



## Hunnyhill Primary School

<b>Date of Review</b>	<b>March 2022</b>
<b>Next Review Due</b>	<b>March 2023</b>
Staff Responsibility	Headteacher / Inclusion Lead
Notes / Source	
Signed by Chair of Governors	

### Positive Handling Policy

#### Statement of intent

**Hunnyhill Primary School** believes that it is important to establish a safe, secure and stable environment to enable pupils to grow, develop and learn. To achieve this, the school recognises that, in certain circumstances, managing violence through positive handling may be necessary.

This policy acknowledges that situations may arise in which staff members will be required to use positive handling, and in some cases reasonable force, in order to manage conflict when other measures have failed to do so.

The aim of this policy is to ensure that actions such as positive handling and reasonable force are used in a correct and safe manner, which is in accordance with the relevant legislation and national guidance.

Although any staff can support a child to keep them or others safe, Hunnyhill Primary school staff follow the MAYBO training method and follow the 95% de-escalation techniques and have a high percentage of staff trained in this method. Supporting holds are a last resort and are used if all other methods are exhausted. Staff are trained in MAYBO.

Hunnyhill Primary School acknowledge that guidelines cannot anticipate every situation; the sound professional judgement of staff at all times is crucial.

This policy has been formulated to ensure that students, parents / carers, staff and other agencies are fully aware of the context for response to behaviour that requires physical intervention. Further

it is designed to provide detailed guidance for all concerned regarding the use of holding, escorting and restraint, including when it is appropriate to physically intervene, and what strategies must be used in so doing.

Employment with Hunnyhill Primary School, places on staff a duty of care, which includes maintaining an acceptable level of safety. Staff must therefore seek to protect students and staff from harm to the same extent, as would a caring parent. The duty of care is owed to the individual student rather than the 'ordinary' or 'reasonable' student, it is therefore important that staff take account of the individual needs of each student and those children that may need support more regularly will have an individual behaviour plan and a risk assessment formed in conjunction with the parents/carers which is reviewed regularly.

All staff have a legal obligation to safeguard the welfare of students in their care (Refer to Safeguarding Policy). Providing they follow guidelines and act in good faith they should not hesitate to act in an emergency. However, this is not to say that the use of physical contact will not be looked at to reflect and challenged to continue good practice.

Training will be provided for all staff to ensure they are confident to use appropriate methods of holding under the MAYBO training method, and will be expected to apply them to the best of their ability. Staff will be expected to undertake such training as provided and to keep themselves up to date with the methods prescribed by that training.

It is recognised that positive handling strategies, that may or may not result in restraint, are normally only applied when all forms of de-escalation and attempts to defuse situations have been unsuccessful.

The Hunnyhill Primary School Positive Handling Policy should be read in conjunction with the Behaviour Management policy, Safeguarding Policy and Child Protection Policy.

### **Legal framework**

**This policy has due regard to all relevant legislation including, but not limited to, the following:**

- The Education Act 2011
- The Children Act 1989
- The Equality Act 2010
- This policy has due regard to the following guidance:
  - DfE (2013) 'Use of reasonable force in schools'
  - DfE (2018) 'Working Together to Safeguard Children'
  - DfE (2018) 'Keeping children safe in education'
- This policy operates in conjunction with the following school policies:
  - Special Educational Needs and Disabilities (SEND) Policy
  - Positive Behaviour Policy
  - Safeguarding Policy
  - Child Protection Policy

### **Roles and responsibilities**

The governing board is responsible for:

Monitoring the overall implementation of this policy.

Evaluating the [Positive Handling forms](#) and Always Respond logs to analyse how and when positive

handling is used and identify any trends.

Reviewing this policy on an annual basis.

Responding to any complaints, in liaison with the Head teacher, from pupils or parents regarding the use of reasonable force.

The Head teacher is responsible for:

Ensuring all members of staff receive the appropriate training to use reasonable force.

Ensuring all members of staff understand the correct conduct in terms of positive handling.

Handling any allegations of abuse in line with the Allegations of Abuse Policy. · Ensuring that any member of staff who uses reasonable force completes the [Positive Handling Report Form logs on CPOMS and Always Respond system](#).

