

**Plymouth
School of
Creative Arts**

make
discover
perform

Plymouth School of Creative Arts

Positive Handling Policy

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1. Background

1.1 Legal Framework

Positive Handling should be limited to emergency situations and used only in the last resort. Section 93 of the Education and Inspections Act 2006 and DfE Guidance July 2013 (DFE-00295-2013) allow teachers, and other members of staff at a school who are authorised (see Appendix 5) by the Headteacher, to use such force as is reasonable in circumstances where the student may need to be prevented from engaging in behaviours which are likely to cause injury to themselves, others or damage to property. The guidance extends this to maintaining good order and discipline, for both on-site and off-site activities. Positive Handling should only be used when all other strategies which do not employ force have been tried and found unsuccessful or in an emergency situation. There is no legal definition of reasonable force. The Criminal Law Act (1967) allows any person to use such force as is reasonable in the circumstances to prevent an offence (e.g. physical assault) being committed. Reasonable minimal force must be a matter of personal judgement. All teachers have a professional 'duty of care' within their job description which is underwritten by the School Teachers' Pay and Conditions Document 2010. Together with the legislative framework this enables teachers and other members of staff in the school, authorised by the Headteacher, to use such force as is reasonable in the circumstances, to prevent a student from:

- Committing an offence;
- Causing personal injury to, or damage to the property of, any person (including the student himself); or
- Engaging in any behaviour prejudicial to the maintenance of good order and discipline at the school or among its students, whether during a teaching session or otherwise.

1.2 What does it mean to restrain a child?

Positive Handling is the positive application of force with the intention of protecting the child from harming himself or others or seriously damaging property. The proper use of Positive Handling requires skill and judgement, as well as knowledge of non-harmful methods of restraining. The decision to use Positive Handling as restrictive physical intervention must take account of the circumstances and be based on an assessment of the risks associated with the intervention compared with the risks of not employing a restrictive intervention. The physical intervention must also only employ a reasonable amount of force – that is the minimum force needed to avert injury or damage to property, or to prevent a breakdown in discipline – applied for the shortest period of time.

1.3 Why use restraint

Positive Handling should avert danger by preventing or deflecting a child's action or perhaps by removing a physical object, which could be used to harm him/herself or others. Positive

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Handling skilfully applied may be eased by degrees as the child calms down in response to the physical contact. It is only likely to be needed if a child appears to be unable to exercise self-control of emotions and behaviour.

2. General Aims of this Policy

2.1 The staff at Plymouth School of Creative Arts recognise that the use of reasonable force is only one of the strategies available to secure student safety/well-being and also to maintain good order and discipline. Our policy on the use of reasonable force is part of our overall pastoral care procedures and closely related to our policies on managing student behaviour and also to the Local Authority's Child Protection Guidelines.

2.2 The aims are:

- To protect every person in the school community from harm;
- To protect all students against any form of physical intervention which is unnecessary, inappropriate, excessive or harmful;
- To provide adequate information and training for staff so that they are clear as to what constitutes appropriate behaviour and to deal effectively with violent or potentially violent situations;
- To use the minimum degree of force necessary to accomplish positive handling;
- To give full support to staff who have been assaulted or have suffered verbal abuse from students or others;
- To maintain accurate records of incidents where Positive Handling has been employed.

3. Risk Assessments

3.1 Risk Assessment

Although most children at Plymouth School of Creative Arts will never require any form of Positive Handling, staff may have to deal with some children who exhibit disturbed, distressed and distressing behaviour. It is therefore necessary to carry out a dynamic risk assessment. We will attempt to reduce risk by managing:

- The environment;
- Body language;
- The way we talk;
- The way we act.

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3.2 Environmental Risk Assessment

If needed, we will complete a risk analysis within the school and put in place strategies to minimise any risks in identified locations.

