree of risk. The assessment of the level of risk is a calculation that must be made before deciding to intervene. Think clearly and carefully before acting.

In exceptional circumstances where there is an immediate risk of injury, a member of staff may need to take any necessary action that is consistent with the concept of reasonable force.

For example, to prevent a young pupil from running onto a busy road, or to prevent a pupil from hitting someone or throwing something.

Staff working in situations where there is a reasonable likelihood that they may have to employ techniques of physical restraint should consider whether their clothing, jewellery, hairstyle, medical condition or gender may add to the danger of injury to themselves and others.

### **3.6 Training for staff**

There are three key levels of training suitable to assist in positive handling with pupils;

1. Conflict Resolution Training - suitable for all staff working with people
2. Breakaway Training – suitable for staff working in environments where they may need to safely exit without escalating the situation.
3. Control and Restraint Training – suitable for staff who may be involved in physical intervention. Plymouth City Council recommends Managing Actual and Potential Aggression (MAPA) delivered by staff who have been trained by the Crisis Prevention Institute (CPI).

Training in the use of physical restraint will vary from school to school and depend on the needs as identified through risk assessment. It will also depend on the particular educational setting and patterns of pupil behaviour. It is recommended that initially at least one member of staff in every school attends an awareness raising training course which will cover; risk assessment, guidance on policy and restraint management plan writing and a view of positive handling.

All staff must be fully conversant with the school's guidelines on the use of physical restraint and should share good practice in an open manner.

When it is deemed necessary for a school staff member to be trained in physical restraint, a fully accredited trainer must be used. In service training, the use and techniques of physical restraint should be given as part of a programme which puts its use within the full context of care and control and reducing aggression.

### **3.7 Physical Contact with Pupils**

It is unrealistic to suggest that teachers and other members of staff should touch pupils only in emergencies. Younger pupils in particular will need reassurance and comfort in certain situations. School staff will need to bear in mind that perfectly innocent actions can sometimes be misconstrued.

Controlling difficult behaviour is not the only circumstance when there is physical contact between staff and children. We all need to respond to pupils in a way that gives expression to appropriate levels of care and which provides comfort to ease the pupil's distress.

There is to be no inappropriate physical contact between care-providing adults and pupils.

Certain principles are indicated:-

- The level and type of physical contact should reflect the educational and social needs of the pupil, for example physical contact is likely to occur in some PE and drama activities, as well as for pupils who require a personal assistance or intimate care programme.
- Physical contact should not lead to anxieties in any form. Consideration should be given to the needs of pupils in school who may have suffered abuse and/or neglect.
- A pupil who indicates the need for physical contact or comfort should not be responded to automatically. He or she should be responded to with due consideration of this guidance.
- There should be no general expectation of privacy for the physical expression of comfort in any circumstances. Staff must endeavour not to be alone with a pupil in any situation.

### **3.8 Communicating, Monitoring and Reviewing the school's policy**

It is very important that every school establishes a clear and consistent route through which any incident involving physical restraint is recorded and communicated. The first step will be, through risk assessment, establishing a clear and appropriate restraint management plan for any identified pupil, in order to ensure consistent and safe practice.

All incidents should be reported to the Headteacher (unless of course he or she is the restrainer). In many cases it is envisaged that the Headteacher, Deputy Head or Assistant Headteacher will have been summoned before physical restraint is needed.

All staff should know to whom they report incidents of physical restraint and where this person is located. All "reporting on" systems should keep the Headteacher fully informed as soon as possible. It is the responsibility of the school to inform parents or carers about the physical restraint of their child as soon as possible after the incident. Individual schools will decide how this should be done and should record this process as part of their policy. Staff involved will be debriefed following an incident and kept informed of any future action which relates to it.

Schools should inform parents of the contents of their policy on restraint.

All new staff must be informed which pupils have an agreed restrictive physical intervention management plan and have an explanation of the school's policy on physical restraint. If appropriate, new members of staff should receive training at the earliest opportunity and preferably before working with an identified pupil. Consideration should be given to how supply teachers and other temporary staff are informed of the school policy on physical restraint and whom they can call on for support.

The senior management team and staff will evaluate any incident or physical restraint to inform future management of pupils in similar situations.

The school's recording system should be used to monitor the use of physical restraint in order to check that all staff apply the school policy in a consistent manner. Termly monitoring will inform the regular Headteacher's report to the Governing Body.

The Headteacher should review the school's policy on physical restraint with all staff and report to the Governing Body 6 months after its introduction and thereafter on an annual basis. Staff should be asked to contribute to issues and will be fully informed of the outcome.

