

<b>POLICY NAME:</b>	<b>Positive Handling Policy</b>
<b>APPROVAL BODY:</b>	<b>Local Governing Body</b>
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## **Positive Handling Policy**

### **The Rationale**

Our objective at Kingsway Park High School is to create a World Class Learning Experience and we believe that this can be achieved through building positive relationships, working in partnership with others and professional learning.

We are an inclusive school whose values are based on high trust, high expectations and collective responsibility. We have sought to learn as a professional community the challenges some of our children bring then they come to us either through additional needs and/or the influences of home/neighbourhood/context. We have engaged in learning about trauma, adverse childhood experiences, and strategies to address youth violence, substance misuse and mental health. Our inclusivity permeates through the school.

Nevertheless, our overriding universal strategy has to be to keep children safe in a calm and supportive environment. Only this way will we help keep children mentally and physically well. In a large, busy school it is important that we have high standards of positive behaviour and that we support students through maintaining a visible presence. At times, however, an incident may occur whereby members of staff make a judgement to positively handle a student after all other approaches have been tried or in situations of clear danger to themselves or others and this policy sets out the duties expected by staff and the leadership team at Kingsway Park.

### **Context**

In general it is important that adults working in school avoid physical contact with students but it is neither desirable nor possible to have a total 'no contact' policy as there are a variety of situations where this would not be reasonable (for example: when providing first aid or demonstrating the use of a sports technique or musical instrument). One such occasion where contact may be necessary is where there is a need for appropriate physical restraint or the use of reasonable force, both of which are permitted in law. This policy should also be seen in conjunction with the right to search students.

### **Statutory Framework**

Section 93 of the Education and Inspections Act 2006 and further guidance issued by the DfE in July 2013 (Use of reasonable force - Advice for Headteachers, staff and governing bodies) enables all members of school staff to use such force as is reasonable in the circumstances, to prevent a student from doing, or continuing to do, any of the following:

- Committing a criminal offence.
- Causing personal injury to, or damage to the property of, any person (including themselves); or
- Prejudicing the maintenance of good order and discipline at the school or among any students receiving education at the school, whether during a teaching session or otherwise.
- 'Reasonable in the circumstances' means using no more force than is needed.

## **Purpose**

The purpose of this policy is to make clear the position of our school with regards to the use of necessary physical intervention/s and to safeguard the well-being of students and staff when a situation or incident requires the use of physical intervention. It is the objective of Kingsway Park High School to maintain consistent and safe practices in the use of handling, reasonable force & restraint.

## **Definition of Terms:**

**Handling** – refers to any physical intervention applied by a member of staff where it is necessary to make physical contact with a student in order to manage their conduct or ensure their own or others safety. Handling strategies may be restrictive or non-restrictive and include shepherding, guiding, supporting, blocking, confining, holding and, in the most extreme cases, restraining.

**Use of Reasonable Force** – is the application of appropriate and proportionate force required to achieve the required outcome from the handling strategy employed (see above) without further endangering the student, member of staff or others present at the time of the physical intervention.

**Restraint** - is the positive application of force in order to actively prevent a child from causing significant injury\* to him/herself or others or seriously damage property.

\*Significant Injury would include: actual or grievous bodily harm, physical or sexual abuse, risking the lives of, or injury to, themselves or others by wilful or reckless behaviour, and self-poisoning.

It must be shown that on any occasion where physical restraint is used, there were strong indicators that if immediate action had not been taken, significant injury would have followed.

## **When can handling, reasonable force or restraint be used?**

Staff considering handling, the use of reasonable force or restraint should attempt to provide an opportunity for the student to alter their behaviour/actions before employing a physical intervention strategy using de-escalation techniques and should continue to make instructions to the student and details of their intended interventions clear. For example, "I am going to have to stop you hurting that member of staff/student....."

Except in cases where there is immediate danger, we would normally try resolving a situation through de-escalation. This could include the CALM technique;

C – Communication – Positive stance, manner, posture, gestures, and facial expression. Use the student's name and emphasise you are here to help and will listen.

A – Awareness and Assessment – Read the student's behaviour record – what might happen. Does the student have a positive handling plan.

L – Listening and Learning – Give time and space – give the student a way out.

M - Making Safe – Make the immediate environment safe – check objects and try to do a visual risk assessment of potential dangers of the surroundings you are in.

