



It is important that we maintain a caring, welcoming ethos which establishes a safe, secure and stable environment to enable pupils to grow, develop and learn. Accordingly, we must take reasonable steps, through our pupil management and staff training programme, to minimise the likelihood of positive handling becoming necessary.

The majority of children do not behave in an aggressive or violent way. They attend school in an environment which is conducive to learning. For children who present challenging behaviours, redirection, diffusion, prevention and avoidance are the first tools in managing violence and will tend to make control and positive handling unnecessary in many situations. However, there may be occasions when the use of force or positive handling is appropriate and necessary. This should only be done by trained staff.

This guidance acknowledges that situations will arise for school staff in which the use of force may be required in dealing with conflict when other measures have failed or staff are taken by surprise. Although the legal framework and national guidance often refers to the “use of reasonable force”, for the purposes of this document, we shall use the term “positive handling” whenever possible. This document draws extensively on the DFE guidance, ‘Use of reasonable force’ 2013 and the DFE document Behaviour and Discipline in Schools January 2016. This states *‘Members of staff have the power to use reasonable force to prevent pupils committing an offence, injuring themselves or others, or damaging property, and to maintain good order and discipline in the classroom’*.

UNDERPINNING PHILOSOPHY

The safety of staff & students is the prime, underpinning aim of the use of force and positive handling. Reducing the need for positive handling is in line with training in behaviour management and prevention.

- Positive handling should, wherever possible, be avoided. There is no alternative (TINA)
- There are occasions when positive handling is appropriate and is in line with the duty of care members of staff have to pupils and colleagues.
- When positive handling is necessary, it must be used in ways that maintain the safety and dignity of all concerned.

PRINCIPLES

It is essential that the physical management of pupils:

- is seen as a rare occurrence and as a last resort
- seeks to ensure the safety of other children and staff
- is part of a whole school behaviour policy
- is not used to discipline or punish children

The foundation of good practice in this area is based on:

- good relationships between staff and pupils
- the positive promotion of good behaviour
- clear procedures and processes, which are reinforced inside and outside the classroom
- clear recording of all incidents
- effective links with parents
- effective links with other appropriate agencies

POSITIVE HANDLING

The purpose of positive handling is:

- To positively handle the pupil until the emotional response passes, self-control is regained and the situation is diffused;
- To limit the harm that the pupil can do to self and others;
- To demonstrate to the pupil that he/she is within safe physical boundaries and that adults can contain his/her anger.

It is helpful to distinguish between:

- Planned intervention, in which staff employ, where necessary, pre-arranged strategies and methods which are based upon a risk assessment and recorded in care plans;
- Emergency or unplanned positive handling which occurs in response to unforeseen event.

Where possible, the pupil should be advised in advance that positive handling will be used unless he/she desists. Throughout any positive handling, the member of staff should ensure the pupil understands what is happening either by talking firmly, yet calmly and quietly, to the pupil, or via a colleague, encouraging calm, letting them know the physical intervention will be relaxed as they become calm and offering the chance to talk.

THE LEGAL FRAMEWORK

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

- Committing a criminal offence (or, for a pupil under the age of criminal responsibility, what would be an offence for an older pupil)
- Causing personal injury or damage to property
- 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.

The staff to which this power applies are:

- Any member of staff at the school.
- Any other person whom the head has authorised to have control or charge of pupils. This can also include people to whom the head has given temporary authorisation to have control or charge of pupils such as unpaid volunteers (for example parents accompanying pupils on school-organised visits).
- This does not include any pupils.

The power may be used where the pupil (including a pupil from another school) is on the school premises or elsewhere in the lawful control or charge of the staff member (for example on a school visit).

MONITORING AND RECORDING

Incidents involving the use of positive handling must be clearly recorded using Appendix A and are noted in a bound and numbered book kept in the Head's office. Each member of staff involved in positive handling needs to complete the paperwork in Appendix 1.

