



Preston & Wingham Primary Schools Federation

# **Positive Handling Policy**

Reviewed – 13/07/2015

## Preston & Wingham Primary Schools Federation

### Positive Handling Policy

#### **STATEMENT OF SAFEGUARDING CHILDREN**

The Preston & Wingham Primary Schools Federation has a duty to safeguard and promote the welfare of children who are our pupils. This means that we have a Safeguarding Children Policy and Procedures in place. Our federation and school specific policies are available on each schools website or from the school office. All staff including our volunteers and supply staff must ensure that they are aware of our procedures. Sometimes we may need to share information and work in partnership with other agencies when there are concerns about a child's welfare. We will always ensure that our concerns about our pupils are discussed with their parents/carers first unless we have reason to believe that this is not in the child's best interests.

Our Designated Safeguarding Leads are: the Executive Headteacher, the Heads of School and the Inclusion Leader.

#### **Positive Handling Policy**

This policy sets out the framework for the use of reasonable force or positive handling, but it must be clearly understood that this should always be set within the school's overall behaviour management framework and is only used as a last resort under-pinned by sound risk assessment. Providing successful inclusion may necessitate physical restraint but only as one of the strategies available for the management of challenging behaviour. Only in the event of failure of clearly defined protocols to bring control to the situation, or imminent danger to persons, should positive handling be considered. Legislation that came into force on 1.9.98 (Section 550 of the Education Act 1996) together with national guidance (DfES Circular 10/98), establishes the power of teachers and other staff to use reasonable force if required. This applies to all occasions when that member of staff is in charge of children both on and off school premises. There is no legal definition of reasonable force, this would depend on the individual circumstances of each case. Only a court may judge what is reasonable in terms of the amount of force used in physical handling and obviously does so retrospectively.

Reasonable force would not include any of the following:-

- Holding a child around the neck, collar or other way that may restrict breathing
- Slapping, punching, kicking or tripping a child. Holding or pulling a child by their hair or ear.

- Twisting or forcing limbs against joints.
- Indecently touching or holding.
- Holding a child face down on the ground
- Lifting a child off the floor in order to intimidate

**N.B. An adult in charge of children has a responsibility to intervene in the event of the following types of incident.**

Types of incident where the use of force may be necessary are given as:-

- **Action due to imminent risk of injury**
- **Action due to imminent risk of significant damage to property**
- **Action where a pupil is compromising good order and discipline**

The third type of incident is unlikely to be cause for restraint in a primary school setting as it is usually possible to remove the rest of the children from the scene and allow the child concerned to calm down safely.

The definition of restraint is **the positive application of force with the intention of overpowering the child**. The use of restraint requires skill, judgement and knowledge of non-harmful methods of control. Reasonable force would include those methods taught and practised in TeamTeach 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 should always be the minimum needed to achieve the desired result. In all cases, the person exercising the restraint must have received appropriate approved training.

Staff must take into account if the needs of the individual child and follows any guidelines which have been issued.

In the event of restraint becoming necessary, before touching the child, the member of staff should advise the child calmly and repeatedly about what they are going to do and why, and how the child might change his/her behaviour, in order that the restraint would become unnecessary. Any other children and adults present should also be warned.

**Note: this warning must not comprise of any threat of unlawful attack.**

A second adult should be called to reduce the risk of the member of staff or child suffering bodily harm and as a witness if allegations of assault are made later by the child.

While intervening, the member of staff must:-

- employ minimum physical force necessary for the minimum period needed
- wherever possible keep talking to the child and give choices as to how they could behave in a manner that would end the need for restraint
- avoid committing any act of punitive violence

- keep his or her temper

Types of restraint which may be appropriate:

- Any holding tactic in which a young child is restrained without injury until the young child calms down
- Physical contact with a young person designed to control the young person's movements, which pose a danger (e.g. holding by the arms against the side of the body). Standing by the side of the young person is likely to minimise the risk to adult and young person.
- The holding of a young person's arms or legs to prevent/restrict striking/kicking.
- The use of sufficient physical force - without causing injury - to remove a weapon/dangerous object from a young person's grasp (if foreseeable this requires specialised training).
- Physically preventing a young person from exposing themselves to possible danger by leaving the premises.

