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Reach For The Stars

**Positive Handling Policy**

# Reach For The Stars

## Our Vision Statement

Our vision is to develop an inclusive school, which promotes and achieves excellence, and continues to nurture the values, confidence and skills of pupils, staff and the community, in order to meet the emerging opportunities of the 21st century.

Our vision and values support **Articles 2, 12, 15, 19, 24, 27, 28, 29, 31** of the United Nations Convention on the Rights of a Child.

## Our Rights

- ★ **Article 19:** We have the right to be safe.
- ★ **Article 28:** We have the right to quality education.
- ★ **Article 12:** We have the right to give our opinion and listen to others.
- ★ **Article 15/31:** We have the right to join in and be part of a team.
- ★ **Article 29:** We have the right to develop our personalities, talents and abilities.
- 

## Our Values



**Striving Teamwork All Included Responsibility Success**



### ★ Striving

Our aim is that we are a school that:

- **uses our Growth Mind-set (learning from mistakes and always willing to have a go)**
- **never gives up and always find ways of improving**
- **enjoys challenges and aims high**

### ★ Teamwork

Our aim is that we are a school that:

- **encourages and supports each other to be the best we can be**
- **learns from each other**
- **listens to and respects each other's ideas**

### ★ All Included

Our aim is that we are a school that:

- **has high expectations of everyone**
- **encourages everyone to take an active part in learning and life of our school**
- **nurtures and celebrates what makes each and every one of us unique**
- 

### ★ Responsibility

Our aim is that we are a school that:

- **takes ownership of the choices we make**
- **takes ownership/charge of our own learning**
- **looks after each other and our school**

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### ★ Success

Our aim is that we are a school that:

- **provides an education that encompasses academic, creative, social, emotional, physical and cultural development.**
- **celebrates our efforts and achievements**

## Equal Opportunities and the Single Equality Scheme

We believe that all those who work in Osmani - children and adults - have the right to be treated fairly and with respect by everyone connected with the school.

We aim for Osmani to be a safe, supportive place, where all children and adults feel valued as individuals, whatever their ability, age, disability, gender identity, marriage or civil partnership, pregnancy & maternity, race, religion or belief, sex and sexual orientation.

The school aims to foster the social and personal skills of co-operation, sharing and mutual respect.

**This policy supports the school in addressing Article 19: of the UN Convention on the Rights of the Child.**

## Positive Handling Policy

### Introduction

The policy has been developed in response to The Education and Inspections Act 2006 section 93, which reinforces supersedes and replaces previous guidance. This guidance is also based on the national document **'The Use of Force to Control or Restrain Pupils: Guidance for Schools in England' from 2010 which supersedes other guidance.**

The policy should be read in conjunction with other school policies.

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 care and control. Its contents are available to parents and pupils.

## Philosophy

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 control 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. Osmani School acknowledges that physical techniques are only a small part of a whole setting approach to behaviour management. Every effort will be made to ensure that all staff in this school:

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- (i) Clearly understanding this policy and their responsibilities in the context of their duty of care in taking appropriate measures where use of force is necessary.
  
- (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 the 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 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. Staff must be aware that they are responsible for:-

1. Assessing risks related to individual circumstances which may arise in the course of their day-to-day duties and
  
1. Making judgments about when the use of force is necessary and the degree of force which may be regarded as necessary to manage a situation.

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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 identify
- 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 behaviour support plans to be designed to achieve outcomes that reflect the best interests of the child whose behaviour is of immediate concern and others affected by the behaviour requiring intervention.
  - 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.

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## Use of Physical Handling

No legal definition of reasonable force exists, however, for the purpose of this policy and the implementation of it in Osmani Primary School:

- 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 behaviour Support plan /Risk Assessment (see Appendix 3) in the first instance to manage an incident/challenging behaviour.
- If this was unsuccessful and the situation continues to escalate, staff would then be expected to request support from a member of the Leadership team and/or a member of staff who has received **Management of Actual and Potential Aggression Foundation Programme, Including Disengagement and Physical Holding Skills. (MAPA)**.
- Only if all of the above have been tried and are unsuccessful, should staff even consider any other form of restraint. The overriding consideration should still be the reasonableness and proportionality of the force used.

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

- Age
- Gender
- Level of physical, emotional and intellectual development
- Special needs

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- 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, such a plan should be written for individual children and where possible, these will be designed through multi-agency collaboration and with parental consent, shared with other agencies/services supporting the child to facilitate consistency of approach so far as is possible. (See Appendix 3)

### Minimising the Need to Use Force

At Osmani Primary School we constantly strive to create a calm environment that minimises the risk of incidents arising that might require the use of force. In addition to this, pupils who present with persistent challenging behaviour are assigned a SEN TA who will work in partnership with the INCo and Class Teacher in supporting the Behaviour plan targets.

Pupils who have issues relating to sensory dysfunction or other conditions that may result in increased anxiety levels, and therefore an increase in the likelihood of challenging behaviour, may have individualised behaviour support plans to help them to manage this.