REASONABLE FORCE

There is no statutory definition of 'reasonable force'. Whether the force used is reasonable will always depend on the circumstances of individual cases. Deciding on whether the use of force is justified will depend in part upon the context in which the misbehaviour takes place. The test is whether the force used is proportionate to the consequences it is intended to prevent. The degree of force used should be the minimum needed to achieve the desired result. Use of force could not be justified to prevent trivial misbehaviour.

However, there are two relevant considerations:

- Positive handling can be regarded as reasonable only if the circumstances of the particular incident warrant it. The use of any degree of positive handling is unlawful if the circumstances do not warrant its use;
- The degree of positive handling used must be in proportion to the circumstances of the incident and the seriousness of the behaviour.

SCHOOL POLICY

No-one likes the idea that they might need to use positive handling. The concept conflicts with many of our values as teachers and educationalists. Such views, however, can lead to an avoidance of the subject. If positive handling needs to be used, it is in everyone's interests that it is done well. This can only be achieved by proper forward planning. Staff need to know exactly what actions they are permitted

to take and should not be embarrassed about the need to do so. Above all, they need to know that their colleagues, the headteacher and governors will support their actions.

This policy should be read in conjunction with the school's Behaviour Policy.

Pupils who have very challenging behaviour require a behaviour management plan or a positive handling plan which should identify the most appropriate interventions to be used. Such a plan should involve both parents and pupils and be reviewed regularly.

PREVENTION

It is important to remember that the manner in which a difficult situation is approached is very significant and might make the use of positive handling unnecessary. The following are techniques which can have a positive effect on pupils' behaviour and may prevent the escalation of a difficult situation. Staff should be aware of such techniques as they are likely to be used as part of the school's management of pupils' behaviour.

It may help to:

Toolkit:

- move calmly
- make simple, clear statements to the pupil
- keep your voice quiet, firm and assured
- lessen the threat of your presence by sitting down or allowing the pupils space
- talk to the pupil all the time
- offer comfort, reassurance and security
- maintain eye contact
- when possible, have help at hand
- find a way to allow the pupil to 'save face'

this is not a definitive list.

It is usually unhelpful to:

- give complex advice or instructions
- speak quickly and loudly
- corner a child or stand too close
- attempt to reason by asking questions

WHAT STAFF CAN AND CANNOT DO WHEN USING POSITIVE HANDLING

Many staff are rightly concerned about the dangers of what they believe to be justified and legal use of positive handling developing into disciplinary or legal action. The purpose of this guidance is to define in detail the standards to be met in deciding upon and implementing positive handling, so that staff can be confident that, if they follow the policy and guidance, they will have the support of the Head and Governors. To assist in this purpose, the following is a list of actions, which may be presented as part of justified positive handling, which are considered acceptable and unacceptable.

Those which are acceptable are:

- The issuing of one or more verbal warnings or instructions to the student prior to positive handling (where feasible).
- The removal, as far as is possible, of onlookers and observers who are not critical to the process.
- Attempts to maintain the dignity and self-respect of the child during and after the positive handling process.
- The manoeuvring of the body, where essential, by arms being held against the side of the body ensuring breathing is not restricted (pressure should not restrict breathing). A sideways approach is safer and less open to misinterpretation.
- The consistent reminding to the child that reinstatement of self-control will begin once they have calmed.

- If the child needs to be placed onto the floor, an additional staff member, if available, is advisable.
- Children positively handled on the floor should be lowered gently to minimise the risk to the child and staff, and should be constantly informed about what is happening to them.
- Positive handling on the shoulders, and arms below the shoulders, are to be encouraged whilst the child is on the floor.
- The use of soft surfaces and finishes (e.g. carpets, sofas, etc.) and the avoidance or removal of potential weapons, such as ashtrays, knives, crockery, etc.

