

Shelton Junior School



Positive Handling Policy

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Introduction

This policy is provided to give guidance to staff at Shelton Junior School on the use of physical interventions, particularly the use of restraint and/or removal of pupils.

This policy should be read in conjunction with the school's Behaviour Policy, SEND Policy and the school's Complaints Policy.

At Shelton Junior School, physical restraint will be seen as a last resort to managing extreme behaviour. All staff (including support staff) are empowered to use physical restraint in extreme situations. Whenever possible two members of staff will be present when physical restraint is being used, and one of those members of staff will ideally be the Head Teacher or other member of the Senior Leadership Team. No volunteer may use any form of physical restraint or removal.

Definition of Physical Intervention

Shelton Junior School's definition of physical intervention is the positive application of force with the intention of protecting the child from harming themselves or others or seriously damaging property.

Physical intervention takes two forms, either restrictive or non-restrictive. The use of gentle physical prompting or guidance, where a child is happy to comply, or manual guidance to help a pupil working, is a non-restrictive physical intervention.

Restrictive physical interventions involve the use of force, and are associated with increased risks regarding the safety of a child and staff. This guidance is specifically concerned with the use of restrictive physical interventions, referred to as restraint or removal.

The Legal Framework

Positive handling should be limited to emergency situations and used only in the last resort. Under the Children Order 1995, it is only permissible as described under the heading "Physical Control". Article 4 of the Education Order 1998 clarifies powers that already exist in common law. It enables trained staff in the school, authorised by the Headteacher, to use such force as is reasonable in the circumstances, to prevent a pupil from:

- Committing an offence
- Causing personal injury to, or damage to the property of, any person (including the pupil himself)
- Engaging in any behaviour prejudicial to the maintenance of good order and discipline at the school or among its pupils, whether during a teaching session or otherwise.

Practical examples of these are:

- a pupil attacks a member of staff, or another pupil
- pupils fighting

- a pupil is causing, or at risk of causing, injury or damage by accident, by rough play, or by misuse of dangerous materials, substances or objects
- a pupil is running in a corridor or area of school in a way in which he/she might have or cause an accident likely to injure her/himself or others
- a pupil absconding from a class or trying to leave school (NB this will only apply if a pupil could be at risk if not kept in the classroom or at school)
- a pupil persistently refuses to comply to an request to leave an area by staff
- a pupil behaves in such a way that seriously disrupts a lesson or could cause harm to other pupils e.g destroying property, displays, throwing equipment/furniture

School Expectations

The use of restrictive physical interventions should always be considered within the wider context of other measures such as:

- Use of assertiveness skills such as 'repetition' in which an instruction is repeated until the child complies
- Use of distraction techniques/distraction to another activity
- Withdrawal of attention
- Avoidance of confrontation
- Use of humour

How to apply removal

Staff are only authorised to use reasonable force in applying restraint/removal, although there is no absolute definition of this, as to what constitutes reasonable force depends upon the particular situation.

There are forms of physical intervention which may involve minimal physical contact eg blocking path physically.

In all circumstances, physical removal should be considered the last resort. If it is necessary, the following points should be followed;

DO...

- Tell a child what you are going to do and why;
- Use minimum force necessary;
- Involve another member of staff;
- Provide another opportunity for child to do what is requested to avoid removal;
- Use simple, repetitive, clear language and instruction;
- Hold limbs above major joint if possible eg. hold arm above elbow;
- Relax removal in response to child compliance.

DON'T...

- Act in temper (involve another member of staff if you have lost control of your own emotions);
- Involve yourself in a prolonged discussion or argument with child;
- Touch or hold sexual areas;
- Twist or force limbs back;
- Bend fingers or grab hair;
- Hold child in way which restricts blood flow or breathing;
- Slap, kick or punch;
- Trip up child to restrict travel.

Physical removal should never be considered a form of punishment but 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 child to gain self-control.

Restrictive physical interventions may be used in extreme cases where a child's safety, the safety of others or property is in danger, although every effort should first be made to reduce the necessity for this.

When possible the best solution is to remove the child, if necessary by carrying to a safe area where restraint can be removed and the safety of the child and staff can be safeguarded. The Head Teacher's office, library or an empty classroom may be used. There should be two members of staff within the safe space.

It must be noted that staff in school act in 'loco parentis' at all times, and therefore must ensure that the safety and wellbeing of the pupil is of paramount importance. However, staff in schools must be aware of practice which is considered illegal. The following practices are prohibited under the Children's Act 1989:-

- The use of physical force, or to threaten to use force (for example by raising a fist or using a verbal threat), unless the circumstances give a 'lawful excuse' or justification to use force.
- The locking of a child in a room without a court order, except in an emergency when for example the use of a locked room as a temporary measure whilst seeking assistance could be legally justified.

This policy is available to all parents via the school website and a paper copy will be given upon request. It may be advisable to give a copy of this policy to any parents/carers whose child has been physically restrained.

The Head Teacher, or in his absence the Assistant Headteacher, should be informed immediately if any child is being physically restrained. Wherever possible, the Senior Leader will support in the situation.

All staff will be made aware of any child with particular conditions or disabilities where particular physical interventions could cause unexpected injury. All incidents of physical restraint must be recorded. Staff will receive training on knowledge, skills and values.

Extreme Behaviour

Guidance on the use of restrictive physical interventions for pupils with severe behavioural difficulties (DfES. Sept 2003)

This document describes how risk assessment can be used with the small number of pupils who behave in ways that make the use of restrictive physical intervention a part of their behaviour management plan.

