



# Positive Handling Policy

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Approved by Levendale Governing Body November 2019

Signed: ..... (Chair of Governors)

## LEVENDALE PRIMARY SCHOOL

### POSITIVE HANDLING POLICY

#### 1. The Legal Framework

Positive Handling should be limited to emergency situations and used only as a last resort. Under the Children Order 1995, it is only permissible as described under the heading "Physical Control". Article 4 of the Education Order 1998 clarifies powers that already exist in common law. It 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 pupil from:

- Committing an offence
- Causing personal injury to, or damage to the property of, any person (including the pupil)
- Engaging in any behaviour prejudicial to the maintenance of good order and discipline at the school or among its pupils, whether during a teaching session or otherwise. (Examples of possible situations are given in Appendix 1)

All members of school staff have a legal power to use 'reasonable force' in line with this Policy.

This power applies to any member of staff at Levensdale Primary: it could also apply to people whom the Headteacher has temporarily put in charge of pupils such as unpaid volunteers or parents accompanying students on an organised school visit. It is an explicit understanding within this policy that certain groups of people (specifically the latter two groups) may not feel comfortable with using Positive Handling and there is no formal expectation on them to do so.

#### 2. Definition of Positive Handling at Levensdale Primary School

Positive Handling is the positive application of force with the intention of protecting the child from harming him/herself or others or seriously damaging property.

Positive Handling may take one of two forms:

- Control – this relates to passive physical contact (e.g. blocking a pupil's path) or active physical contact (e.g. leading a pupil by the arm out of a classroom).
- Restraint – this means to hold back physically or to bring a pupil under control. This is typically used in more extreme circumstances (e.g. to separate pupils who are fighting or to control a child who is endangering themselves or others by their actions).

General policy aims:

Staff at Levendale Primary School recognise that the Positive Handling is only one of the last in a range of strategies available to secure pupil safety / well-being and also to maintain good order and discipline.

Our policy on this should therefore be read in conjunction with our Behaviour and Child Protection policies.

Specific aims of the Positive Handling policy:

- To protect every person in the school community from harm
- To protect all pupils against any form of physical intervention that 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

It is understood that school staff should try to act in such a way as to avoid injury to a pupil where Positive Handling is used, however we must accept that in some cases, the use of Positive Handling techniques can result in very minor and unintentional injuries (for example, superficial scratches and/or minor bruising).

Levendale Primary School DOES NOT have a 'no-contact' policy: this would place the staff in breach of their duty of care towards a pupil and could also prevent them taking action where necessary to prevent a pupil causing harm. Please refer to Appendix 2.

### **3. Why use Positive Handling?**

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. It is only likely to be needed if a child appears to be unable to exercise self-control of emotions and behaviour.

It is not possible to define every circumstance in which physical restraint would be necessary or appropriate and staff will have to exercise their own judgement in situations which arise within the above categories. Staff should always act within the Levendale Primary Behaviour Policy and the Staff Code of Conduct, particularly in dealing with disruptive behaviour.

Staff should be aware that when they are in charge of children during the school day, or during other supervised activities, they are acting in loco parentis and should, therefore, take reasonable action to ensure pupils' safety and well-being.

Failure to physically restrain a pupil who is subsequently injured or injures another, could, in certain circumstances, lead to an accusation of negligence. At the same time staff are not expected to place themselves in situations where they are likely to suffer injury as a result of their intervention, nor should staff refrain from using appropriate physical intervention if they are being assaulted.

#### *Alternative strategies:*

There are some situations in which the need for Positive Handling is immediate and where there are no equally effective alternatives (eg is a pupil about to run across a road). However, in many circumstances there are alternatives e.g. use of assertiveness skills such as:

- the broken record, in which an instruction is repeated until the pupil complies
- use of a distracter to interrupt the behaviour (such as a fight) long enough for other methods of verbal control to be effective
- withdrawal of attention (audience) e.g. if an action such as damage to property is threatened
- other techniques designed to defuse the situation, such as the avoidance of confrontation, or use of humour (in these cases the incident can be dealt with later when emotions are no longer running high)
- the employment of other sanctions consistent with the School's policy on behaviour.

#### *Use of Positive Handling*

Positive Handling should be applied as an act of care and control with the intention of re-establishing verbal control as soon as possible and, at the same time, allowing the pupil to regain self-control. It should never take a form which could be seen as a punishment.

Staff are only authorised to use Positive Handling in applying physical restraint, although there is no absolute definition of this, as what constitutes reasonable force depends upon the particular situation and the pupil to whom it is being applied.

However, as a general rule, only the force necessary to stop or prevent the behaviour should be used, in accordance with the guidelines below.