Responding to any complaints, in liaison with the governing board, from pupils or parents regarding the use of reasonable force.

The DSL/Inclusion Lead is responsible for:

Supporting the Provision lead to support the welfare of children and staff · Maintaining the [Positive Handling Forms](#) and sending this to SLT and Headteacher at the end of each term for it to be evaluated.

Review the incidents to see patterns and trends to support the children's Positive Handling plans and risk assessments where appropriate

Providing staff with annual behaviour, de-escalation and reasonable force training (MAYBO).

Ensuring all members of staff use reasonable force in accordance with this policy.

Supporting the SENCO/Provision Lead with SEND/Safeguarding and Trauma understanding.

Reviewing this policy in liaison with the headteacher and governing board .

The SENCO/Provision Lead is responsible for:

Providing training to members of staff on how to handle pupils with SEND. · Ensuring staff understand how pupils with SEND may react differently to reasonable force.

Ensuring that staff understand the additional vulnerability of pupils with SEND or medical conditions.

Developing individual behaviour plans for more vulnerable pupils and ensuring teaching staff are aware of these.

Ensuring that staff understand how reasonable force principles may need to be adapted for pupils with medical conditions.

### **What is positive handling?**

For the purpose of this policy, 'positive handling' is the positive application of force with the intention of protecting pupils and limiting damage to property or pupils/adults.

Legal framework and national guidance often refers to the 'use of force' – this policy uses the term 'positive handling' whenever possible.

Positive handling is used in the school to:

Restrain a pupil who has lost emotional self-control until the situation is diffused. · Limit the amount

of harm that the pupil involved can do to their self or others. · Demonstrate to pupils that they are within a safe environment in which adults can contain pupils' anger and other erratic emotions. Protect all pupils against any form of physical intervention which is unnecessary, inappropriate, excessive or harmful.

Positive handling will be limited to emergency situations and used only as a measure of last resort as per the MAYBO guidelines or part of an early intervention plan agreed with parents.

Where positive handling is required, the school will abide to the following guidance:

Initial intervention will always be without force.

Any physical intervention will follow other appropriate actions.

Staff will take a calm and measured approach in all situations.

Failure to positively handle a pupil who subsequently gets injured, or injures another pupil, could lead to an accusation of negligence.

Positive handling will never be invasive, humiliating, or flirtatious in nature or take a form which could be seen as punishment.

Positive handling will 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.

#### **What is reasonable force?**

There is no statutory definition of reasonable force; it will always depend on the circumstance of the case.

The use of reasonable force is only acceptable to control pupils or restrain them. 'Control' refers to either passive physical contact, such as blocking a pupil's path, or active physical contact such as leading a pupil by the arm.

'Restraint' refers to physically bringing a pupil under control, such as holding them back. This is typically used in more extreme circumstances, such as to separate two pupils fighting.

The degree of force that is used will depend on the pupil's circumstances, e.g. age. Staff members will always use actions that are appropriate and in proportion to the circumstances of the incidents.

All incidents that involve the use of reasonable force will be reported to the Inclusion Lead and Headteacher, recorded in writing and communicated to the pupil's parents. The school is able to use reasonable force in situations when but not limited to:

Disruptive children must be removed from the classroom and have previously refused to leave.

Members of staff need to control disruptive pupils on school trips, or similar. · Members of staff must prevent a pupil from leaving a classroom when doing so would lead to a risk to their safety.

A pupil is attacking a member of staff or another pupil.

A pupil is at serious risk of harming themselves and a member of staff must intervene to prevent this.

Physical intervention will never be used as a substitute for good behavioural management in accordance with the school's Positive Behaviour Policy.

### **Use of positive handling and reasonable force**

All members of staff will be permitted to use positive handling where they believe it to be appropriate, as long as all necessary precautions are taken.

The power to positively handle pupils also applies to any individual whom the headteacher has identified as temporarily in charge, such as volunteers if appropriate.

The decision to physically intervene during a situation is down to the professional judgement of the member of staff and always depends on the circumstances. Staff will always calmly communicate the reasons for their actions to the pupil and explain why it was necessary in a non-threatening manner.