3.3 Individual Risk Assessments

The school's respect for the rights of the individual takes into consideration the context of The Human Rights Act (1998) and The United Nations Convention on the Rights of the Child (1991). The school's ethos and the guidance in this policy is based on the presumption that every adult and child is entitled to:

- Respect for his/her private life;
- The right not to be subjected to inhuman or degrading treatment;
- The right to liberty and security; and
- The right not to be discriminated against in his/her enjoyment of those rights.

If we become aware that a student is likely to behave in a disruptive way that may require the use of reasonable force, it is our intention to plan how to respond if the situation arises. Such planning needs to address:

- Managing the student (e.g. reactive strategies to de-escalate a conflict, holds to be used if necessary);
- Involving the parents to ensure that they are clear about the specific action the school might need to take;
- Briefing staff to ensure they know exactly what action they should be taking (this may identify a need for training or guidance);
- Ensuring that additional support can be summoned if appropriate.

If Positive Handling is likely to be necessary the school will draw up a Positive Handling plan together with information on:

- De-escalation strategies;
- The manner in which the student will be held;
- How support can be summoned if needed;
- Any medical factors to be considered.

This will be shared with parents.

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More detailed examples of risk assessment and preventative steps can be found in [Appendix 2](#).

4. Procedures

4.1 In the event of Positive Handling having been used it is important to consider the strategies, which are deemed acceptable, and the recording procedures that should be in place.

4.2 Action Steps

- Tell the student who is misbehaving to stop and state possible consequences of failure to do so;
- If possible summon another adult;
- Continue to communicate with the student throughout the incident;
- Make it clear that restraint will be removed as soon as it ceases to be necessary;
- Appropriate follow-up action should be taken, which may include:
 - Providing medical support;
 - Respite for those involved.

A calm and measured approach to a situation is needed and staff should never give the impression that they have lost their temper or are acting out of anger or frustration when handling a problem. It is also very important to reassure any other children in the vicinity

Our Positive Handling flowchart summarises this process ([Appendix 3](#)).

4.3 Recording

Staff should record all incidents of restraint in accordance with school policy and report these to the Headteacher ([Appendix 3](#)). Details should include:

- Name of student(s);
- Staff member(s) involved;
- Factors necessitating physical intervention;
- The strategies which were employed prior to using physical intervention;
- How physical intervention was effected;

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- Outcome of restraint;
- Any other action taken in the management of the incident. Parents/carers should be contacted as soon as possible and the incident explained to them. This action should also be recorded.

5. Complaints

We all have a duty of care to the young people in our school and cannot escape our legal responsibilities by avoiding taking appropriate and necessary action. Involving parents when an incident occurs with their child, together with a clear policy adhered to by the staff, should help to avoid complaints from parents. It will not prevent all complaints, however, and a dispute about the use of force by a member of staff might lead to an investigation, either under disciplinary procedures or by the Police and social services department under child protection procedures. Staff subjected to physical violence or assault, have the right to be supported in making a formal complaint to the police and, if necessary, taking private action against an assailant. It is our intention to inform all staff, students, parents and governors about these procedures and the context in which they apply. We will review this policy on a yearly basis. Remember that adhering to the principles and procedures referred to in this policy statement is part of effective practice and should minimise risk to young people in our care and enhance our own self-protection.

6. Statement for Parents

We will make our Positive Handling Policy available on our school website. In this way, parents will be aware of:

- Our emphasis on care and protection for everyone within our school community.
- Our belief that restraint will be needed on very rare occasions.
- Our endeavour to handle situations with care and responsibility.
- Our intent to apply follow-up and repair strategies.

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Appendix 1

When might it be appropriate to use reasonable force?

When a student is found to be:

- Committing an offence;
- Causing personal injury to, or damage to the property of, any person (including the student himself); or
- Engaging in any behaviour prejudicial to the maintenance of good order and discipline at the school or amongst its students, whether during a teaching session or otherwise.