Those which are unacceptable are:

- Use of actions prohibited by law.
- Intentionally or maliciously inflicting pain on a child (except where essential for medical purposes). We are aware that positive handling may not be possible without the child or young person feeling some discomfort, and that the risk of this increases as the sizes and ages of children become closer to those of the staff. The point is that feeling uncomfortable is incidental to the process of positive handling, kept to a minimum and not used as a means of control.
- Deliberately encouraging conflict which is not necessary.
- Using positive handling as a punishment.
- Hitting a child.
- Forcing a pupil's arm behind their back.
- Twisting limbs.
- Pinning pupils against walls or furniture.
- Sitting on a pupil.
- Techniques which restrict circulation or breathing.
- Any holding which may be interpreted as being of a sexual nature; keep hands away from the upper thigh or breast region.

RISK ASSESSMENT

When the use of positive handling is appropriate, it is important that suitable steps are taken to minimise the risk to both staff and children.

Among the main risks to children are that positive handling could:

- be used unnecessarily
- cause injury
- cause pain, distress or psychological trauma
- become routine rather than exceptional and increase the risk of abuse
- undermine the dignity of staff, or humiliate or degrade those involved
- create distrust and undermine relationship.

The main risks to staff include injury or distress to themselves and the need to justify their actions if challenged at a later date. However, failure to take such action may also present risks, which include breach of duty of care, injury to children, damage to property and the possibility of litigation.

For those pupils who are thought to require a behaviour management plan involving positive handling, a risk assessment should be carried out.

Under what conditions can staff use positive handling?

- A pupil absconding can only be positively handled from leaving the premises if they would place themselves at risk if they were not to be kept within the school.
- It must never become a substitute for good behaviour management.
- Whilst a situation may warrant positive handling, it may be inappropriate for you to intervene without support. In these circumstances, you should do your best to remove pupils at risk and summon assistance. (This may warrant Police involvement if the pupil has a weapon.)

PLANNED AND EMERGENCY POSITIVE HANDLING

In most circumstances, positive handling will be used reactively. Occasionally, however, it may be in the best interests of a child to consider the use of such intervention as part of the overall behaviour

management of that child. It must be part of an agreed strategy to help a pupil to learn to control their aggressive behaviour. In such circumstances, it is essential to involve the parents and the child in discussions about such possible action and identify key members of staff who should know exactly what action they should take. The pupil should have a prescribed, written positive handling plan within their behaviour management plan.

Emergency use of positive handling:-

- Emergency use of positive handling may be required when pupils behave in ways that have not been foreseen by a risk assessment. Research evidence shows that injuries to staff and to service users are more likely to occur when positive handling is used to manage unforeseen events and, for this reason, great care should be taken to avoid situations where unplanned interventions might be needed.
- An effective risk assessment procedure, together with well-planned preventative strategies, will help to keep emergency use of positive handling to an absolute minimum.
- Even in an emergency, the positive handling used must be reasonable and proportional to the severity of the situation. It should be commensurate with the desired outcome and the specific circumstances in terms of intensity and duration. Before using positive handling in an emergency, the person concerned should be confident that the possible adverse outcomes associated with the intervention (e.g. injury or distress) will be less severe than the adverse consequences which might have occurred without the use of positive handling.

FOLLOW-UP AFTER POSITIVE HANDLING HAS BEEN USED

After an incident where positive handling has had to be used a follow-up session is arranged. This would involve the child and probably, but not necessarily, the member of staff who carried out the use of positive handling. This session should be conducted after a period of time when all parties have had the opportunity to reflect on the incident. It is not recommended that this session happens the same day, but the following day.

The purpose of the session would be to:

- Review events leading up to the use of positive handling.
- Discuss whether the child's behaviour could have been managed differently.
- To maintain good relationships between pupils, staff and parents.
- To learn any lessons for future practice which can inform reviews of the pupil's behaviour management plan.

STAFF TRAINING

An essential part of a successful strategy for achieving effective control and avoiding the need for positive handling is the need for a comprehensive staff training programme in positive handling. Staff who may be expected to use restrictive positive handling will require additional, more specialised training.