

Shirehampton Primary School



Learn, Aspire, Achieve

Positive Handling Policy

Shirehampton Primary School

Reviewed and updated
Next review

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Introduction

Staff at Shirehampton Primary School are trained to look after the pupils in our care. One aspect of this training is in the understanding of behaviour as a communication, the de-escalation of challenging behaviours to prevent difficulties and in maintaining a good teaching and learning atmosphere and where appropriate the use of safe, physical interventions to protect and care for pupils.

All staff have a duty to intervene in order to prevent pupils from hurting themselves or others. There are also situations in school and on educational activities outside of the school grounds where a pupil may seriously disrupt good order, cause significant damage to property or put themselves and others at risk of harm. All staff are made aware of the policy and good practice requirements in relation to positive handling.

In terms of this policy and the school strategy the term 'staff' refers to those permanently authorised by the Head teacher who may use reasonable force to control or restrain pupils. The Education Act 1996 Section 550A gives this responsibility to all teachers and additionally the Head teacher of SPS authorises that all teaching assistants also have this permanent responsibility. The Pastoral Support Team and members of SLT at SPS are considered authorised persons and have this responsibility permanently. Currently there are 5 members of staff who are trained in Teach Teach positive handling.

This policy is designed to help staff in school to understand how to deal, as safely as possible, with challenging behaviour as described by S. 550A Education Act 1996.

The school policy is based on the good practice outlined in the book Physical Interventions – A policy Framework – BILD 1996, and second edition 2008, the BCC policy and procedures for dealing with Unacceptable Behaviour and Positive Handling (draft 2009), with additional information taken from the policies and good practice guidelines as laid down by Team Teach, an organisation both BILD & ICM.

This clear and consistent positive handling policy will help us support our pupils within a whole school ethos of mutual respect, care and safety.

DEFINITION OF TERMS

- **Challenging Behaviour**

"Severely challenging behaviour refers to behaviour of such an intensity, frequency or duration that the physical safety of the person or others is likely to be placed in serious jeopardy, or behaviour which is likely to seriously limit or delay access to and use of ordinary community facilities"

Emerson et al 1987

- **Positive Handling**

The term 'Positive Handling' includes a wide range of supportive strategies for managing challenging behaviour. Many of these are linked to the strategies in our school Behaviour Policy. Included here are a small number of responses which may involve the use of force to control or restrain a pupil.

- **Physical Intervention**

The term 'physical restraint' is used when force is used to overcome active resistance. These are referred to as 'Restrictive Physical Interventions' in national guidance (DfES/DoH 2002).

- **Reasonable Force**

There is no legal definition of reasonable force. The use of force can only be regarded as reasonable if the circumstances of the particular incident warrant it and the degree of force employed is proportionate to the level of challenging behaviour presented or the consequences it is intending to prevent.

- **Seclusion**

A child or young person is forced to spend time alone against their will. The use of seclusion is only permissible in very specific circumstances (e.g. where a court order is in operation) and may be deemed as a 'restriction of liberty'.

- **Time out**

Restricting an individual's access to all positive reinforcements as part of a behaviour programme. Time out should take place within the classroom environment and pupils should be monitored and observed at all times.

- **Withdrawal**

Removing a pupil from a situation which causes anxiety or distress to a location where they can be continuously observed and supported until they are ready to resume their usual activities.

- **Reactive Strategies**

Planned, thought out approaches that aim to stop / control a behaviour at the time it occurs.

- **Proactive strategies**

Approaches designed to produce changes in behaviour over time, support individual development and minimise the likelihood of a behaviour occurring.

Positive Behaviour Management

One of the most effective management strategies in schools and seen clearly in SPS has been shown to be careful planning to prevent difficulties arising. These preventative strategies create a context where acceptable behaviour is positively encouraged and where misbehaviour is reduced. Our school ethos emphasises co-operation, responsibility, concern for others and self-respect.

We believe our pupils want the adults in school to:

- Treat them as an individual person
- Help them learn and feel confident
- Make the day a pleasant one
- Be just and fair
- Have a sense of humour

and not to get upset or angry in the face of misbehaviour.

The Elton Report on 'Discipline in Schools' continues to give a clear message to staff as to good group management skills. It said that staff should:

- Know their pupils as individuals
- Plan and organise to keep pupils busy and interested
- Be flexible
- Continually observe and scan behaviour
- Control their own behaviour: stance, tone of voice, etc
- Model the standards of courtesy they expect from pupils
- Emphasise the positive, giving praise for behaviour and work
- Make rules clear
- Use reprimands sparingly and consistently
- Analyse their own behaviour and learn from it.