Examples of situations that fall into one of the first two categories are:

- A student attacks a member of staff, or another student;
- Students fighting;
- A student is causing, or at risk of causing, injury or damage by accident, by rough play, or by misuse of dangerous materials, substances or objects;
- A student is running in a corridor or on a stairway in a way in which he/she might have or cause an accident likely to injure her/himself or others;
- A student absconds from a class or tries to leave school (NB this will only apply if a student could be at risk if not kept in the classroom or at school).

Examples of situations that fall into the third category are:

- A student persistently refuses to obey an order to leave a classroom.
- A student is behaving in such a way that is seriously disrupting a lesson.

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Appendix 2

Strategies

All staff need to be aware of strategies and techniques for dealing with difficult students and steps, which they can take to defuse and calm a situation.

- Move calmly and confidently.
- Make simple, clear statements.
- Intervene early.
- Try to maintain eye contact.
- If necessary, summon help before the problem escalates.
- Remove audience from the immediate location.

There are situations where staff should not intervene without help. Assistance should be sought when dealing with:

- A physically large student,
- More than one student, or
- When the teacher believes that s/he may be at risk of injury.

In those circumstances where the member of staff has decided that it is not appropriate to restrain the student without help they should:

- Remove other students who might be at risk,
- Summon assistance from colleagues,
- Where necessary, telephone the police,
- Inform the student(s) that help will be arriving,
- Until assistance arrives, the member of staff should continue to attempt to defuse the situation orally, and try to prevent the incident from escalating.

The method of restraint employed must use the minimum force for the minimum time and must observe the following requirements:

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Restraint must NOT:

- Involve hitting the student;
- Involve deliberately inflicting pain on the student;
- Restrict the student's breathing;
- Involve contact with sexually sensitive areas

During any incident the restrainer should:

- Offer verbal reassurance to the student;
- Cause the minimum level of restriction of movement;
- Reduce the danger of any accidental injury.

Physical intervention can take several forms. It might involve staff:

- Physically interposing between students;
- Blocking a student's path;
- Holding;
- Pushing;
- Pulling;
- Leading a student by the hand or arm;
- Shepherding a student away by placing a hand in the centre of the back; or
- (In extreme circumstances) using more restrictive holds.

Some Dos and Don'ts

DO

- Be aware of any feelings of anger;
- Summon help;
- Continue to talk to the student in a calm way;

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- Provide a soft surface if possible;
- Be aware of any accessories worn by you or the student;
- Hold the student's arms by his/her sides.

DON'T

- Try to manage on your own;
- Stop talking even if the student does not reply;
- Straddle the student;
- Push arms up the back;
- Touch the student near the throat or head;
- Put pressure on joints.

Appendix 3

Reporting and Recording Pro-forma

The pro-forma record of positive handling will include:

- Date of incident
- Time of incident
- Student Name and Date of Birth
- Member(s) of staff involved
- Adult witnesses to restraint
- Student witnesses to restraint
- Outline of event leading to restraint – including other strategies tried and reasons for using Positive Handling rather than another strategy
- Outline of incident of restraint (including restraint method used)
- Outcome of restraint
- Description of any injury(ies) sustained by injured student and any subsequent treatment: Date parent/carer informed of incident
- Time
- By whom informed
- Signature of staff completing report
- Signature of Headteacher or designated member of strategic leadership team
- Brief description of any subsequent inquiry/complaint or action/comment or observation by parent/carer

Please refer to our Positive Handling flowchart and reporting form on the next pages.

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BEHAVIOUR IS PHYSICALLY UNSAFE FOR AN INDIVIDUAL AND/OR OTHERS

EXPLAIN what's not appropriate (and why);
MODEL the choices (and what's needed) to make the situation safe;
PRACTICE the skills and behaviours necessary for future success



More needed? Can someone else help?



SUCCESSFUL

Can the situation **around the child** be made safe (i.e. other children, adults and/or objects moved away)?



