

Positive Handling Policy

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Teams > RBA Exams Team > RBA Exam Policies

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Introduction

At the Richard Barnes Academy, occasionally learners will display challenging behaviour that can necessitate the use of restrictive physical intervention to prevent injury to themselves, staff and learners, damage to property, or the breakdown of a safe and enjoyable learning environment. The aim of positive handling is not punishment or control but to support safe learning for everyone.

The policy has been written to support all staff who come into contact with learners.

Values and Principles

The Richard Barnes Academy believes that everybody in the school community:

- Has the right to feel safe, secure, and cared for.
- Has the right to access to appropriate support to manage their emotions and their behaviour.
- Should understand our values of Respect, Believe and Achieve to ensure that all staff who come into contact with learners are clear about their roles and responsibilities within the context of positive handling.
- Should be provided with information and guidance to support the school's Positive Behaviour Policy and Safeguarding and Child Protection Policy.

Staff have a responsibility to follow this policy and to seek alternative strategies wherever possible in order to maintain respect for both learners and staff through preventing the need for physical intervention. Reasonable force will only be used as a last resort when all other behaviour management / de-escalation strategies have failed or when learners, staff, or property are at risk.

Unless an unplanned emergency, positive handling should only be carried out by Team Teach trained staff using appropriate procedures and relating to the learner's Individual Risk Reduction Programme.

In the case of an unplanned emergency restrictive physical intervention may become necessary when a child or young person behaves in an unexpected way, the child or young person may not have a behaviour plan and trained staff may not be on hand. The duty of care still remains if appropriately trained staff are not on hand to assist the child or young person. The response must be reasonable, proportionate, and necessary and use the minimum amount of force necessary to prevent injury and maintain safety, consistent with the circumstances and with any training the staff may have received.

Relationship to Other Policies

This policy should be read in conjunction with the Safeguarding and Child Protection Policy and the Positive Behaviour Policy.

Relevant Legislation

The use of all forms of physical intervention and physical contact are governed by the criminal and civil law. The unwarranted or inappropriate use of force may constitute an assault. In addition, it may infringe the human rights of a child or young person.

Section 93 of the Education and Inspections Act 2006 enables school staff to use reasonable force to prevent a learner from: -

- Committing a criminal offence
- Causing personal injury or damage to a property
- Prejudicing the maintenance of good order and discipline at the school or among the learners, whether during a teaching session or otherwise.

As included in the DfE 2010 Guidance on 'The Use of Force to Control or Restrain Pupils' seclusion should only be considered in exceptional circumstances, and it is an offence to lock a person in a room without a court order. Therefore, at no time should the door be locked as to do so is unlawful and can amount to the false imprisonment of a pupil.

Government Advice Informing This Policy

Behaviour and discipline in schools: Advice for Headteachers and School Staff (January 2016)

The use of withdrawal rooms:

Schools can adopt a policy which allows disruptive learners to be placed in an area away from other learners for a limited period, in what are often referred to as withdrawal rooms. If a school uses withdrawal rooms as a disciplinary penalty this should be made clear in their behaviour policy.

The school must also ensure the health and safety of pupils and any requirements in relation to safeguarding and pupil welfare. Pupils should never be locked in a withdrawal room and be unable to leave at any time. Ideally someone should be in the room with them. Schools should also allow pupils time to eat or use the toilet.

The Richard Barnes Academy satisfies these requirements. The use of the Inclusion rooms, provides an alternative to exclusion to ensure that learners are supported to continue their education in a safe environment. Frequency and duration of the use of this room is monitored by staff.

Use of Reasonable Force: Advice for Head Teachers, staff, and governing bodies (July 2013)

- The term 'reasonable force' covers the broad range of actions used by most teachers at some point in their career that involve a degree of physical contact with pupils.
- Force is usually used either to control or restrain. This can range from guiding a pupil safely by the arm through to more extreme circumstances where a student needs to be restrained to prevent violence or injury.
- 'Reasonable in the circumstances' means using no more force than is needed.
- Control means either passive physical contact, such as standing between pupils or blocking a pupil's path, or active physical contact such as leading a pupil by the arm out of a classroom.
- Restraint means to hold back physically or to bring a pupil under control.
- School staff should always try to avoid acting in a way that might cause injury, but in extreme cases it may not always be possible to avoid injuring the pupil.

Schools can use reasonable force to:

- Remove disruptive children from the classroom where they have refused to follow an instruction to do so;
- Prevent a pupil behaving in a way that disrupts a school event or a school visit;
- Prevent a pupil leaving the classroom where allowing a pupil to leave would risk their safety or lead to behaviour that disrupts the behaviour of others;
- Prevent a pupil from attacking a member of staff or another pupil;
- Restrain a pupil at risk of harming themselves through physical outbursts;
- Stop a pupil behaving in a way that is seriously disrupting a lesson, causing distress to the pupils and/or a breakdown of order.

Schools cannot use force as punishment – it is always unlawful to use force as a punishment.

Recording

- Where physical control or restraint has been used a record of the incident will be kept. If there is a serious incident involving a pupil, not involving physical intervention, it must also be recorded. This record should be made in the 'Bound and Numbered Book.'
- An incident form needs to be completed as soon as possible after the incident prior to staff going off duty.
- Parents will be informed by telephone or email.
- Phone calls need to be logged on SIMS.
- A Health and Safety Accident/Incident Form will be completed and returned to the Authority in situations where injury has occurred to either members of staff or learners. This will be done electronically by a member of the admin team.
- Staff and learners will be given basic first aid treatment for any injuries that require treatment. Where staff and learners have been involved in an incident involving reasonable force, they should have access to emotional support. Learners can access this through the school counsellor. Staff members can access this through the Employee

Assistance Programme. Debriefing must take place as soon as possible after the incident has been dealt with.

- Any injuries must be recorded on the school's online First Aid Log. Class teachers are responsible for supporting supply staff that sustain injuries.

Action after an Incident

The Principal will ensure that each incident is reviewed and investigated further as required. It is the role of the Senior Leadership Team to support staff who work with learners who display challenging behaviour. If further action is required in relation to a member of staff or a learner, this will be pursued through the appropriate procedures:

- Review of Individual Risk Reduction Plan
- Child Protection Procedure (this may involve investigations by the Police and/or Social Services)
- Staff or learner disciplinary procedures
- RBA Positive Behaviour Policy
- Fixed Term Exclusion procedure in the case of violence or assault against a member of staff
- Risk assessment if necessary
- The member of staff will be kept informed of any action taken.
- In the case of any action concerning a member of staff, they will be advised to seek advice from their professional association or union as appropriate.

If a learner complains when force is used on them

All complaints about the use of force will be investigated by the Principal.

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 – this will provide a defence to any criminal prosecution or other civil or public law action. This reinforces the need for staff to fill in the Bound Book on the day of the incident.

Any complaints about staff will be investigated in line with the TDET Complaints Policy. If necessary the complaint will be dealt with by the Employee Code of Conduct procedures, and/or Child Protection Procedures.