All physical interventions at SPS are conducted within a framework of positive behaviour management. Our behaviour policy is intended to reward effort and application and encourage pupils to help take responsibility for improving their own behaviour with staff having an in depth knowledge of each pupil's abilities and needs and using this knowledge and their professional skills to support pupils in taking on this responsibility.

Part of our preventative approach to risk reduction involves looking for early warning signs, learning and communicating any factors which may influence behaviour and taking steps to divert behaviours leading towards foreseeable risk. Pupils are encouraged and empowered to be active participants in this process by focussing on positive alternatives and choices. Parents / carers are also encouraged to contribute to the planning for physical interventions and evaluation of plans. However if problems arise staff have an additional responsibility to support all pupils when they are under pressure and safely manage crises if, and when, they occur.

Careful planning, to promote positive behaviour management and preventative approaches, includes a responsibility for all staff to:-

- promote learning orientated behaviours.
- promote the least intrusive positive handling strategy and a continuum of gradual and graded techniques, with an emphasis and preference for the use of verbal and non-verbal de-escalation strategies being used and exhausted before positive handling strategies are utilised.
- enable staff to develop acceptable and authorised responses to disruptive, disturbing, angry and aggressive behaviours in a manner that maintains positive relationships and provides safety for all, by training in Team Teach.
- reduce the number of serious incidents involving physical controls in all settings and to emphasise the importance of utilising behaviour management strategies in the first instance and throughout a crisis.
- increase the awareness of staff concerning the importance of recording and reporting, monitoring and evaluating, all incidents involving positive handling.
- provide a process of repair and reflection for both staff and pupils.

What the law means in relation to the use of 'reasonable force'

Where positive behaviour management strategies are not working with a pupil and their behaviour is becoming more challenging, then it is important for staff to know:-

- That safety is of paramount importance
- That the safety of both pupils and staff are of equal importance
- That as a member of staff he or she does have rights under the Education Act
- That the Head and Governors will support them if they have endeavoured to follow this policy, the relevant Positive Handling Plans (PHPs) for those pupils involved and the Team Teach training provided.

Section 550A of the Education Act 1996 allows teachers and those so authorised by the Head to have control or charge of pupils, to use such force as is reasonable to prevent a pupil from doing, or continuing to do, any of the following:

- Committing a criminal offence (including behaving in a way that would be an offence if the pupil were not under the age of criminal responsibility);
- Injuring themselves or others;
- Causing damage to property (including the pupil's own property);
- Engaging in any behaviour prejudicial to maintaining good order and discipline at the school or among any of its pupils, whether that behaviour occurs in a classroom during a teaching session or elsewhere.

The provision applies when an authorised person is on the school premises or when he or she has lawful control of the pupil concerned elsewhere, e.g. on a field trip or other out of school activity.

Section 550A 1996 Education Act allows staff to use 'reasonable force'. There is no legal definition of 'reasonable force', so it is not possible to set out comprehensively when it is reasonable to use force, or the degree of force that may reasonably be used. It will always depend on the circumstances of the case. This has been updated by the DCSF 11/07 guidance and is reflected in the Team Teach philosophy and training.

There are two relevant considerations when staff are faced with serious challenging behaviour from a pupil:

The use of force can be regarded as reasonable if the circumstances of the particular incident warrant it. The use of any degree of force is unlawful if the particular circumstances do not warrant the use of physical force, e.g. physical force could not be justified to prevent a pupil from committing a trivial misdemeanour, or in a situation that clearly could be resolved without force.

In accordance with Team Teach training, the degree of force employed must be in proportion to the circumstances of the incident and the seriousness of the behaviour or the consequences it is intended to prevent. Any force used should always be the minimum needed to achieve the desired result. However, the more serious the behaviour eg assault; the greater the use of force may be justifiable.

The degree of force that could reasonably be employed might also depend on the age, disability, medical condition, culture, gender, strength and understanding of the pupil.

Before intervening physically a member of staff should, whenever circumstances allow, tell the pupil who is displaying unacceptable / unsafe behaviours to stop, and what will happen if she or he does not (but this should not be communicated as a threat). The member of staff should continue attempting to communicate with the pupil throughout the incident and should make it clear that holding or restraint will stop as soon as it ceases to be necessary. A calm and measured approach to a situation is essential and members of staff should never give the impression that they are finding the situation stressful. It is unacceptable for any member of staff to use force or inappropriate chastisement if they have lost their temper, or are acting out of anger or frustration, or to punish the pupil.

