



## ***STOKES WOOD PRIMARY SCHOOL***

### ***POSITIVE HANDLING POLICY***

Please read in conjunction with the following policies:

- Good Behaviour Policy
- First Aid Policy
- Suspensions and Exclusions Policy
- Safeguarding and Child Protection Policy
- SEND Policy

All behaviour is a form of communication. At Stokes Wood Primary School all staff have a duty to understand what the children's behaviour communicates, while responding in ways that help everyone to stay safe.

There are times when pupil's behaviour presents particular challenges that may require restrictive physical intervention. We define restrictive physical intervention as '*Intervention where a member of staff uses force intentionally to restrict a child's movement against his or her will*'

Use of physical force must be reasonable and comply with the Department for Education '[Use of Reasonable Force](#)' guidance. [Section 550A of the Education Act 1996](#) clarifies the position about use of restrictive physical interventions by teachers and others authorised by the Headteacher.

### **REASONABLE FORCE**

All staff are aware of the distinction between physical contact or touch (used appropriately in everyday situations to support, encourage, guide or comfort a pupil) and the use of force to restrict movement or to disengage from pupils whose behaviour presents a clear risk of injury.

Although there is no legal definition of reasonable force, guidance from the DfE draws attention to two relevant considerations:

- The use of force can be regarded as reasonable only if the circumstances of the particular incident warrant it. For example, physical force could not be justified to prevent a pupil from committing a trivial misdemeanour in a situation that clearly could be resolved without force.
- The degree of force must be in proportion to the circumstances of the incident and the seriousness of the behaviour and the consequences it is intended to prevent. Only the minimum force needed to achieve the desired result should be used.

Whether it is reasonable to use force, and the degree of force that could reasonably be employed, might also depend on the age, understanding of the pupil.

Guiding children by the hand or supportive touch do not include an element of force, therefore it is not restraint. When we need to use restrictive physical intervention, it is applied as an act of care and control within the principle of reasonable force (using the minimum amount of force and for the minimum amount of time necessary), with the intention of re-establishing verbal control as soon as possible and, at the same time, allowing the pupil to regain self-control and help them find a better way to deal with the situation.

## **PRINCIPLES FOR THE USE OF RESTRICTIVE PHYSICAL INTERVENTION**

Restraint of any kind can have a negative impact on a child's mental health and damage relationships between children and those who care for them. Therefore, restrictive physical intervention is only used where the risks involved in using force are outweighed by the risks involved in not using force. The use of restrictive physical intervention may be justified where a pupil is:

- Committing an offence (or, for a pupil under the age of criminal responsibility, what is deemed at the level of a criminal offence).
- Causing personal injury to, or damage to the property of, any person (including the pupil themselves).
- 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.

We aim to do all we can to avoid using restrictive physical intervention therefore, we would only use restrictive physical intervention where we judge that there is no reasonably possible, less intrusive action; as a last resort once other alternatives have not proved effective enough. There may be rare situations where we judge that we would need to use restrictive physical intervention immediately, where the potential risk of harm is very high and immediate.

We would use restrictive physical intervention at the same time as using other positive behaviour strategies which are outlined in our behaviour policy.

The decision on whether to use restrictive physical intervention is down to the professional judgement of the member of staff concerned and is judged on a case-by-case basis, depending on the circumstances. However, incidents of physical restraint must:

- Always be used as a last resort
- Be applied using the minimum amount of force and for the minimum amount of time possible
- Be used in a way that maintains the safety and dignity of all concerned
- Never be used in anger or as a form of punishment
- Be recorded on school systems and reported to parents

## **STAFF TRAINING**

The majority of staff at Stokes Wood are Team Teach trained. Team Teach is an accredited, provider of behaviour management training, equipping staff to deal with a challenging situations and behaviours which lead to describable outcomes and positive relationships.

Team Teach provides a gradual, graded system of response proportionate to the situation and individuals involved. There is an emphasis on appropriate and targeted verbal and non-verbal communication as well as de-escalation strategies.

Team Teach training for staff at Stokes Wood is carried out by the Leicester City SEMH Team.

Advice and support in completing risk assessments/behaviour plans in connection with pupil behaviour will be given by the SENDC/Pastoral team and/or other statutory agencies (SEMH team) working with the pupil.

## **PHYSICAL INTERVENTION PROCEDURES**

The use of restrictive physical interventions will always be considered within the wider context of other measures. These include establishing and maintaining good relationships with children and using diversion, diffusion and negotiation to respond to difficult situations.

Before intervening physically, the member of staff will, wherever practicable, tell the pupil who is in crisis stop and what will happen if they do not. If a member of staff has decided to intervene physically in order to prevent injury occurring to any person, or serious damage to property, then they will:

- Communicate with the pupil throughout the incident.
- Make it clear to the pupil that physical restraint will stop as soon as it ceases to be necessary.
- Employ minimum physical force necessary for the minimum period needed to restrain the pupil.
- Use a calm and measured approach and will continue to reassure the pupil.