Staff may also try;

1. Calmly re-stating the rules and expectations.
2. Removing other students from the incident who may be at risk through being an audience.
3. Encouraging the student to withdraw to a safer and calmer environment.
4. Calling another adult for support or to take over.

No member of staff should intervene physically if they have reason to believe that to do so would worsen the situation/incident that is taking place. The decision to handle, use reasonable force or restraint is down to the professional judgement of the staff member concerned and should always depend on the individual circumstances. Any action taken must be in the best interests of both the student and staff member. Failure to take such action could be regarded as negligence on the part of the individual staff member. There is no need for parental consent prior to its use but reasonable adjustments need to be taken into account and be made for disabled students and students with a statement of special educational need.

**N.B. There is a difference between emergency intervention and that which can be anticipated for some children with complex learning difficulties and, if necessary planned for with risk assessments and an individual handling plan.**

It is not possible to provide a comprehensive list of all the situations in which it might be appropriate to handle, use reasonable force or restrain and they will in practice be rare but some examples of where they may be necessary include:

- Removing disruptive students from a classroom where they have refused to follow an instruction to do so.
- Preventing a student behaving in a way that seriously disrupts a school event.
- Preventing a student leaving a classroom where allowing them to leave would seriously risk their safety or lead to behaviour that disrupts the behaviour of others.
- Preventing a student from attacking a member of staff or another student.
- Restraining a student at risk of harming themselves through physical outbursts.
- Physically separate students found fighting.

Wherever possible, assistance should be sought so as to avoid one to one situations. Any other students at risk should be removed from the situation.

It is **always unlawful to use force as a punishment.**

## **Specialist Training (TEAM TEACH)**

Reasonable force is not defined legally in isolation. It must be justified as appropriate by the circumstances. We use only the minimum force that is needed to restore safety or appropriate behaviour. We take account of the age, understanding and gender of the student. An uncaring attitude is likely to provoke students. The TEAM TEACH approach advocates:

- At least two members of staff
- Minimum force and time
- Maximum care and control
- Reasonable force used as a last resort after the use of behaviour management strategies

Acceptable forms of intervention in this school include all stipulated on the TEAM TEACH foundation course. (Friendly hold, single elbow, double elbow, figure of four, the wrap, etc) which allow:

- Leading or guiding a student by the hand or arm or shepherding them with a hand in the centre of the back.
- Holding a student who has lost control until they are calm and safe.
- Physically moving between and separating two students.
- Blocking a student's path.
- Preventing immediate risk of injury, so any necessary action that is consistent with the concept of 'reasonable force' – for example to prevent a student running into a busy road or hitting or hurting someone.
- The use of more restrictive holds in extreme circumstances.

It is also acceptable for doors to be locked to ensure student safety, as long as a member of staff is always with the student in such circumstances (care needs to be taken here regarding Health and Safety Fire Regulations). Staff may move, defend themselves, lead, restrain or block someone as long as they are considering their own safety as well as that of others, especially the child being restrained.

It is unacceptable and likely to be illegal for staff to use any physical intervention designed to cause pain or injury including:

- Any form of corporal punishment, slapping, punching or kicking.
- Holding by the neck or collar, or otherwise restricting the ability to breath.
- Holding by the hair or an ear.
- Twisting or forcing limbs against a joint.
- Tripping up a student or holding an arm out at neck or head height to stop them.
- Holding a student face down on the ground or sitting on them.
- Shutting or locking a student in a room, except in extreme situations whilst summoning support.

Staff should also avoid touching or holding a student in a way that might be considered indecent. The dignity of students is vital, and we need to foster their self-respect.

NB – In exceptional circumstances, it may be necessary to use physical intervention on intruders from outside the school community. (Again, use de-escalation techniques first) The police may need to be called in extreme situations.

A list of staff that are trained in Team Teach will always be available in Main Reception.

## **Reporting and Recording**

Following a significant incident of physical intervention, where a student has resisted or challenged, and force has been used, the teacher or adult involved should immediately inform the Headteacher (or to the deputy Headteacher in the Head's absence). The school acknowledges that such events are stressful for both students and staff, and both parties will need time to recover, with the chance of debriefing and resolving the situation. They should be given reassurance and guidance as well as time to sort themselves out both physically and emotionally. Time should be taken to support the staff to reflect on the incident in a non-blaming, supportive, and caring manner.