There are some forms of physical intervention, which may involve minimal physical contact, such as blocking a pupil's path or the staff member physically interposing him or herself between the pupil and another pupil or object. However, in some circumstances, direct physical contact may be necessary.

In all circumstances, other methods should be used if appropriate. Positive Handling should be a last resort.

When Positive Handling becomes necessary:

## **DO**

- o Tell the pupil what you are doing and why
- o Use the minimum force necessary
- o Involve another member of staff if possible
- o Tell the pupil what s/he must do for you to remove the restraint (this may need frequent repetition)
- o Use simple and clear language
- o Hold limbs above a major joint if possible e.g. above the elbow
- o Relax your restraint in response to the pupil's compliance

## **DON'T**

- o Involve yourself in a prolonged verbal exchange with the pupil
- o Attempt to reason with the pupil
- o Involve other pupils in the restraint
- o Touch or hold the pupil in sexual areas
- o Twist or force limbs back against a joint
- o Bend fingers or pull hair
- o Hold the pupil in a way which will restrict blood flow or breathing e.g. around the neck
- o Slap, punch, kick or trip up the pupil
- o Act in temper (involve another staff member if you fear loss of control)

### *Actions after an incident*

Physical restraint often occurs in response to highly charged emotional situations and there is a clear need for debriefing after the incident, both for the staff involved and the pupil. The Headteacher/Deputy Head (or other member of staff with delegated responsibility in the absence of the aforementioned staff) should be informed of any incident as soon as possible and will take responsibility for making arrangements for debriefing once the situation has stabilised. An appropriate member of the teaching staff should always be involved in debriefing the pupil involved and any victims of the incident should be offered support, and their parents informed.

If the behaviour is part of an ongoing pattern it may be necessary to address the situation through the development of a behavioural IEP, which may include an anger management programme, or other strategies agreed by the SENCO, teaching/support staff and parents.

It is also helpful to consider the circumstances precipitating the incident to explore ways in which future incidents can be avoided.

All incidents should be recorded immediately. All sections of this report should be completed so that in the event of any future complaint a full record is available. A

member of the leadership team will contact parents as soon as possible after an incident, normally on the same day, to inform them of the actions that were taken and why, and to provide them with an opportunity to discuss it.

#### **4. Risk Assessments**

If we become aware that a pupil is likely to behave in a disruptive way that may require the use of Positive Handling, we will plan how to respond if the situation arises. Such planning will address:

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

#### **5. Complaints**

A clear Positive Handling policy, adhered to by all staff and shared with parents, should help to avoid complaints from parents. It is unlikely to 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. Any complaints arising from the school's approach to Positive Handling should follow the school's published Complaints Procedures.

It is our intention to inform all staff, pupils, parents and governors about these procedures and the context in which they apply.

## Appendix 1

When might it be appropriate to use Positive Handling?

Examples of situations that may require Positive Handling are when:

- o a pupil attacks a member of staff, or another pupil
- o pupils are fighting
- o a pupil is causing, or at risk of causing, injury or damage by accident, by rough play, or by misuse of dangerous materials, substances or objects
- o a pupil is running in school in a way in which he/she might have or cause an accident likely to injure her/himself or others
- o a pupil absconding from a class or trying to leave school (NB this will only apply if a pupil could be at risk if not kept in the classroom or at school)
- o a pupil persistently refuses to obey an order to leave an area
- o a pupil behaves in such a way that seriously disrupts a lesson.

## Appendix 2

It is not illegal to touch a pupil. There are occasions when physical contact, other than Positive Handling, with a pupil is proper and necessary.

When might it be appropriate to use physical contact with pupils? This is a non-exhaustive list to illustrate the impracticality of a 'no-contact' policy.

- o Holding the hand of a child at the front/back of a line when going to assembly or walking together around the school.
- o When comforting a distressed pupil.
- o When a pupil is being congratulated or praised.
- o To demonstrate a move, exercise or technique in P.E.
- o To demonstrate how to use a musical instrument.
- o To give first aid.

## Appendix 3

**RECORD OF POSITIVE HANDLING**

Date: ..... Pupil name: .....

When and where the Positive Handling took place: .....  
.....  
.....

Name of any other staff or pupils who directly witnessed the incident: .....  
.....

The reason that Positive Handling was necessary (e.g. to prevent injury to the pupil, another child or a member of staff, for example): .....  
.....  
.....

Details of how the incident began and progressed: .....  
.....  
.....  
.....  
..... (continue overleaf as necessary)

The pupil's response and the outcome of the incident: .....  
.....  
.....

Details of any injury suffered by the pupil, another pupil or a member of staff plus any associated damage to property: .....  
.....  
.....

Signatures: Member of staff reporting .....  
Headteacher/other person with delegated authority .....

Parent/carer informed:-    VERBALLY            IN WRITING            Outcome: .....