Staff will never give the impression that they have lost their temper or are acting out of anger or frustration, or to punish the pupil.

Use of physical force that is unwarranted, excessive or punitive is not acceptable. Appendix 1 contains more information about Unacceptable Practices. Failure to comply with this principle, when considering or using physical force will be dealt with under the school's disciplinary procedures.

## **GOOD PRACTICE FOR PHYSICAL INTERVENTION**

Whenever possible, at least two members of staff will be present. The importance of having another colleague is twofold:

- Another member of staff may be able to reduce the risk of the member of staff or another pupil suffering harm – a solitary person is in a very exposed position if, for example, a fight is in progress.
- There is a witness if allegations of assault are subsequently made by a pupil or parents.

We understand there are some children for whom physical contact would be inappropriate (such as those with a history of physical or sexual abuse, or those from certain cultural/religious groups). Staff are made aware of these pupils, and we pay careful attention to issues of gender and privacy, and to any specific requirements of certain cultural/religious groups.

Staff will ensure a calm and measured approach to the situation. During restrictive physical intervention staff will always try to maintain the dignity and self-respect of the pupil both during and after the restraining process. Where possible, onlookers and observers who are not essential to defuse the situation will be removed from the area.

Staff will reassure the pupil throughout the incident repeating that the restraint will stop as soon as it ceases to be necessary (unless an individual protocol is in place). The pupil's release from restraint should be planned, agreed and gentle. Close supervision of the pupil will be necessary. A teacher (or senior member of staff) will explain the reasons for the use of restraint and the pupil's views on the incident should be sought.

## **POST-INCIDENT SUPPORT**

Incidents that require the use of restrictive physical interventions can be upsetting to all concerned and result in injuries to the child or member of staff.

After incidents have subsided, staff and children will be given emotional support by the Headteacher, Deputy Headteacher, Pastoral Lead teacher or learning mentor, and basic first aid treatment for any injuries by the school's first aider or appointed persons.

All injuries will be reported and recorded. An SO1/SO2 online form will be completed in accordance with RIDDOR and LA procedures.

## **USE OF RESTRICTIVE PHYSICAL INTERVENTIONS IN UNFORESEEN AND EMERGENCY SITUATIONS**

Schools should acknowledge that, on occasion, staff may find themselves in unforeseen or emergency situations when they have no option but to use reasonable force to manage a crisis. It is recommended that:

- Before using force – staff attempt to use diversion or defusion to manage the situation.
- When using restricted physical intervention – staff must use techniques and methods (Team Teach) with which they are familiar, confident and are permitted by the setting.
- In exceptional circumstances (where permitted techniques are ineffective or staff are unfamiliar with the action they should take) staff shall manage the situation as best they can to comply with [Section 550A of the Education Act 1996](#).
- Staff must always report and record use of physical force that occurs in unforeseen or emergency situations using the school's reporting procedures described below.

## **POSITIVE BEHAVIOUR MANAGEMENT**

All staff should adopt a positive approach to improving behaviour in order to reward effort and application, and to build self-esteem. The school, in partnership with those who know the child, to help those concerned:

- Find out why this child behaves as he or she does.
- Understand the factors that influence the child's behaviour.
- Identify early warning signs that indicate foreseeable behaviours are developing.

This approach will help to ensure that early and preventative intervention is the norm. It should reduce the incidences of extreme behaviour and make sure that the use of physical force is rare.

School staff will refer to the Good Behaviour Policy when developing and implementing Safety and Support Plans. All behaviour management plans will be formally agreed in partnership with

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parents (or those with parental responsibility) and other statutory agencies working with the pupil before implementing them.

The plan will set out the action to:

- Meet the pupil's need.
- Encourage the pupil to make positive choices and develop self-control.
- Support the pupil in difficult situations.
- Safely manage crises if and when they occur.

## **RECORDING THE USE OF RESTRICTIVE PHYSICAL INTERVENTIONS**

Incidents of restrictive physical intervention must be recorded by staff using the [Leicester City Physical Intervention Record](#). A copy of each form will be added to CPOMS under the Team Teach category, ensuring all relevant staff are alerted.

The form must be completed within 24 hours of the incident however, it is preferable that this is fully completed by the end of the day that the incident takes place.

The school will also inform the parents or those with parental responsibility and the child's social worker (if applicable), as soon as is practicable, to inform them that a restrictive physical intervention has taken place. The following information must be provided:

- When and where the incident took place
- Why physical intervention was used
- What physical intervention was used (disengagements, holds, transitions)
- Whether there were any injuries
- What follow up action (support and /or disciplinary) was being taken in relation to their child

Details on the conversation will be recorded on CPOMs.

## **WITHDRAWAL/TIME AWAY**

Children are encouraged to take themselves to a safe space when they are displaying crisis behaviours and need some time away from their peers. On occasion staff will direct pupils to the safe space using language and/or visual communication aids.