Staff will never give the impression that they are acting out of anger or are punishing the child. All staff members will develop strategies and techniques for dealing with difficult pupils and situations, which they will use to diffuse and calm a situation.

In non-urgent situations, staff will always try and deal with a situation through other strategies before using force.

Staff members will always avoid acting in a way that could cause injury; however, dependant on the circumstances, this may not always be possible.

Where a member of staff believes that they are at risk, such as where an injury is likely to occur, they will not intervene in an incident without help and assistance of another staff member.

Emergency intervention is necessary when there is a high risk of pupils being injured or property being damaged.

If emergency intervention is required, a member of staff will use other methods of defusing the situation, without physically intervening, until assistance arrives.

Following the event, the pupil involved may be subject to separate disciplinary procedures, in which strategies should be formed to help avoid reoccurrence of such incidents. Where necessary, external agencies, such as the LA or the police if a crime has been committed, will be informed of the incident.

After an incident where positive handling is required, a staff member will be with the child and have a resolution to ensure relationships stay positive. The staff member involved will also be able to have time to record and reflect and restore the relationship.

The parent will be informed of all Positive handling at the end of the day and will have a chance to discuss if needed. All incidents will be reported onto our Positive handling forms and Always Respond system.

### **Calming areas**

It may be necessary to use an area or a calm room to allow the child to begin to manage their emotions in a safe environment. They may choose to take themselves to the area as an agreed calming technique or they may need to be supported to these areas to keep themselves and others safe.

The child has the right to ask to be left alone to reduce anxiety and give them space to continue to use their own calming strategies as long as it is safe to do so the adult will use professional judgement. The adults will check in and visually watch to re-engage a resolve.

Unless directly asked to leave by a child, the staff will stay with the child to help, as long as it is safe to do so, to help teach the child how to manage themselves and continue to feel safe. Staff

will continue following the MAYBO methods, individual behaviour Plans and Individual positive handling plans.

In an emergency, it may be unsafe for the staff member to stay in the room due to the risk to themselves or other children and it may be necessary to step out of the room. If this happens, staff must continue to watch and verbally support the child to begin to calm. Parents will be informed and the Provision Lead/ Inclusion Lead/SENCO/Head teacher will discuss these incidents and make sure that all children's plans are up to date. This must never be used as a punishment and only ever as an emergency for the least amount of time possible.

A reflective and restorative approach is taken with our children to make sure there is a clean slate and relationships restored as soon as possible.

## **SEND**

The school will have due consideration to the risks posed by the additional vulnerability of pupils with SEND in terms of positive handling.

The SENCO will ensure that the stipulations of the Equality Act 2010 are adhered to in relation to reasonable adjustments, non-discrimination and the Public Sector Equality Duty.

The school will adhere to its Special Educational Needs and Disabilities (SEND) Policy at all times.

To reduce the occurrence of challenging behaviour that can lead to the use of reasonable force, the Provision Lead/ SENCO will establish individual behaviour plans and positive handling plans for pupils with SEND.

The SENCO will liaise with the DSL/Inclusion Lead, in terms of using positive handling on pupils with SEND, and establish how training may need to be amended.

## **Reporting incidents**

A detailed written report will be kept of any incidents where force is used.

Immediately following an incident, the member(s) of staff involved will verbally report the incident to the Inclusion Lead/ Headteacher and provide a comprehensive written record of the situation as soon as possible, using the Positive Handling Report Form, Always Respond and log on CPOMS.

The written report of the incident must be thorough, including as much detail as possible as to what had happened before, during and after the incident, and describing any injuries incurred due to the event.

The headteacher will make the decision as to whether it is appropriate to inform the pupil's parents of the written details of an incident. If it is appropriate, the following will be adhered to:

Parents will be informed in writing and a copy of this report will be given to the member(s) of staff involved in the incident.

The report will inform parents of their right to complain about the use of positive handling and reasonable force.

If a member of staff witnesses or suspects the use of positive handling or reasonable force, where another member of staff is actively involved in physical intervention, they will report this to the headteacher immediately.

Any allegations against staff will be dealt with as a matter of urgency, and in accordance with the procedures outlined in the school's complaints policy

The headteacher/ Inclusion Lead will be responsible for conducting a thorough investigation to find out the correct details of what occurred; this may include talking to other pupils about the incident, for instance those who witnessed the event.