Through the PHSE curriculum (Jigsaw programme) 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.

All 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 (All SEN TAs, HLTAs, Premises Managers and the SLT will receive MAPA training.

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- 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 'de-escalation techniques to avert escalation of behaviour into violence or aggression.

## Definitions of Positive Handling

Positive Handling describes a broad spectrum of 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, diffusion, and de-escalation. Risk assessment identifies positive prevention strategies and how a pupil may need to be supported in a crisis.

### 1. Physical Contact

Situations in which proper physical contact occurs between staff and pupils. e.g. 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.

### 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/Restrictive Physical Intervention

This will involve the use of reasonable force when there is an immediate risk to pupils, staff or property. All such incidents must be recorded on the Positive Handling Form (Appendix 1) and parents must be informed as soon as is practicably possible (Appendix 2). If anyone is injured an accident/incident report

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must also be completed. Records of incidents must be given to the Headteacher/SENCo immediately, and by the end of the school day at the latest.

The level of compliance from the pupil determines whether or not the interaction is an intervention or a control/restraint. Restraint is defined as the positive application of force by staff, in order to overcome rigorous resistance, completely directing, deciding and controlling a person's free movement.

## 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 which 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;

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- 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 which fall into the third category are:-**

- A pupil persistently refuses to obey an order to leave a classroom;
- 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 Osmani Primary 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 will be called.

## **Strategies: Time-Out/ withdrawal/ planned and emergency physical interventions / recovery**

### **Time-out**

This involves restricting the child's access to positive reinforcements in a room or area which they may freely leave. 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

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anxiety/distress. The arrangement of 'quiet time' shall be negotiated between the child and staff involved.

### **Planned Physical Intervention**

This should be described/outlined in the pupil's behaviour support plan/Risk Assessment

(Appendix 3). This should cover most interventions, as possible scenarios will be identified and planned for when the IEP is drawn up. These interventions may include the use of MAPA Physical holding 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 which may arise in the future. Wherever possible, assistance will be sought from a member of the Leadership Team and/or a member of staff who has received MAPA training in the last 3 years.

Positive Handling at Osmani Primary School (defined as the full range of strategies used to manage behaviour including where necessary physical intervention) is seen as 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

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- Time with a member of staff to debrief the incident remembering that until the child is calm they will not be able to discuss the situation.
- Time for the staff member to recover and debrief with a SLT member.

### **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. MAPA 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 infrequent side effect of ensuring that the child remains safe. Any such injury will be reported using the Positive Handling Form (Appendix 1). Any injuries to pupils as a result of incidents involving restraint will be reported to the Headteacher/Deputy Headteacher and parent/carer.

Staff in all key stages and all Office staff are trained in First Aid. Any may be called upon to implement First Aid or seek further guidance in the event of an injury or physical distress arising as a result of a physical intervention.

## **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 'The Use of Reasonable Force to Control and Restrain Pupils'.

Supply staff must ensure that they are familiar with this school's policy, which is available online and from the school office. Appropriate guidance will be given if they have not undertaken MAPA training. Authorisation is not given to volunteers, students on placement, visitors or parents as they will not have control of pupils who may present with challenging behaviour, but reasonable prudent parents according to the situation they are dealing with, e.g. a parent helper moving a child away from the water on a school trip to the park may have authorisation.

### **Health and Safety of Staff**

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Under the Health and Safety at Work Act, employees have a responsibility to report any circumstances which 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 /Deputy Headteacher immediately, as there may be an impact on their own safety and that of colleagues and/or pupils.

Through the provision of MAPA 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 Positive Handling Form/Accident form and logged with the Admin Assistant in the Office.

### **Staff Training**

It is the responsibility of the Headteacher to ensure that MAPA training in the use of Positive Handling is available to relevant staff and is kept up to date. Relevant Staff includes member of the Leadership Team, staff working with children with SEN and adults employed to support children with social emotional and behavioural difficulties.

The school provides training for all relevant staff and the Assistant Head retains a list of all those staff trained. The list is reviewed on an annual basis.

No member of staff will be expected to use MAPA techniques without appropriate training. However, in an emergency situation if absolutely vital, they are authorised to do so. Prior to the provision of training, guidance will be given on action to be taken via the child's risk assessment. Arrangements will be made clear as part of the induction of staff and training will be provided as part of ongoing staff development. **Relevant school staff working directly with pupils receive the 6 hour basic course in MAPA as the school is considered to be a low risk setting. This is in line with MAPA policy.**

### **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.

At Osmani Primary School we have a debrief procedure which should be utilised if staff need to debrief after an incident. Where staff have been involved in an incident involving reasonable force, they should have access to support; this will be made available/supported through the Headteacher or Deputy Headteacher. Staff may also contact the Local Authority's employee support programme. The Headteacher/Deputy Headteacher may arrange a debrief if s/he has any concerns or needs further information.

