



## ST MICHAEL'S C of E PRIMARY SCHOOL

### POSITIVE HANDLING AND PHYSICAL INTERVENTIONS POLICY 2016

This policy has been written in reference to **A12 POSITIVE HANDLING AND PHYSICAL INTERVENTIONS FROM THE ADMINISTRATORS HANDBOOK JAN 2016** and:

- Education and Inspections Act 2006 (Section 93)
  - The Equality Act 2010
  - *Use of reasonable force: Advice for headteachers, staff and governing bodies*,
  - DfE- July 2013
- <https://www.gov.uk/government/publications/use-of-reasonable-force-in-schools>
- *Guidance on the Use of Restrictive Physical Interventions for Staff Working with Children and Adults who display Extreme Behaviour in Association with Learning Disability and/or Autistic Spectrum Disorders* (DfES - 2002)
  - *Guidance on the Use of Restrictive Physical Interventions for Pupils with Severe Behavioural Difficulties* (DfES - 2003)
  - 'Part four: Allegations of abuse made against teachers and other staff' in *Keeping children safe in education*, DfE – July 2015

<https://www.gov.uk/government/publications/keeping-children-safe-in-education--2>

#### **Useful Contact Points:**

Schools Improvement and Advisory Service (01522/553397)

For support with managing behaviour of pupils with behavioural, emotional, social and/or mental health difficulties contact:

Lincolnshire Teaching and Learning Centre's  
Pathways Specialist Outreach Support service (01522/563571)

For support and guidance in the event of allegations of mishandling contact:

Local Authority Designated Officer (01522/554668 or 554674)

#### **Key Points**

School staff can use such force as is reasonable under the circumstances to prevent pupils from hurting themselves or others, from damaging property or from causing disorder. The use of force is reasonable if it is proportionate to the consequences it is intended to prevent. This means the degree of force used should be no more than is needed to achieve the desired result. Whether the force used is reasonable will always depend on the particular circumstances of the case.

The statutory power described above is in addition to the common law power of any citizen - in an emergency - to use reasonable force in self-defence, to prevent another person from being injured or from committing a criminal offence.

Reasonable force may also be used to search pupils, without their consent, for prohibited items including weapons; however, schools are strongly advised not to search pupils where resistance is expected, but to call the police.

Staff may NOT use force to search for items banned under school rules. See Section B16 in the **Administrators Handbook** on Powers to Search.

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

Suspension should not be an automatic response when a member of staff has been accused of using excessive force.

St Michael's school does **NOT** have a policy of 'no physical contact' because such a policy would create a real risk that members of staff might be in breach of their duty of care towards a pupil or be prevented from taking action to prevent a pupil causing harm.

At St Michael's we consider it good practice to speak with parents about any serious incident involving the use of force.

### **Pupils with SEN and/or disabilities:**

Proper account must always be taken of any particular special educational need and/or disability that a pupil might have. Under the disability provisions in the Equality Act 2010, schools may treat disabled pupils more favourably than non-disabled pupils, and in some cases are required to do so, by making reasonable adjustments to put them on a more level footing with pupils without disabilities.

When staff at St Michael's are aware that an individual pupil may be at greatest risk of needing restrictive physical interventions, it will be planned for in consultation with the pupil and his/her parents, following an individual risk assessment.

- The positive handling plan should set out the techniques that should be used, and those that shouldn't normally be used.
- The plan should be compatible with the pupil's EHC Plan/statement and properly documented with the pupil's records.
- As far as practically possible, make staff who come into contact with the pupil aware of the relevant information in the plan, i.e.:
- Triggers known to provoke difficult behaviour, preventive strategies & what de-escalation tactics are most likely to work
- Triggers known to provoke a violent reaction, including relevant information relating to similar incidents in the past
- Where physical intervention is likely to be needed, detail specific strategies & techniques that have been agreed by staff, parents and pupil.
- Decide which staff members should be called for the individual pupil concerned – not necessarily to take the action, but to be involved in the follow-up process.
- Pupils known to be at risk should be taught how to communicate in times of crisis and what strategies they can use. All staff working with the pupil should be made aware of these strategies.

The SENCO will seek advice and further guidance on the development of a pupil's individual positive handling plan from the Pathways Specialist Outreach Support Service and Lincolnshire Wolds Federation Trust.

### **Training & Risk Assessment:**

The Headteacher and SENCO will consider the needs of pupils in determining whether staff require training to enable them to carry out their duties. Decisions will be based on assessment of the frequency and severity of incidents requiring use of force that are likely to occur in St Michael's school.

St Michael's will seek to provide initial and refresher training for staff on the behaviour management policies and codes of conduct determined by the school.

Physical Control in Care Medical Panel has identified the following methods of restraint pose an unacceptable risk to children and young people – ‘seated double embrace’, ‘the double basket-hold’ and the ‘nose distraction technique’. See ‘Use of reasonable force- Advice for head teachers, staff and governing bodies’ for definitions.

In particular, staff should be given the clearest possible judgement about what situations the school considers justify physical intervention. St Michael’s will strive to actively review such training and its relevance on a regular basis as part of the Behaviour Management Policy, of which the use of restraint should form only a part. Individual risk assessments should highlight specific areas for training.

### **Situations where staff should not normally intervene without help:**

Help may sometimes be needed in dealing with a situation involving an older pupil, a large pupil, more than one pupil, or if the authorised member of staff believes s/he may be at risk of injury. For such situations, staff need to have an agreed system of communication for summoning help quickly, at St Michael’s it is the request of a ‘red rubber’. The member of staff should also take steps to remove other pupils who might be at risk.

### **Recording and Reporting Incidents:**

Systematic records are to be kept after every significant incident in which force has been used. Such records can be used to provide evidence of defensible decision-making in case of a subsequent complaint or investigation. When recording such incidents, staff should bear in mind that, if this information is passed to the police, it may be included in a Criminal Records Bureau disclosure. Schools should retain records of such incidents until the member of staff involved has reached retirement age or for 10 years from the date of the allegation if that is longer.

The DfE advise that schools speak with parents following serious incidents involving the use of force; however, schools can decide whether it is appropriate to report the use of force to parents. The Local Authority advises that Governors should be informed in due course.

**Where a member of staff or a pupil is injured during an incident, the incident should be reported using a PO3 form, available from the school office.** Please see the following link to access the online PO3 reporting form guidance. This includes a link to the online form:<http://microsites.lincolnshire.gov.uk/children/performance-assurance/health-andsafety/>

### **Complaints and Allegations:**

If a specific allegation of abuse is made against a member of staff at St Michael’s then the Headteacher will follow the guidance set out in *Safeguarding Children and Safer Recruitment in Education* and contact the Lincolnshire Safeguarding Team - 01522 554674. See also 'Part four: Allegations of abuse made against teachers and other staff' in *Keeping children safe in education*, DfE – July 2015.

Other complaints should be dealt with in accordance with the school’s complaints procedure, contacting the Local Authority and Schools Liaison Officer for advice as necessary – 01522 554884.

**Review Date: September 2017**