**Pupils should not be placed on the floor. Specialist accredited training is necessary for this procedure.**

If restraint is required for an extended period (for example, more than five minutes), a senior member of staff must monitor the situation closely with a view to safeguarding the child and the staff concerned. After the incident, it is vital that a full report is completed by all concerned and a de-briefing session is held in order to support the child, the members of staff involved, any other children involved and the parents. In the event of an incident when physical restraint is required, an incident form will be completed within 24 hours. If possible, all staff and children involved will undertake a de-briefing meeting with a member of the Senior Leadership Team (SLT) within 24 hours. The parents/guardians or carers should meet with the SLT member as soon after the incident as possible. Copies of the form will be kept in the child's file and copies added to special educational needs files and sent to all concerned in the incident including parents. If an injury has been incurred to anyone involved, the usual procedures regarding this will be followed. If physical restraint is necessary to manage the behaviour of an individual, it would be appropriate to instigate a **Pastoral Support Plan (PSP)** during de-briefing meetings. In the event of physical restraint being necessary on more than one occasion, it would be appropriate to include **positive handling advice** on the class provision map. It may also necessary to compile an **individual risk assessment** in discussion with all staff, parents and any relevant outside agencies. In the case of a child with a **statement** of educational needs, there will be opportunities to address issues of challenging behaviour at annual review meetings and an interim review organised in exceptional circumstances. **Looked-After Children** will have a **Personal**

**Education Plan** which features planning and strategies to address challenging behaviour, where appropriate.

The Senior Leadership Team and Governors need to ensure that all authorised teachers and other authorised staff are appropriately trained and updated by Kent County Council approved trainers and accept the responsibility of their role by being aware of the guidelines in this policy. Records are to be kept of any physical restraint or incident involving physical contact. These are to be clear, comprehensive and prompt (completed within 24 hours of incident). Parents must be informed and consulted each time a form is completed. These records will be part of an ongoing annual review procedure that examines practice and informs future planning. In addition the Inclusion Leader will assist the executive headteacher, in monitoring and reviewing.

The Senior Leadership Team and Governors need to ensure that, as far as possible, preparation and planning has taken place to identify areas where physical restraint might be used. However, the school may also have to intervene in circumstances where preparation and planning have not been possible. When physical restraint takes place, the school will always endeavour to protect children and adults from physical harm, however, there may be cases in which some discomfort and/or bruising may occur, to both staff and children, as a result of the restraint taking place.

If, after receiving the report of an incident where physical intervention has occurred, the Executive Headteacher considers the school's guidelines have been seriously breached and that further investigation is warranted, the incident should not be pursued, but action in accordance with Safeguarding/Child Protection procedures must be taken. In these circumstances, any school internal investigations must cease and no further statements should be taken. If the school's guidelines have been breached, the Executive Headteacher will contact the LA Personnel Division and advise the staff member to consult his/her professional association.

### **Disability Equality**

The Preston & Wingham Primary Schools Federation is committed to offering an inclusive curriculum to ensure the best possible progress for all of our pupils whatever their needs or abilities. Pupils have Special Educational Needs if they have a learning difficulty which calls for special educational provision to be made for them. Pupils with a disability have special educational needs if they have any difficulty in accessing education and if they need any special educational provision to be made for them, which is anything that is additional to or different from what is normally available in schools in the area.

The Preston & Wingham Primary Schools Federation undertakes the duties, including in relation to this policy:

- Not to treat disabled pupils less favourably for a reason which relates to their disability
- To take reasonable steps to avoid putting disabled pupils at a substantial disadvantage
- To do our best by all disabled members of our school community in relation to the requirements of this particular policy

### **Gender Equality**

The Preston & Wingham Primary Schools Federation fully recognises its duty to comply with equality and diversity legislation, and its Single Equality Scheme sets out the school's aims in relation to equality and what it will do to ensure that equality is fully embedded in practice. The school fully acknowledges its responsibilities in terms of equality issues in relation to gender, age, race, disability, religion or belief, sexual orientation and gender reassignment, including in relation to this policy. The Preston & Wingham Primary Schools Federation is firmly committed to equality and diversity, and when carrying out our functions, we shall have due regard to the need: to eliminate unlawful discrimination and harassment; to promote equality of opportunity between men and women.

**This Policy should be read in conjunction with the Federation's 'Safeguarding Children Policy' and the federation's 'Behaviour and Discipline Policy'.**