#### **4. SITUATIONS IN WHICH PHYSICAL INTERVENTION MAY BE NECESSARY**

Pupils can be re-engaged successfully in their education activities without the use of force and diverted from destructive behaviour. When a pupil is engaged in an argument or a fight, which in itself is not likely to cause serious harm, but is nonetheless disruptive and detrimental to the wellbeing of other pupils, he or she may be diverted successfully by using other management techniques. Staff should be mindful of the fact that close proximity to pupils who are in a highly agitated state can make matters worse.

**If physical intervention is unavoidable, i.e. as a last resort when circumstances warrant, it is important that the degree of force used is appropriate to the situation.**

- It is appropriate to use physical prompts and guidance when positive verbal prompting has been unsuccessful.
- Physical intervention in a crisis will be a last resort and only undertaken when all other means of calming the situation have failed.
- Physical intervention must take account of the need to fully protect the health, safety and wellbeing of all staff and pupils.
- Physical restraint will never be part of the rewards and sanction system of the school. All staff will seek to promote an atmosphere of calm predictability and order so that pupils and staff feel secure.
- All staff are expected to have an understanding of the cultural differences of pupils and to respond appropriately.
- When the safe framework of the school is challenged by the violent or dangerous behaviour of a young person, there is a need to achieve a fit and safe resolution of the situation as a minimum goal.
- All actions taken will be fully recorded in a standard format which is readily available to staff and their managers.
- The school should arrange appropriate training for all staff; the LA will guide schools with regard to training providers.

Physical intervention may be required when there is clearly no alternative approach which would work in the circumstances i.e. there is an immediate urgency to resolve the situation. For instance

- A pupil attacks a member of staff or another pupil.
- Pupils are fighting.
- A pupil is engaged in, or about to commit, deliberate damage or vandalism to property.
- A pupil is causing, or at risk of causing, injury or damage by accident to themselves or others (e.g. by rough play or the misuse of dangerous materials/objects).
- A pupil behaving in a way that is seriously disrupting a lesson may require physical prompting (i.e. a hand in the small of the back or on the shoulder/arm etc.) to leave the classroom and attend elsewhere in the school.
- A pupil absconds from a class or tries to leave the school **and in the considered view of the staff, as recorded in a care plan, would be at risk if not kept there.**

Physical intervention can take several forms. It might involve staff in:-

- Physically interposing between pupils.
- Blocking pupil's path
- Holding for security and to reduce anxiety where there is a potential risk
- Pushing if restricted to situations where reasonable force is used to resist a child's movement (rather than a forceful push that might cause the child to fall over).
- Escorting a pupil by the hand or arm.
- **In extreme circumstances** using more restrictive holds.

A panel of experts identified that certain restraints techniques presented an unacceptable risk when used on children and young people. These techniques were:-

- the 'seated double embrace' which involves two members of staff forcing a person into a sitting position and leaning them forward, while a third monitors breathing
- the 'double basket-hold' which involves holding a person's arms across their chest
- the 'nose distraction technique' which involves a sharp upward jab under the nose.

Other holds to be avoided include:-

- Holding a child around the neck or by the collar, or in any other way that might restrict a child's ability to breathe
- Slapping, punching or kicking a child
- Twisting or forcing limbs against a joint
- Tripping a child
- Holding a child by the hair or ear
- Holding a child face down on the ground

During any incident of restraint adults must seek as far as possible to:-

- Avoid personal risk.
- Lower the pupil's level of anger or distress during restraint by continually offering verbal reassurance, and avoiding generating fear of injury in the pupil.

- Cause the minimum level of restriction or movement of limbs consistent with the danger of injury. For example do not restrict the movement of the child or young person's legs when they are on the ground unless flailing legs are likely to be injured.
- Take account of the danger of accidental injury during restraint by using a method appropriate to the environment in which it has taken place. For example on a paved surface the adult should seek to avoid placing the pupil on the ground.
- Whenever possible staff are advised to engage the support of another adult when they need to use reasonable force to resolve a situation they cannot deal with in any other way. The other adult will be a witness to the incident and will complete a witness report for the record.
- In situations where a group of staff is involved, work together as a team with one member taking the lead.
- Do not involve another pupil in assisting with restraint.
- Avoid moving the child/young person during restraint. Experience has shown this can prove problematic and is only justifiable when remaining in the original location would be more physically dangerous.

