Positive Handling and Restrictive Physical Intervention Policy

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Person responsible for overseeing the implementation: Director of Inclusion

Chair of Trustees signature: C. L Chevassut

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Introduction

Behaviour is always a form of communication. Understanding that children are communicating through their behaviour gives adults the opportunity to respond differently. When children feel valued, respected and have their needs met, there is no longer a reason to use challenging behaviour to communicate. Punishing a child for a behaviour may stop the behaviour for the moment, but it does not give the child support or provide alternate ways to act in difficult situations. When adults help children find positive ways to communicate their needs to others, children learn important social and problem solving skills that will help them throughout their life.

The Legal Framework

Section 93 of the Education & Inspections Act 2006 allows 'teachers and other persons who are authorised by the Head Teacher who have control or charge of pupils to use such force as is reasonable in all the circumstances to prevent a pupil from doing, or continuing to do, any of the following:

- causing or risking harm or injury to themselves or others pr significant damage to property.
- leaving the classroom where allowing the pupil to leave would risk their safety
- attacking a member of staff or another pupil,

Key Legal References - This Positive Handling guidance is written with reference to the following key legal concepts and documents:

- DfE Use of Reasonable Force Guidance;
- Offences Against the Persons Act 1861 (concepts of Assault and Assault and Battery);
- Common Law concepts of false imprisonment and common law defence; Duty of Care;
- The Children Act 1989;
- DoH/DfES Joint Guidance on Physical Interventions 2002;
- The Education Act 1996;
- Education and Inspection Act 2006;
- Screening, searching and confiscation – advice for Headteachers, staff and governing bodies.
- Human Rights Act 1998;
- Disability Discrimination Act 1995; Health and Safety at Work Act 1974.

This Policy is designed to help staff to ensure that any actions they take are reasonable, proportionate and absolutely necessary. It should be considered alongside the most recent national guidance in positive handling as well as alongside the following relevant MAT policies:

- Behaviour Policy
- Exclusion Policy
- Health and Safety Policy
- Safeguarding/Child Protection Policy
- Anti-Bullying Policy
- Equalities Policies

The Last Resort Principle

At Myton Gardens Primary School we pro-actively foster positive relationships and only use reasonable force when there is no realistic alternative. This means that we expect staff to conduct a dynamic risk assessment and choose the safest alternative. We expect staff to think creatively about any alternatives to physical intervention which may be effective. There might be some situations in which the need for positive handling is immediate and where there are no equal effective alternatives, for example a child is about to run in the road. However, in many circumstances there are alternatives such as the use of de-escalation skills as taught through Team Teach Training. Some of these may include (this is not an exhaustive list)

- Use a distraction such as a whistle or loud bell to interrupt the behaviour long enough for other methods of verbal control
- Withdrawal of attention (audience) e.g. if an action such as damage to property is threatened
- Other techniques designed to defuse a situation, such as the avoidance of confrontation, or use of humour
- The employment of other sanctions consistent with Myton Gardens Relationships and Behaviour policy

Where physical interventions are needed to prevent injury to the student, other students or staff, or to prevent serious damage, these should be for the minimum length of time possible and using the least possible force. All staff must consider whether they are using reasonable force. In all circumstances other methods should be used if appropriate and effective positive handling should be a last resort. When physical handling becomes necessary staff should use the techniques taught to them in their Team Teach Training.

Our Procedure

At Myton Gardens, when it becomes necessary to hold or restrain a child, the following procedure must be followed. (Further information in SVM Positive Handling and RPI Procedure Document)

1. Physical Restraint or Handling Occurs
2. Debriefing to happen after the incident

3. Parents must be informed the same day
4. The Incident must be recorded using the CPOMS form and reported to the Head teacher the same day.
5. Positive Handling Plans, ABC Charts and Risk Assessments (as appropriate) must be updated

This policy aims to give all members of the school community clear guidance so that any physical intervention that they undertake is carried out in a way that supports the school's values. In particular, it aims to describe the circumstances in which restrictive physical intervention is an appropriate response and how staff at the school will fulfil their responsibilities in those circumstances. The school will ensure that pupils understand the need for and respond to clearly defined limits, which govern behaviour in the school.

Use of physical handling

Physical 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, allows the pupil to regulate. It should never take a form which could be seen as punishment.

Staff are only authorised to use reasonable force in applying physical handling, although there is no absolute definition of this. What constitutes reasonable force depends upon the particular situation and the pupil to whom it is being applied. Teachers should apply the Team Teach training they receive to de-escalate where possible then use the appropriate holds as practised in the training. However, as a general rule, only the force necessary to stop or prevent danger should be used.

Positive Handling Plans

All pupils who have been identified as presenting a risk should have a Positive Handling Plan (see SVM Positive Handling and RPI Procedure Document). The Positive Handling plan will detail:

- Strategies to be used prior to intervention such as specific de-escalation techniques for that child.
- Ways of avoiding 'triggers' if these are known;
- Involvement of parents/carers 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
- Identification of additional support that can be summoned if appropriate.
- Effective de-briefing plans for that child

Positive Handling Plans should be considered alongside any other planning documents which relate to the pupil. They should take account of age, gender, level of physical, emotional and intellectual development, special need and social context. Positive Handling Plans should result from multi-professional collaboration.

Staff Training – Team Teach

The Stowe Valley MAT use team Teach as their provider for de-escalation and physical intervention training. It is the policy of Myton Gardens that as many staff as is possible are trained in the de-escalation and responsive positive handling strategies and techniques of Team Teach, to complement the behaviour approaches and strategies reflected in the school's Relationships and Behaviour Policy. Where it is not possible to train all staff, the do's and don't of positive handling will be shared with staff (SVM Positive Handling and RPI Procedure Document)

It is the preference, that where possible people with Team Teach training facilitate any holds or restraints. The Headteacher will arrange training and guidance to staff as appropriate.

In cases where a Positive Handling Plan is in operation, selected staff will be trained in any physical interventions to be used. These staff will be trained by the accredited provider – Team Teach.

This school has adopted elements of the Team Teach Method for Restrictive Physical Interventions. All training courses have been led by trainers fully accredited by the British Institute of Learning Disabilities (BILD) in accordance with the DfE and Department for Health guidance, and within rigorous guidelines

Dynamic Risk Assessment

Situations may arise where pupils, where it is not anticipated, need to be held. In these situations, staff will need risk assess dynamically, using their professional judgement and training. Staff who are not 'team teach' trained may have to hold or use physical intervention to keep children safe. However, they should consider the likely risks and consequences around this before acting and try all other possible options before doing so. We have a list of key do's and don'ts for staff that has been shared – see SVM Positive Handling and RPI Procedure Document

The key principles are that any holding or physical intervention should be:

- In the best interest of the child
- Reasonable and proportionate
- Intended to reduce risk
- The least intrusive and restrictive of those options available which are likely to be effective.

Whenever a physical intervention has to be made there should be a verbal warning. Where possible, staff should always attempt to use diversion or diffusion in preference to physical interventions. They should only use the techniques and methods approved by Team Teach.

Searching pupils

In addition to the general power to use reasonable force described above, Headteachers and authorised staff can use such force as is reasonable given the circumstances to conduct a search for the following "prohibited items":

Force cannot be used to search for items banned under the school rules. 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. Students will be offered the opportunity to have their parents/carers present. For further information the DfE have provided guidance on Searching, Screening and Confiscation. 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

Complaints and Allegations

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

Monitoring and Review

Policy Review and Evaluation This policy has been developed in liaison with Trustees. It will be reviewed annually, or when relevant national or local guidance indicates additional need.