## **Complaints**

All members of staff will be made fully aware of the consequences and legal repercussions that can occur following the incorrect use of positive handling and force.

All complaints regarding the use of positive handling or force will be investigated in a thorough and speedy manner.

The person making the complaint is responsible to prove that their allegations are true, and therefore, it is not for the member of staff to prove that their actions were made reasonably.

In extreme circumstances, parents may take civil action or pursue a criminal prosecution. In the case where a member of staff has acted within the law, this will provide a defence to any civil or criminal prosecution.

Members of staff accused of using excessive force will not be automatically suspended as a response to the allegations. The following procedure will be adhered to:

Careful consideration will be given to whether the case warrants a person being suspended until the allegation is resolved.

The governing board will always take into account whether a staff member has acted within the law when considering whether or not to take disciplinary action against a staff member involved in an incident.

Where a member of staff is suspended, the school will ensure that the staff member has access to a named contact that can provide support and guidance.

The school will provide pastoral care to any member of staff who is subject to a formal allegation.

### **Staff training**

The DSL/Provision Lead will conduct regular safeguarding training for all members of staff, which focusses on the most effective positive handling strategies and use of reasonable force techniques. The school uses MAYBO which is 95% de-escalation techniques.

All staff will be regularly reminded of the positive handling techniques employed by the school, and will communicate these to the pupils they are in contact with.

Only techniques and strategies that have been previously discussed with the headteacher and Inclusion Lead/DSL, and have been safely demonstrated, will be used.

Staff will be made aware of subsequent risks of their actions and fully understand when it is appropriate and necessary to use such actions.

### **Monitoring and review**

This policy will be reviewed on an annual basis by the headteacher, Inclusion Lead /DSL and governing board, who will consider any necessary changes and communicate the findings of the review to all members of staff.

The headteacher/ Inclusion Lead/DSL will review records of the use of positive handling and reasonable force on a termly basis, to analyse the frequency of occurrence and determine what further measures could be taken to prevent these situations from reoccurring.



Please describe the incident and include:

1. What was happening before? 2. What do you think triggered this behaviour? 3. What de-escalating techniques were used prior to physical intervention? 4. Why was a PI deemed necessary? 5. Any other information relevant to include.

MAYBO technique(s) used (tick as appropriate)

TECHNIQUE	Non-restrictive Interventions		Restrictive Interventions	
	Prompting	Guiding	Restrictive holds	Ground holds
Assault Avoidance / Disengagement / Redirection and Guiding				
One person				
Two people				

Please give details below of hold as per MAYBO handbook ..... How long was the child/young person held? ..... If the child/young person was held on the ground:

Did they go to ground independently?\*  (e.g. did the child lift their weight off the floor, or go dead weigh Were they taken to ground by staff?\*

*\*tick as appropriate*

**Good practice dictates that schools should review what happened and consider what lessons can be learned, which may have implications for the future management of the pupil. These need not be added to this form but should be incorporated in the individual plans for the child.**

Has the child/young person been held before? Yes / No

*A child/young person should have an individual plan clearly detailing reactive strategies and physical intervention approaches if they have been involved in physical interventions on more than one occasion.*

Does the individual support plan need to be reviewed as a result of this incident? Yes / No Does the risk assessment need to be reviewed as a result of this incident? Yes / No If yes, who will action and when? (less than four weeks)

Who was the incident reported to, and when? .....

.....

Was there any medical intervention needed? Yes / No

Include names of any injured person and brief details of injuries .....

.....

.....

Please specify any related record forms

Accident Book  Anti Bullying and Racist Incident Record Form  Skin Map  Violent Incident

Record  Complaints recorded  Other (please specify)

.....

Was the pupil debriefed? Yes / No

Were staff offered a de-brief? Yes / No

Was it taken up? Yes / No

Parents/carers were informed

Date	Time	By whom?	By direct contact, telephone, letter?

Form completed by:	Name	Designation	Date and time

**If further advice is required around any issues related to physical intervention or the completion of this form please contact Helen Carlow on 01962 876217**

**Ref 4840910**