In some extreme cases staff are advised not to intervene in an incident, unless it is an emergency. Staff must judge whether it is safe to remove other pupils to a safe distance and seek help from other colleagues or the police. In such incidents, the teacher/member of staff should tell the pupil that he/she has sent for help and continue to try to diffuse the situation orally. If the situation is diffused successfully the incident log must still be completed so that others may learn from the experience.

## **5. RECORDING EVENTS AND ACTIONS**

Parents must be informed on the same day as the incident, of the circumstances which led up to the incident and the outcome. Parents must also be informed of any future action the school intends to take.

### **5.1 Incident Record**

Governing Bodies should establish arrangements to ensure that all incidents of restraint are logged by the member(s) of staff involved as soon as possible after the event (and no longer than 2 hours after the event). This should take the form of an e-mail to the Designated Safeguarding Officer or in his absence, the Deputy Designated Safeguarding Officer.

The report must include:-

- The name(s) and the job title(s) of the member(s) of staff who used physical restraint.
- The name(s) of the child(ren) involved
- Details of when and where the incident took place (a sketch plan might be helpful).
- Behaviour of the child(ren), circumstances and significant factors which led to the incident
- The duration and nature of any physical restraint used
- The reason physical restraint was necessary

- Any attempts to resolve the situation
- The names and pupils and staff involved and witnesses
- A description of any injuries sustained by pupils or staff and subsequent medical attention.
- A description of any action taken after the incident, including contact with parents/carer of the child(ren) involved or other agencies (e.g. social care or police)

Appendix 3 provides a checklist for staff.

The incident book should be available for inspection by the officers of the authority and the governing body.

It may be appropriate to provide staff with a template to record an incident involving physical restraint in more detail. This will assist staff and the Headteacher in analysing the incident and informing any review of the school's policy and practice

In addition, it is important that the appropriate accident/incident form is completed and that the school's accident/incident reporting processes are followed.

Children with special educational needs may require more frequent physical intervention. In some cases it would be impractical to complete a separate record for each incident and schools may need to consider a different recording system depending on individual circumstances, as laid out in the Individual Education Plan, Behaviour Support Plan, care plan or restraint management plan. All incidents arising from actions of physical restraint should be recorded.

Where injuries occur, guidelines for health and safety must be followed. If a pupil is injured, parents must be informed at the earliest opportunity.

## **5.2 Debriefing arrangements**

All incidents involving the physical restraint of pupils must be discussed as soon as possible with a senior member of staff and the Headteacher should be involved as soon as is practicable thereafter.

All senior staff involved must record details of their involvement at every stage, together with details of all follow up action.

At an appropriate time, the pupils and staff involved must have an opportunity to discuss the matter with the relevant members of the senior staff. In all schools, follow up actions need to be appropriate to the age and ability of the pupil. Headteachers should share the written reports with the pupil. Parents and carers should always be informed about what has happened to the child and offered an opportunity to discuss this with the Headteacher or senior member of staff.

An incident involving the use of physical restraint can be an unusual occurrence in a school. Careful thought needs to be given to placing the incident in context to those adults and pupils who witnessed the event.

Thought needs to be given to the possible effects that restraining a young person has on a member of staff. Apart from suffering physical injuries, staff may need time to recover in a quiet space with support from a colleague.

Members of staff should be advised to contact their professional association or trade union before making a formal statement.

Staff should feel free to discuss their actions with a colleague. If circumstances require it, staff should seek further advice from their professional association or trade union. Initially, discussions/debriefings should be with a senior member of staff.

### **5.3 Witness Statements**

Immediately after the incident has been resolved, the Headteacher or senior member of staff, the designated teacher for child protection and if the child concerned is a 'Looked After Child', that designated teacher, should be appraised verbally of the situation.

Statements may need to be taken from the witnesses. A senior member of staff should carry this out as soon as possible after the incident and taking into account safeguarding issues.

When taking a witness statement from another child, the following points should be considered:-

- Avoiding the risk of collusion.
- Have a quiet place in which to report the statements.
- The language skills of the child.

If, after the initial reporting of the incident, the Headteacher or senior member of staff considers that the schools' guidelines on the use of physical restraint have not been followed, the incident should not be pursued further, but should be referred for action in accordance with the South West Safeguarding and Child protection procedures which can be found at the following link <http://www.online-procedures.co.uk/swcpp/>

Further guidance in these circumstances should be sought immediately from the School's Personnel Officer.