There are some occasions where a small number of pupils display crisis behaviour before choosing or being directed to the safe place. On these occasions staff may choose to make the environment safe by asking other pupils and staff to go to an alternative room. Alternatively, staff may choose to physically escort the pupil to the safe place in order to manage the crisis behaviour and make the situation safe following our Physical Intervention Procedures.

Pupils who are struggling, being disruptive or behaving dangerously towards others or themselves, may be supported or supervised away from other staff and pupils in a quiet room. Once calm, they are expected to complete their work tasks. At Stokes Wood children are not secluded (that is, in a room behind a closed door in a room on their own without supervision), more information on seclusion can be found in Appendix 2.

## **SAFETY AND SUPPORT PLANS**

Where specified in a risk assessment or after any incidence of restrictive physical intervention a Safety Support Plans (SSP) is drawn up by the SENDCo, class teacher and other relevant staff, using the agreed school proforma on Provision Mapping.

An SSP is the agreed strategies (non-verbal, verbal and physical) that aim to support the pupil, providing them with a sense of security, safety and acceptance, allowing for recovery and repair, facilitating learning and growth.

SSP's are working documents and are reviewed termly by the SENDCo/Pastoral Teacher, class teacher and other relevant staff regularly to ensure that they are still effective and consider the relevant needs of the child.

Schools do not require parental consent to use force on a pupil but makes policies available to parents. All SSP's will be shared with the child (where appropriate), parents, class team involved with the child and then made available for all on Provision Mapping.

SSPs will be shared with new staff when a pupil transfers between classes and when they transfer to a new school. Consistency of practice will be a focus during transitions.

## **RESPONDING TO COMPLAINTS**

The use of restrictive intervention can lead to allegations of inappropriate or excessive use.

If a child or parent/carer has a concern about the way restrictive physical intervention has been used, complaints will be managed following the school's complaints procedure.

Where there is an allegation of assault or abusive behaviour, the headteacher will be immediately informed and follow our child protection procedures.

## **MONITORING USE OF RESTRICTIVE PHYSICAL INTERVENTIONS**

Use of physical intervention in setting will be monitored in order to help staff learn from experience, promote the well-being of children and provide a basis for appropriate support. Monitoring can help to determine what specialist help is needed for children and to assess the appropriateness of the child's placement at the school. Information on trends and emerging problems will be shared with the staff at staff and team meetings. Monitoring information will be reported to the Governors in the Headteacher's Report to the Governors.

## **Appendix 1: Unacceptable Practices**

[The Children Act 1989](#) and [Regulation 17 of Children's Home Regulations 2001](#) make it clear that staff should not act in a way that might reasonably be expected to cause injury, e.g. by:

- Twisting or forcing limbs against a joint.
- Pinning pupils against walls or furniture.
- Slapping, punching or kicking at pupils.
- Techniques which restrict circulation or breathing.
- Holding or pulling a pupil by hair or ear.
- Holding a pupil face down on the ground.

In addition to the above, will avoid:

- Any holding down which may be interpreted as being of a sexual or indecent nature, e.g. keep hands away from the upper thigh or breast region.
- Sitting on a pupil.

## **Appendix 2: Seclusion**

**The following advice has been provided by Leicester City SEMH team.**

Seclusion is the act of isolating an individual from other people.

In a court case (S v Airedale NHS Trust 2002) seclusion was defined as:

*'The supervised confinement of a patient in a room, which may be locked [my emphasis] to protect others from significant harm. Its sole aim is to contain severely disturbed behaviour which is likely to cause harm to others.'*

Seclusion should be used as a last resort, for the shortest possible time. Seclusion should not be used as a punishment or threat; as part of a treatment programme; because of shortage of staff; where there is any risk of suicide or self-harm. It should be considered to be a form of physical intervention and should be recorded. Use of seclusion outside the Mental Health Act should only be considered in exceptional circumstances and should always be proportional to the risk presented by the child.

It is an offence to lock a child in a room without a court order (even if they are not aware that they are locked in) except in an emergency when for example the use of a locked room as a temporary measure while seeking assistance would provide legal justification. The use of double or high door handles in classrooms or locking outside doors, as a safety measure and/or security precaution when children are supervised by an adult would be considered a reasonable measure to prevent a significant risk of harm within a school's duty of care to its pupils.

This differs greatly from the use of "withdrawal/time away" when a pupil is isolated within school as an internal exclusion in that the pupil is not locked in a room.

Seclusion is resorted to in extreme cases, as an emergency procedure that is where there is a significant risk that the person presenting the challenging behaviour poses a physical threat to other people and no other method of management has proved effective in preventing the possibility of harm being caused. Seclusion cannot be used where the threat is only of a destructive nature, that is, directed at objects in the environment.

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Seclusion is a difficult experience for people who are subjected to it. Being denied their freedom of movement, confined within a place and set apart from others, all under the watchful eyes of a carer can be interpreted as a form of imprisonment, which implies the elements of fault, responsibility and punishment. Other people, for example some people with autism, may actually prefer seclusion to being held by another person.

Current National Guidance ([Use of Reasonable Force from DfE](#)) does not refer to seclusion at all.