For such pupils a formal risk assessment should be carried out. Any risk management strategy resulting from an assessment must be compatible with a positive behaviour management approach. Planned use of physical intervention must be in line with a pupil's Statement of SEND or their Education Health Care Plan. It must be documented on school records.

Reporting and Recording use of Restrictive Physical Interventions

All incidents which involve the use of a physical intervention must be clearly, comprehensively and promptly recorded on CPOMs by the senior member of staff involved. The Head Teacher is the designated member of staff with responsibility for maintaining these records.

The following information should be recorded as soon as possible after the use of a physical intervention in response to an incident:

- The date, time and location of the incident;
- The names of the staff and child/children involved;
- Those informed - eg senior staff, parents, social work, education officer, police;
- A description of the events leading up to the incident;
- The type of intervention used and the duration;
- A description of how the incident was resolved;
- Any injuries to staff or child/children;
- Damage to property or possessions;
- In the case of serious injury and/or damage to property, the names of all witnesses and notes of any interviews with witnesses;
- Additional action taken or recommended;
- In the case of serious injury, action taken - eg first aid/hospital treatment;
- Date of record
- Name of person completing the record and signature.

Reporting of Incidents

The Head Teacher or a senior member of staff should contact parents/carers 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.

Post-Incident Support

The Head Teacher or Deputy will provide support for staff and children after the incident. Injuries may be checked and first aid administered by the school first aiders. If necessary the school accident forms will be completed. Injuries will be reported to the HSE if needed.

Monitoring the use of Restrictive Physical Intervention

The monitoring of this policy and any physical restraint incidents will be completed by the Head and the Governing Body. This policy will be reviewed annually. Any significant incidents of physical restraint, especially if they result in injury to any child, staff member or property, will be reported to the Governing Body. Any physical injury sustained by staff as a result of a child's actions will be reported to the Local Authority using their own recording form.

Responding to Complaints

Any concerns or complaints will be dealt with through the systems detailed in the Complaints Policy.

Staff Training

Training in physical intervention methods that are acceptable within the school will be available and teachers and support staff will be encouraged to take up such opportunities. This training is intended to help staff to link meeting children's needs with positive behaviour management. Staff involved in implementing planned use of physical intervention, as part of a behaviour management strategy within the school, should be provided with training in the range of intervention techniques they are expected to use in their day-to-day work.

Annex A - Section 550A of the Education Act 1996

Power of Members of Staff to Restrain Pupils

(1) A member of the staff of a school may use, in relation to any pupil at the school, such force as is reasonable in the circumstances for the purpose of preventing the pupil from doing (or continuing to do) any of the following, namely —

- (a) Committing any offence
- (b) Causing personal injury to, or damage to the property of, any person (including the themselves), or
- (c) Engaging in any behaviour prejudicial to the maintenance of good order and discipline at the school or among any of its pupils, whether that behaviour occurs during a teaching session or otherwise.

(2) Subsection (1) applies where a member of staff of a school is -

- (a) On the premises of the school, or
- (b) Elsewhere at a time when, as a member of its staff, he (or she) has lawful control or charge of the pupil concerned;

But it does not authorise anything to be done in relation to a pupil which constitutes the giving of corporal punishment within the meaning of section 548.

(3) Subsection (1) shall not be taken to prevent any person from relying on any defense available to him (or her) otherwise than by virtue of this section.

(4) In this section -

"member of staff", in relation to a school, means any teacher who works at the school and any other person who, with the authority of the head teacher, has lawful control or charge of pupils at the school;

"offence" includes anything that would be an offence but for the operation of any presumption that a person under a particular age is incapable of committing an offence.

Annex B - Assessment and Management of Foreseeable Risks for Pupils who present Challenging Behaviour

Name of Pupil:
 Name of Class:
 Name of Teacher:
 Name of TA:

Identification of Risk	
Describe the foreseeable risk	
Is the risk potential or actual?	
List who is affected by the risk	
Assessment of Risk	
In which situations does the risk usually occur?	
How likely it is that the risk will arise?	
If the risk arises, who is likely to be injured or hurt?	
What kinds of injuries or harm are likely to occur?	
How serious are the adverse outcomes?	

Assessment completed by:

Signature:

Date:

Annex C - Report of Incident of Physical Restraint or Removal

SHELTON JUNIOR SCHOOL

Date	Recorded by	Location	Time
Pupils involved		Adults involved	
ANTECEDENT: Incident prior to physical restraint or removal:			
BEHAVIOUR: Reason for decision to implement physical restraint or removal:			
CONSEQUENCE: Follow-up to physical restraint or removal:			
Any injuries sustained as a result of the Physical Restraint:			
Pupil:		Adult:	
First Aid given?		First Aid given?	F2508 completed?
Signed:		Date:	

To be completed by Headteacher and/or SENCO:

Have there been any previous similar incidents?

Has a risk assessment been undertaken for this child?

Is this pupil on the SEND register:

Does this pupil have a Behaviour Support or Positive Handling Plan?

Next step:

- Risk assessment required
- Positive Handling Plan required
- Current Behaviour Support or Positive Handling Plan to be revised
- Referral to external agencies (Behaviour Support Service / Educational Psychology etc.)

Other agencies incident reported to:

Parents/Carers informed:

Signed:

Date:

This report will be saved centrally, and a copy also filed with the child's SEND records.