## **6. SECLUSION AND RESTRICTING A PUPIL'S FREEDOM OF MOVEMENT**

The use of seclusion applies when a pupil is forced to spend time alone against their will. It is an offence to lock a child in a room without recourse to the law, even if they are not aware that they are locked in. This may include high door handles or double door handles that a child cannot operate independently and therefore prevent a pupil from leaving the room. The only exception is in an emergency when the situation is so serious that seclusion allows a few minutes to seek assistance would be legally defensible.

Where a pupil dislikes physical contact it may be appropriate to accompany the pupil to a separate room for a few minutes where they can become calm while being continuously observed and supported. This may include a low sensory 'tent' within a classroom.

A risk assessment may identify that a young person with severe learning disability and/or autism may place themselves at risk by running out of a room without an understanding of the potential hazards (eg access to the car park, dangerous materials). The use of high door handles, double door handles or locked outside doors is acceptable as a safety measure when it is assessed that pupils need to be supervised from one room to another. This measure can only be used when pupils are being supervised by an adult. It is unacceptable for a pupil to be on the other side of a door from a staff member and unable to use the handle to leave the room. In making this risk assessment, the age and understanding of the pupil has to be carefully taken into account.

Schools are encouraged to seek advice from the local authority if there are any concerns about strategies being used that will restrict a pupil's freedom of movement.

## **7. COMPLEX SITUATIONS**

It may be that a pupil's behaviour is requiring increased or frequent physical intervention. The school must review the Behaviour Management Plan and give consideration to whether a greater understanding of the pupil's needs is required.

It is recommended that the school convene a multi-disciplinary meeting to review the plan and identify further assessment or clarity to the plan that may be required in order to minimise the physical intervention used.

It may be beneficial for the attendees to continue to support through attendance at regular reviews of the plan.

## **8. ALLEGATION AGAINST A MEMBER OF STAFF**

Procedures are set out in the South West Safeguarding and Child protection procedures available at <http://www.online-procedures.co.uk/swcpp/>

These procedures require the Designated Senior Manager (or designated deputy in case of the unavailability of, or an allegation being made against, the Designated Senior Manager) to consult with the LADO within one working day following the receipt of an allegation that a member of staff may have abused a pupil.

School staff should discharge their duties in the manner of a good parent. Physical contact may be necessary on occasions to restrain or protect a pupil. School staff will consider the wisdom of being alone with a pupil.

Physical contact should not be in response to, or be intended to arouse, sexual expectations or feelings, as far as possible/appropriate within the context of physical restraint.

The member of school staff should always be aware of the possibility of invading the pupil's privacy and should respect their wishes and feelings as far as possible within the context of physical restraint.

The following actions, slapping, pinching, punching or hitting a pupil with fists or an object/ implement, locking in a room are considered as unacceptable professional conduct. They could be considered as a possible criminal act and may well need to be investigated through child protection procedures.

### **9. Dealing with complaints**

In the event of complaints to the school or to Social Services in connection with the use of force by a member of staff, the Headteacher (or delegated member of the senior management team) will seek the advice and support of the local authority on how to respond to the complaint. Response will follow existing routes of investigation. These are

- i) Child protection procedures
- ii) Disciplinary procedures

Only where, following appropriate consultation with the advisory agencies, there are perceived to be no grounds for pursuing either of these routes should an investigation be initiated by the school's normal complaints procedure.

If an alleged incident is being considered under child protection procedures it would, under normal circumstances be inappropriate to initiate the schools disciplinary procedures.

# **POLICY ON POSITIVE HANDLING STRATEGIES AND PHYSICAL INTERVENTIONS FOR PUPILS WITH CHALLENGING BEHAVIOUR NEEDS**

## **APPENDIX I**

### **RATIONALE**

Reasonable force and restraint may be used to prevent a pupil from doing or continuing to do any of the following:

- committing a criminal offence;
- injuring themselves or others;
- causing damage to property including the pupil's own property;
- engaging in behaviour prejudicial to good order at the school or among any of its pupils whether that behaviour occurs in a classroom during a teaching session or elsewhere.

The use of physical restraint must be placed within the context of:

- identification of potential pupils by a staff group through risk assessment;
- appropriate planning for possibility of restraint, via a care plan;
- appropriate training for members of staff likely to be involved;
- all restraint or handling of a young person is in line with the above mentioned documents/guidelines;
- the application of this policy is in conjunction with the schools' Behaviour Management, Child Protection and Health & Safety Policies.

### **PRINCIPLES**

The school believes that to deny pupils all physical contact with adults is to deny a basic human need and an expression of care and concern for all pupils.