More needed? Can someone else help?



SUCCESSFUL

Can **the child be led and encouraged away** to a safer place (e.g. holding the child's hand, guiding them with a hand on their shoulder etc.)?



More needed? Can someone else help?



SUCCESSFUL

Can **the child be held safely** - gently and with as little force as necessary - **where they are**? ***RECORD***



More needed? Can someone else help?



SUCCESSFUL

Can **the child be moved safely** - gently and with as little force as necessary - **to somewhere else** where everyone is safer? ***RECORD***



More needed? Can someone else help?



SUCCESSFUL

Use the help & support of others in thinking about (and taking) 'next steps' ***RECORD***



SUCCESSFUL

CREATING INDIVIDUALS,
MAKING FUTURES:
POSITIVE HANDLING

Positive Handling – Report Form

DATE:	TIME:	LOCATION:
Name(s) & date of birth(s) of child/children involved:		
Staff involved:		
Other adults & children present (<i>witnesses</i>):		
Actions taken <i>before</i> use of Positive Handling:		
Reasons for using Positive Handling:		
Details of how Positive Handling was carried out (<i>refer to flowchart</i>):		
Outcome of Positive Handling:		
Other action taken/comments, including notification to parents: (<i>include dates/times and any responses received</i>)		

Completed by:

(Name)

(Signed)

This form must be completed in all situations indicated on the Positive Handling Flowchart (i.e. in all situations where physical intervention is used other than to support/guide the child in their voluntary actions/movements/choices). Once completed, the form must be submitted to the Headteacher.

Noted by Headteacher (signature & date):

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Appendix 4

Training

- It is the responsibility of the Headteacher to ensure that staff are fully informed of the school policy and understand what authorisation entails.
- It is the responsibility of the Headteacher to arrange training or guidance to staff, possibly through a senior member of staff.
- All staff members who have received Positive Handling training organised by the school are authorised to use reasonable force if necessary. An up-to-date list of authorised staff is maintained by the Designated Safeguarding Lead and this is shared with staff.
- There are no government approved training techniques for Positive Handling. The Headteacher may wish to consult with the Local Education Authority if any particular course of training is to be embarked upon.
- Additional advice and support on managing behaviour can be provided through the Educational Psychology Service.

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Appendix 5

Authorised Staff

From section 93 of The Education and Inspections Act 2006:

Power of members of staff to use force

(1) A person to whom this section applies may use such force as is reasonable in the circumstances for the purpose of preventing a pupil from doing (or continuing to do) any of the following, namely—

(a) committing any offence,

(b) causing personal injury to, or damage to the property of, any person (including the pupil himself), or

(c) 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.

(2) This section applies to a person who is, in relation to a pupil, a member of the staff of any school at which education is provided for the pupil.

(3) The power conferred by subsection (1) may be exercised only where—

(a) the member of the staff and the pupil are on the premises of the school in question, or

(b) they are elsewhere and the member of the staff has lawful control or charge of the pupil concerned.

(4) Subsection (1) does not authorise anything to be done in relation to a pupil which constitutes the giving of corporal punishment within the meaning of section 548 of EA 1996.

(5) The powers conferred by subsection (1) are in addition to any powers exercisable apart from this section and are not to be construed as restricting what may lawfully be done apart from this section.

(6) In this section, “offence” includes anything that would be an offence but for the operation of any presumption that a person under a particular age is incapable of committing an offence.

References used in drawing up this policy:

The Human Rights Act (1998) DfEE Circular 10/9

The following Department for Education (DfE) guidance has been considered in developing our policy and its supporting processes, and should be referred to in conjunction with this Positive Handling Policy, our behaviour Policy and our Behaviour Frames:

- [Behaviour and discipline in schools](#)
- [Preventing & Tackling Bullying](#)
- [Searching, screening and confiscation at school](#)
- [The Equality Act 2010](#)
- [Use of reasonable force in schools](#)