Self Defence

Section 550A does not cover all the situations in which it may be reasonable for someone to use a degree of force, i.e. under UK law, everyone has the right to defend him or herself against an attack provided they do not use a disproportionate degree of force to do so. Similarly, if for example a pupil was assaulting another pupil or member of staff; any other member of staff would be entitled to use 'reasonable force' to defend that person. The aim of self defence is to get away to get help. Self defence differs from retaliation and punishment.

The application of 'reasonable force'

It is not possible to offer advice for every type of challenging behaviour, but staff have a high skill base in Team Teach methods to support themselves and pupils in challenging situations.

Staff are advised to avoid the following as they may be judged to be unreasonable:-

- Hold a pupil round the neck or by a collar as it may restrict breathing
- Slapping, punching or kicking a pupil
- Twist or force a limb against the joint
- Hold a pupil by the hair or ear
- Touch or hold a pupil in a way that may be considered indecent
- Hold a pupil in a supine or prone position on the ground (Please note, this is not the same as holding a pupil in a seated hold on the floor)
- Immediately stop an intervention if there are signs of distress e.g. pupil is struggling to breathe

Staff are also advised to avoid

- taking a pupil's shoes off during restrictive physical intervention unless this has been identified by a member of staff who is trained in Team Teach and recorded on the pupils PHP
- carrying a pupil's weight during restrictive physical intervention. If a child drops their weight, staff should use their professional judgement whether they should move simultaneously down to the ground or carry the child a few steps to the nearest seating area. Staff must make these decisions together to ensure safety of both staff and pupils, taking into consideration the weight of the pupil, risk of letting go, distance to nearest seating area, etc.

If a pupil is threatening to use a weapon; the best advice is to:-

- Create space between pupil and self
- Ask / instruct the pupil to put the weapon down
- Get away and call for help

As a guide the above advice means that in order to keep a pupil or themselves safe, staff have to make a judgement whether to:-

- Continue to try to calm, defuse, divert or de-escalate the behaviour they are facing.
- Leave the situation, perhaps taking other pupils too
- With the help of a colleague, hold or restrain the pupil or
- Defend themselves and leave the situation.

Alternatives to physical controls

Staff should always be considering alternatives to physical interventions and decide if these can be effective actions to reduce risk. These can include

- Showing care and concern by acknowledging unacceptable behaviour and requesting alternatives using negotiation and reason.
- Giving clear directions to the pupils to stop
- Remind them about rules and likely outcomes
- Remove an audience or take vulnerable pupils to a safer place
- Use positive touch to guide or escort pupils to somewhere less pressured
- Ensure that colleagues know what is happening and to get help

Modifying the environment

Staff should regularly consider their classroom environment and assess any potential risk and put in place preventative measures if there are pupils in the class likely to have challenging behaviours.

These may include considering how pencils, pens, compasses are stored, or how small items are stored which could be used as missiles. Consider if there are any sharp edges or corners which could present a risk. Think about how the arrangement of furniture could support and calm a situation, e.g. by having a comfortable corner to sit. Consider how pupils can be taught to take themselves to a safer place or to somewhere agreed for some time out of the situation.

Help Protocols

We expect that all staff should support each other. This means that staff always offer to help each other, in accordance with Team Teach training. It may mean staying around in case you are needed, or getting somebody else to help, acting as a witness or looking after additional children to keep them away from the difficulty. Good communication will mean that colleagues can offer and hear others suggestions, being clear so confusion in the situation is minimised.

Sometimes this may mean agreeing a script to request specific types of help so all involved understand what sort of assistance is required and what is available. Discussions of this nature with pupils should not take place during the recovery phase of an incident as they can re-start the difficulty and should be carried out by a person with good knowledge of the pupil and their needs and abilities.

Planning for challenging behaviour

Obviously some situations may need immediate action but if we are aware that a pupil is likely to behave in a way that may require holding or restraint, it is vital that we plan how to respond if the situation arises. This may include working with senior staff to:

- Make sure the PHP is shared with all relevant personnel, including holds that may be needed.
- Complete a risk assessment of pupil behaviour if deemed appropriate
- Understand the positive strategies and skills which are likely to calm, defuse, divert or de-escalate situations.
- Ensure that additional support persons e.g. HT, DH, senior staff, Learning Mentor, etc can be easily contacted and know what is expected of them in certain situations

- Involve parents to ensure they are aware of what actions the school may take.

Post incident support for staff and pupils

Following a serious incident we need to offer support to all involved. Until the incident has subsided the only priority is to reduce risk and calm the situation down.