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## Recording and Monitoring Incidents

### Recording

Where physical control or restraint has been used, a record of the incident will be kept (Appendix 1). This record should be kept in the Positive handling file located in the locked safeguarding cupboard.

Appropriate documentation will be completed as soon as possible after incident, prior to staff going off duty and be signed by all staff involved and the Headteacher/Deputy Headteacher. Parents will be informed as soon as practicably possible (appendix 2). After the review of the incident, a copy of the details will be placed on the pupil's file as part of their educational record.

### 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 a termly 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: Review of Behaviour Support plan /Risk Assessment.

## 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, suitable 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

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Whilst the training in MAPA provided to relevant 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, in order to allow concerns to be addressed and practice improved.

This might involve:-

- Child Protection Procedure (this may involve investigations by Police and/or Social Services)
- Staff or pupil disciplinary procedure
- School Behaviour Policy
- Exclusions Procedure, in the case of violence or assault against a member of staff this may be considered.
- The member of staff will be kept informed of any action taken.

In the case of any action concerning a member of staff, he/she will be advised to seek advice from his/her professional association/union.

## 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 handling within the school indicates an allegation of mishandling by a member of staff, the school's complaints policy will be followed. In such circumstances the investigation of the complaint/allegation and any resulting action in respect of child protection, disciplinary or other procedures will be carried out in accordance with the guidance received from the Local Authority.

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**Appendix 1: Record of the use of reasonable force**

This report should normally be completed as soon as practically possible after the incident by person/s involved in incident or, if not practical, by a senior member of staff.

A copy should be kept in logged on the School's MIS(Scholarpack) and the document uploaded to confidential documents under the child's name.

NAME OF SCHOOL: Osmani Primary School

Name of Pupil: .....

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Registration Group/Class: .....

D.O.B. .... Child in Care Yes/No (please circle)

Ethnicity .....

Date & time of incident .....

Place: .....

Reporting Staff: .....

Staff Witnesses: .....

Child Witnesses: .....

.....

Reason why reasonable force was thought necessary:

Was the child concerned liable to injury? YES/NO (give details below)

.....

Were other children liable to injury? YES/NO

.....

Were staff liable to injury? YES/NO

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.....

Was property about to be damaged? YES/NO Details:

.....

.....

Was property actually damaged? YES/NO

.....

.....

Was good order prejudiced? YES/NO

.....

.....

Other reason:

.....

.....

.....

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Concise details of how the incident began, nature of pupil behaviour, the use of techniques other than physical control to defuse the situation and measures taken to avoid harm to the pupil

.....  
.....

Description of physical intervention/control/restraint used, including the degree of force used, how that was applied and for how long.

.....  
.....

Record of any injuries to pupils/staff

.....  
.....

Record of any damage to property

.....  
.....  
.....

Measures taken to ensure that the pupil was calmed after the incident

.....

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.....

**Signature:** .....

.....

Time: am/pm ..... Date: .....

Designation .....

Signatures of adult witnesses: .....

.....

NB If necessary please use additional pages which should be numbered.

**ACTION TAKEN BY HEADTEACHER/DEPUTY HEADTEACHER/SENIOR LEADER**

.....

.....

.....

.....

Name: .....

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Details of how and when parents were informed: .....

.....

Incident discussed with pupil YES/NO

Date: .....

Other professionals informed? YES/NO

Details

.....

.....

.....

Personal injury form completed for staff/pupil: YES/NO

Support offered to member of staff: YES/NO

Details: .....

.....

Action Log (any other actions taken/follow up from other professionals etc.)

.....

.....

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Is a referral to the Local Authority Designated Officer (LADO) necessary?

(This would only be the case if unreasonable force was used or the member of staff has not applied the school policy correctly).

Date: .....

Summary of Actions/Reports

.....

## Appendix 2: Model letter from school to parents

Date: .....

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Dear Parent/Carer,

Today ..... behaviour became extremely challenging and as such

posed a health and safety risk to themselves, other children and/or staff.

Staff supported your child using the agreed Positive Handling Policy plan

to reduce risk and help him/her to calm down and regain control.

As part of their Individual Behaviour Plan and Positive Handling Plan it was necessary to use Positive Handling Interventions to hold them safely.

Your child was checked over by a qualified First Aider.

Should you wish to discuss the incident or how it was managed, please contact

school on ..... and the Headteacher/Deputy Headteacher will

be happy to talk to you about it.

Please sign and return the slip below to school as soon as possible.

Please be assured that your son/daughter's health and safety is our highest priority and we will do all we can to safeguard their welfare whilst managing to the best of our ability such challenging behaviour.

Yours sincerely,

.....

Head teacher.

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.....

**BEHAVIOUR MANAGEMENT AND POSITIVE HANDLING**

In confirm that I have received a letter about my son/daughter being held during an incident.

Please tick the following options as appropriate

..... I wish to come into school to discuss this further

..... I would like someone from school to ring me to discuss this further

..... I am happy about the way in which my son/daughter's behaviour is managed  
In school.

Signed: ..... Parent/Carer Date .....

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