Physical contact may be appropriate:

- when a pupil needs to get comfort or reassurance e.g. following an accident or personal crisis;
- when a pupil needs encouragement to attempt a new challenge e.g. to climb on to a piece of apparatus;
- when there is a need to take urgent action to avoid an incident or injury.

However physical contact must be appropriate for the age, understanding and sex of the child and must never threaten or be sexually inappropriate.

Staff should aim to be sensitive to:

- cultural backgrounds;
- the need to maintain pupils' personal space;
- be aware of pupils who have been sexually abused and will either seek physical contact or positively avoid it.

Staff should take extreme care when offering physical comfort to pupils, particularly as they approach puberty, as physical contact may be misconstrued causing distress to all concerned.

Staff should not be alone with individual pupils except in unavoidable circumstances. Classroom doors should be left open when one member of staff is left supervising/talking with/teaching individual pupils.

Physical contact through intervention or restraint should only be in the context of the accompanying guidelines document. It must be further constrained by adherence to the need for appropriate training and consideration of both staff and pupils' health and safety.

LA guidance document entitled Guidelines on Positive Handling Strategies and Physical Interventions contains information and principles regarding:

- when to use physical restraint;
- risk evaluation and assessment;
- planning for incidents;
- safe handling;
- recording incidents;
- monitoring and reviewing policy;
- child protection;
- dealing with complaints;
- training

This guidance should be consulted when pupils are identified as likely to need physical intervention or restraint and when writing care plans for individual pupils likely to be restrained. Advice for individual cases can also be sought from the Education Adviser for SEN and Vulnerable Groups or the school's own Adviser or Personnel Officer.

## **RESPONSIBILITIES**

The governors will:

- annually review this policy;
- monitor and evaluate the effectiveness of this policy through a termly report on its application via the Headteacher's Report to Governors.

The Headteacher/Principal will:

- ensure this policy and accompanying guidance, in conjunction with the Behaviour Management, Child Protection and Health & Safety Policies, are followed by staff;
- authorise individual support staff as appropriate to pupil needs
- enable, through risk assessment, the appropriate identification of pupils and oversee the production of care plans;
- ensure staff access to training through accredited trainers;
- provide a termly report to governors on the application of this policy if it applies to any individual pupil.

Teaching and authorised support staff will:

- endeavour to follow the principles of the policy via the guidance provided, in conjunction with appropriate training;
- ensure any intervention or restraint does not exacerbate the situation nor put pupil or adult's health and safety in jeopardy.

*The school should set out any particular circumstances regarding:*

- *which members of staff (naming posts of responsibility rather than names) are to be called in an urgent situation;*
- *who is to be informed if/when restraint takes place;*
- *who is to complete report forms etc.;*
- *who and by when parents/carers are informed;*
- *which particular other policies should be consulted in conjunction with this one.*

## APPENDIX 2

### The Use of Force to Control or Restrain Pupils

#### Reminder of Dos and Don'ts

##### **Do**

- Know the procedures in your school
- Consider all other options first.
- Stay calm
- Tell the pupil what you are doing and why.
- Use the minimum force necessary
- Involve other staff if possible
- Tell the pupil what he/she must do for you to remove the restraint
- Observe and support the pupil closely
- Use simple language
- Relax your restraint in response to the pupil's compliance

##### **Don't**

- Act in temper
- Place yourself at risk
- Involve other pupils in the restraint
- Force a pupil to spend time alone in a room against their will (seclusion)
- Grasp or hold the pupil in sexual areas
- Twist or force limbs back against the joint
- Bend fingers or pull hair
- Hold the pupil in a way that restricts blood flow or breathing.
- Slap, punch, pinch or kick
- Trip up the pupil.

## Appendix 3                      Incident Reporting

Consideration should be given to:-

- Confidentiality – where stored, who has access to reports and why.
- Supplying a copy of incident notes to the member of staff involved.

The report should contain:-

- The name(s) and the job title(s) of the member(s) of staff who used physical restraint.
- The name(s) of the child(ren) involved
- Details of when and where the incident took place (a sketch plan might be helpful).
- Behaviour of the child(ren), circumstances and significant factors which led to the incident.
- The duration and nature of any physical restraint used.
- The reason physical restraint was necessary
- Any attempts to resolve the situation
- The names and pupils and staff involved and witnesses.
- A description of any injuries sustained by pupils or staff and subsequent medical attention.
- A description of any action taken after the incident, including contact with parents/carers of the child(ren) involved or other agencies (e.g. social care or police)
- Signature of author and date of report completion.