Immediate action should be taken to ensure first aid is offered to any pupil or member of staff involved. All injuries should be noted in the usual manner. It is important to note that injury in itself is not evidence of malpractice. Even when staff have attempted to do everything right things can go wrong. Part of the post incident staff debriefing may be to remind staff of this. Time needs to be found to repair relationships using Restorative Approaches in School (RAiS). Debriefing is an opportunity for learning for all concerned. Time needs to be given to allow pupils to express their feelings and suggest alternative courses of action for the future and to help pupils see the perspective of others.

Recording Incidents

We currently record all behavioural incidents in the Bound-and-Numbered book kept in the HT's office. If necessary, the LA monitoring form plus the LA incident form can also be found in the offices. All of the above should be completed within 24 hours and in some situations staff may want to seek support from another person to help write up the report.

Parents should be notified either orally or in writing of an incident involving their child and there should be discussion as to who should do this, in what way and when. There are rare occasions when the risk to the child of notifying the parent may put the child at risk of significant harm. If there is such a concern then this must be discussed with HT (who is the DSL) and recorded on a CP concern form and in the Bound-and-Numbered book. In such an event the responsibility is to then report the incident to First Response or the pupil's social worker (the senior colleague involved in the discussion will support this action).

Current legislation requires that incident logs be retained for a considerable length of time therefore the school will need to adopt a storage system whereby these are kept indefinitely as we cannot determine the period in which a complaint may be made.

Good practice guidelines suggest that the Bound-and-Numbered books are reviewed every 6-8 weeks. To meet this requirement then the Behaviour Lead will collect in the Bound-and-Numbered book alongside any red or yellow cards for the individual to analyse patterns over time. Any significant concerns relating to pupils or staff members will be raised in SLT and a review of PHP / Individual RA and staffing will be considered. This may trigger the involvement of other professionals e.g. Educational Psychologist, behaviour specialist teacher.

As a further addition the annual Team Teach training discusses the school's current practice and whether it is still effective, identifying any recommended changes and/or what next steps.

Principles of training

Staff will be trained in:-

- Understanding the school policy and their rights and responsibilities
- Preventative strategies and skills in calming, defusing, diverting and problem-solving challenging behaviours
- A carefully considered approach will be taken by the school to training if an individual member of staff considers themselves disabled, this may form part of a risk assessment.
- The use of appropriate touch, holding, restraint and breakaway skills.
- The Team Teach approach.
- A number of staff, approximately 5 will retain up to date Team Teach training.

Use of Safespaces

Safespaces outside of the classroom should only be used as withdrawal areas when it is in the best interest of the child, and other pupils or staff. In some situations the use of a Safespace is the least restrictive response and its use is proportionate to the level of risk presented. As an emergency measure, these spaces can be used in exceptional circumstances if it reduces the risks presented by the pupil to themselves and/or others. As planned intervention the

Safespace should always be used as part of the PHP and effective use must be noted down in this document. SPS staff will never use the Safespaces with any intent to punish a pupil.

While a pupil is using the Safespace as part of their PHP, staff must continue to use calming techniques, communication aids and reminders of rewards and consequences.

Safeguarding Protocols:

- Two staff, at least, must be present.
- Pupils must not be left alone
- Staff will ensure that pupils are kept in the Safespace no longer than is necessary and that their time spent there is used as constructively as possible. (This is different from using the Safespace as part of a therapeutic program.)
- Staff will always allow pupils time to eat or use the toilet. Drinking water will be provided.

Reviewing the use of withdrawal to an external Safespace:

- Is the withdrawal an effective response and how does it compare to other possible responses or strategies?
- Does it offer a lower level of intrusion than other possible interventions?
- Does it offer improved safety for the pupil or those around them?
- Does it help the pupil to calm and return to normal behaviour more effectively than other strategies?
- Does it decrease the probability of the same behaviour occurring in the future?
- When used to control and de-escalate challenging behaviour, with a potential additional risk of self-harm, we must still be exercising the continuous decision making process that the use is absolutely **necessary and proportionate** and the **least restrictive** option, as detailed in the individual plans for the pupil.

Current legislation concerning the use of a separate room

It is an offence to lock an adult or child in a room without a court order (even if they are not aware that they are locked in) except in an emergency when the use of a locked room as a temporary measure while seeking assistance would provide legal justification. However there are instances where an adult or child could be at risk due to lack of awareness of danger, which could provide a reason for restriction to a room or area. This use needs to be part of a PHP and risk assessment, not an 'ad hoc' solution. To the extent that seclusion involves restricting a person's freedom of movement, it can be considered a form of physical intervention. The use of seclusion for people detained under the Mental Health Act (1983) is set out in the Code of Practice published in 1999.