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# Positive Handling Policy

January 2022

## **Our Lady of Lourdes Catholic Multi Academy Trust Mission Statement**

We are a partnership of Catholic schools and our aim is to provide the very best Catholic education for all in our community and so improve life chances through spiritual, academic and social development.

We will achieve this by:

Placing the life and teachings of Jesus Christ at the centre of all that we do.

Following the example of Our Lady of Lourdes by nurturing everyone so that we can all make the most of our God given talents.

Working together so that we can all achieve our full potential,  
deepen our faith and know that God loves us.

Being an example of healing, compassion and support for the most vulnerable in our society.

***Joshua 1:9-10 "Have I not commanded you? Be strong and courageous. Do not be afraid; do not be discouraged, for the Lord your God will be with you wherever you go."***

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## 1. The Legal Framework

Positive handling should be limited to emergency situations and used only in the last resort. Under the Children Order 1995, it is only permissible as described under the heading "Physical Control". Article 4 of the Education Order 1998 clarifies powers that already exist in common law. It enables trained staff in the school, authorised by the Headteacher, to use such force as is reasonable in the circumstances, to prevent a pupil from:

- Committing an offence
- Causing personal injury to, or damage to the property of, any person (including the pupil himself)
- Engaging in any behaviour prejudicial to the maintenance of good order and discipline at the school or among its pupils, whether during a teaching session or otherwise.

(Examples of possible situations are given in Appendix 1)

## 2. Definition of Positive Handling

Positive handling is the positive application of force with the intention of protecting the child from harming himself or others or seriously damaging property.

## 3. General Policy Aims

Staff at Holy Cross Primary and Nursery Catholic Voluntary Academy recognise that the use of reasonable force is only one of the last in a range of strategies available to secure pupil safety / well-being and also to maintain good order and discipline. Our policy on positive handling should therefore be read in conjunction with our Behaviour and Child Protection policies.

## 4. Specific Aims of the Positive Handling Policy

- To protect every person in the school community from harm.
- To protect all pupils against any form of physical intervention which is unnecessary, inappropriate, excessive or harmful.
- To provide adequate information and training for staff so that they are clear as to what constitutes appropriate behaviour and to deal effectively with violent or potentially violent situations.

## 5. Why Use Positive Handling?

Positive handling should avert danger by preventing or deflecting a child's action or perhaps by removing a physical object, which could be used to harm him / herself or others. It is only likely to be needed if a child appears to be unable to exercise self-control of emotions and behaviour.

It is not possible to define every circumstance in which positive handling would be necessary or appropriate and staff will have to exercise their own judgement in situations which arise within the certain categories. (See Appendix 1)

Staff should always act within the School's policy on behaviour and discipline, particularly in dealing with disruptive behaviour. Staff should be aware that when they are in charge of children during the school day, or during other supervised activities, they are acting in *loco parentis* and should, therefore, take reasonable action to ensure pupils' safety and wellbeing.

Failure to positively handle a pupil who is subsequently injured or injures another, could, in certain circumstances, lead to an accusation of negligence. At the same

time staff are not expected to place themselves in situations where they are likely to suffer injury as a result of their intervention.

## 6. Alternative Strategies

At Holy Cross Primary and Nursery Catholic Voluntary Academy we are firmly committed to creating a calm and safe environment which minimises the risk of incidents arising that might require the use of reasonable force. We use the PSHE curriculum and our RE curriculum to explore and strengthen emotional responses to situations. We will only use force as a last resort and strongly believe in de-escalating any incidents as they arise to prevent them from reaching a crisis point. Staff are skilled in promoting and rewarding positive behaviour and will utilise various appropriate techniques in the management of a class environment. Staff will only use reasonable force when the risks involved in doing so are outweighed by the risks involved by not using force.

## 7. Prevention and use of de-escalation strategies

It is recognised that extreme behaviours such as those requiring physical intervention can indicate communication of an unmet need from the child. We recognise that there may also be safeguarding, trauma, medical or special educational needs which may lead to children behaving in manners which might require physical interventions.

If we become aware that a pupil is likely to behave in a disruptive way that may require the use of reasonable force, we will plan how to respond if the situation arises. Such planning will address:

- Management of the pupil (e.g. reactive strategies to de-escalate a conflict, holds to be used if necessary)
- Involvement of parents to ensure that they are clear about the specific action the school might need to take
- Briefing of staff to ensure they know exactly what action they should be taking (this may identify a need for training or guidance)
- Identification of additional support that can be summoned if appropriate

Guidance outlined in this plan will be followed along with liaison with external agencies to ensure that the best support for the child is implemented.

## 8. Deciding Whether to Use Reasonable Force

Under English law, members of staff are empowered to use reasonable force to prevent a pupil from or stop them continuing:

- committing any offence;
- causing personal injury to, or damage to the property of, any person (including the pupil himself); or,
- 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.

All members of staff will make decisions about when, how and why to use reasonable force.

To help staff in making decisions about using reasonable force the following considerations may be useful:

- whether the consequences of not intervening would have seriously endangered the wellbeing of a person;
- whether the consequences of not intervening would have caused serious and significant damage to property;
- whether the chance of achieving the desired outcome in a nonphysical way was low;
- the age, size, gender, developmental maturity of the persons involved.

Staff are also expected to remember that physical intervention is only one option and for behaviours involving extreme levels of risk it may be more appropriate to gain support from other agencies, including the police.

Staff will be kept informed and have a duty to inform others about the plans around specific pupils who can present risks to themselves and others. This may include information about SEN, personal circumstance and temporary upset.