It is the responsibility of the intervening member of staff to complete the Positive Handling intervention form - Appendix A (copies are available from K Smith) for any incident involving the use of physical force. This must be completed on the day the intervention took place and the Headteacher must be notified. A copy of each completed form is stored in a folder in K Smith's office.

Further details regarding the incident may also be added to this paperwork as appropriate by the Headteacher. This will include a brief outline if parental contact is to be made. Other accounts of the same incident may also be taken including those of the student/students involved and as available any witnesses. The organisation of these witness statements would usually be led by the Pastoral team as instructed by the Headteacher. Best practice requires that these statements should be a description of the behaviour and action taken with no unnecessarily emotive or judgemental language.

The Headteacher (or Deputy Headteacher in their absence) will decide on how best to report the incident to parents/carers. The Headteacher will also inform any other necessary agencies/authorities of the physical intervention if it is appropriate to do so (i.e. LADO). The circumstances and nature of the physical intervention will also be held on CPOMS and on the record of the student involved. For the safeguarding of both staff and student, any subsequent investigation of the situation/incident should be undertaken by a member of staff other than the one applying the physical intervention. The Headteacher will keep an up-to-date record of any such incidents, within a referenced and incident book.

The Head teacher is responsible for monitoring and reviewing the use of physical intervention within Kingsway Park High School and will report any such interventions to the school's governing body when requested to do so by the governing body.

## **Involvement of Parent and Carers**

Schools do not require parental consent to use force on a student, and parents/carers do not have to be given copies of the incident reports as a matter of routine. However, at Kingsway Park we will always inform parents/carers about serious incidents involving the use of force.

If a complaint is received from a parent/carer regarding the use of physical intervention, Kingsway Park will follow the Allegations and Management process and then seek advice from the LADO if appropriate.

A copy of the Kingsway Park complaint's procedure is available on the school website.

## **Complaints**

All complaints about the use of force will be investigated thoroughly, speedily and appropriately. Where a member of staff has acted within the law – that is, they have used reasonable force in order to prevent injury, damage to property or disorder – it will provide a defence to any criminal prosecution or other civil or public law action.

We hope that by adopting this policy, and keeping parents well informed, we will avoid the need for complaints. Any disputes that do arise about the use of force by a member of staff will be dealt with in accordance with the “Dealing with allegations of abuse against teachers and non-teaching staff” produced by the Department for Education in 2012.

Complaints about this policy should be directed to the Chair of Kingsway Park High School Governors.

## **Searching Students**

On occasion a member of staff may have reasonable grounds to suspect that a student is in possession of an item or items which contravene school regulations and could potentially cause harm to the student or others. Prohibited items as specified by legislation include knives and weapons, alcohol, illegal drugs, stolen items, tobacco and cigarette papers, fireworks, pornographic images and any article that has been or is likely to be used to commit an offence or cause personal injury or damage to property.

Under these circumstances The Education Act 2011 extends the power of staff to search students without their consent. Searches will be conducted by two members of staff, at least one of whom will be the same sex as the student.

Kingsway Park High School does not endorse and will not undertake a physical search of any students' person. Where necessary a student will be asked to remove his/her coat and/or blazer, empty all pockets, open their bags and in some circumstances remove their shoes and socks. Possessions and items of apparel that have been removed may then be searched by the staff present. If undesirable items are discovered the school will use its power of confiscation to retain the offending item(s). Parents/carers will be contacted to explain what has been found and any subsequent sanctions that have been applied. Where appropriate, parents/carers will be invited to retrieve the offending property and asked to ensure that they are not brought to school again.

In the event that weapons, or illegal substances are discovered then protocols will be followed as per the Local Authority's weapon and drugs protocol (February 2022)



### POSITIVE HANDLING PROFORMA

<b>Date of incident:</b>	
<b>Time of incident:</b>	
<b>Place of incident:</b>	

#### Details of incident:

<b>Name of student/s involved:</b>	
<b>Name of member/s of staff involved:</b>	
<b>What happened?</b>	
<b>Was a member of staff/student injured in the incident?</b>  <b>Please give names:</b>	
<b>Did the injured person attend first aid?</b>	
<b>What was the outcome of the first aid assessment?</b>	

<b>Additional staff witnesses:</b>	
<b>Additional student witnesses:</b>	
<b>Name of staff member completing the form:</b>	