### 9. Use of Positive Handling

**Positive handling should be applied as an act of care and control with the intention of re-establishing verbal control as soon as possible and, at the same time, allowing the pupil to regain self-control. It should never take a form which could be seen as a punishment. A calm approach is needed and the teacher/adult should never give the impression that they have lost their temper or are acting out of anger or frustration or to punish the pupil.**

In all circumstances other methods should be used if appropriate or effective positive handling should be a last resort

Before intervening physically, the teacher or member of authorised staff, (See Appendix 2) should wherever practicable, tell the pupil to stop and what will happen if he/she does not. The teacher or adult should continue to communicate with the pupil throughout the incident and should make it clear that physical contact or restraint will stop as soon as it ceases to be necessary.

### 10. Using Reasonable Force

When using force members of staff should only use the minimum amount of force required in achieving the required outcome.

Staff should, where possible, avoid any type of intervention that is likely to injure a pupil, unless in the most extreme of circumstance where there was no viable alternative and children or staff are in danger without this. Staff should also usually avoid using force unless or until another member of staff is present to support, observe or call for assistance, unless there is an emergency situation.

Ideally, prior to intervening physically, staff will have been trained in Physical intervention and Coping with Risky Behaviours (formerly MAPA) or Team Teach and follow the guidance issued. Only in emergency situations should staff intervene physically who have not been trained.

### 11. Actions After An Incident

Positive handling often occurs in response to highly charged emotional situations and there is a clear need for debriefing after the incident, both for the staff involved and the pupil. **A member of the leadership team should be informed of any incident as soon as possible** and will take responsibility for making arrangements for debriefing once the situation has stabilised. An appropriate member of the teaching staff should always be involved in debriefing the pupil involved and any victims of the incident should be offered support, and their parents informed.

If the behaviour is part of an ongoing pattern it may be necessary to address the situation through the development of a behavioural IEP, which may include an anger management programme, or other strategies agreed by the SENCO.

It is also helpful to consider the circumstances precipitating the incident to explore ways in which future incidents can be avoided.

All incidents should be recorded immediately. (See Appendix 3) All sections of this report should be completed so that in the event of any future complaint a full record is available. The report should be uploaded to CPOMS.

A member of the leadership team will contact parents as soon as possible after an incident, on the same day, to inform them of the actions that were taken and why, and to provide them with an opportunity to discuss it.

It is recognised that the need to intervene physically is distressing for both the pupil concerned and staff involved. Following the use of physical intervention staff and pupils will be supported and the immediate physical and well-being needs of all parties will be met. Staff will ensure that positive relationships are maintained.

## 12. Risk Assessments

If we become aware that a pupil is likely to behave in a disruptive way that may require the use of reasonable force, we will plan how to respond if the situation arises.

Such planning will address:

- Management of the pupil (e.g. reactive strategies to de-escalate a conflict, holds to be used if necessary).
- Involvement of parents to ensure that they are clear about the specific action the school might need to take.
- Briefing of staff to ensure they know exactly what action they should be taking (this may identify a need for training or guidance).
- Identification of additional support that can be summoned if appropriate.

## 13. Complaints

A clear positive handling policy, adhered to by all staff and shared with parents, should help to avoid complaints from parents. It is unlikely to prevent all complaints, however, and a dispute about the use of force by a member of staff might lead to an investigation, either under disciplinary procedures or by the Police and social services department under child protection procedures. It is our intention to inform all staff, pupils, parents and governors about these procedures and the context in which they apply.

## 14. Monitoring and Evaluation

We will review this policy on a 3-yearly basis.

## Appendix 1

### **When might it be appropriate to use reasonable force?**

Examples of situations that may require restraint are when:

- a pupil attacks a member of staff, or another pupil
- pupils fighting
- a pupil is causing, or at risk of causing, injury or damage by accident, by rough play, or by misuse of dangerous materials, substances or objects
- a pupil is running in a corridor or on a stairway in a way in which he/she might have or cause an accident likely to injure her/himself or others
- a pupil absconding from a class or trying to leave school (NB this will only apply if a pupil could be at risk if not kept in the classroom or at school)
- a pupil persistently refuses to obey an order to leave an area
- a pupil behaves in such a way that seriously disrupts a lesson.



## Appendix 2: Named Staff.

<b>Staff</b>	<b>Training Course</b>	<b>Start Date</b>
Kearney, Tandy	Coping with Risky Behaviours	02 Dec 2022
Fitzpatrick, Anna	Coping with Risky Behaviours	02 Dec 2022
Priestley, Joseph	Coping with Risky Behaviours	15 Jul 2022
Bruce, Sara	Coping with Risky Behaviours	16 Jun 2022
Harper, Lisa	Coping with Risky Behaviours	15 Mar 2022
Brothers, Lucy	Coping with Risky Behaviours	15 Mar 2022
Rainbow, Laura	Coping with Risky Behaviours	15 Mar 2022
McNamara, Tammie	Coping with Risky Behaviours	15 Mar 2022
Marshall, Claire	Coping with Risky Behaviours	15 Mar 2022

Appendix 3: Record of Restraint.

**Record Of Restraint:**

Date of Incident:

Time of Incident:

Pupil Name:

DOB:

Member(s) of staff involved:

Adult witnesses to restraint:

Pupil witnesses to restraint:

Outline of event leading to restraint:

Outline of de-escalation strategies implemented prior to physical intervention:

Outline of incident of restraint (including restraint method used);

Outcome of restraint:

Description of any injury sustained and any subsequent treatment:

Date/time parent/carer informed of incident:

By whom informed:

Outline of parent/carer response:

Signatures of staff completing report:

Name:..... Signed:.....

Name:..... Signed:.....

Name:..... Signed:.....

Brief description of any subsequent inquiry/complaint or action: