

# Purley Partnership Federation



## Purley Nursery School

*Achieving and growing together*



## Christ Church Primary School

*Nurturing lifelong learners with God's guidance*

### Positive Handling Policy

*Written April 2021 to be reviewed May 2024*

This policy and guidance concerns touch and the use of restrictive physical intervention for all staff working with children.

Physical contact should be appropriate to the child's needs at the time of limited duration, and appropriate given their age, stage of development and background.

'Intimate care' is dealt with in a separate Intimate Care Policy which can be found in appendix 14 of our Safeguarding Policy. This covers any task that involves the washing, touching or carrying out a procedure to intimate personal areas and is associated with bodily functions and personal hygiene, including toileting, washing and dressing.

We believe that pupils need to be safe, know how to behave, and know that the adults around them are able to manage them safely and confidently. For a very small minority of pupils the use of restrictive physical intervention may be needed, and, on such occasions, acceptable forms of intervention will be used.

The governors regard the need for physical intervention of pupils to manage behaviour as something they hope can be avoided but in extreme cases, especially to prevent a pupil harming themselves or others, including physically assaulting staff, a policy is necessary. Physical intervention should be seen within the context of the Behaviour Policy and is part of a graduated response.

#### Aims

- to ensure the provision of a safe environment for staff, pupils, parents and visitors
- to offer a secure, carefully structured environment, promoting positive behaviour, where pupils develop as confident and independent learners
- to provide all staff with the necessary support and information to enable them to understand their professional and legal responsibility in carrying out their duty of care which may, at times, involve the use of restrictive physical intervention
- to inform staff, pupils, parents, carers and outside agencies about the rationale and use of physical interventions in managing challenging behaviours warranting their use
- to establish consistent procedures for the use of all physical interventions ranging from positive handling to restrictive physical intervention of pupils throughout the schools
- to embed procedures in school practice that work towards minimal use of Restrictive Physical Intervention (RPI) and maximum use of non-intrusive intervention such as positive reinforcement, distraction and other de-escalation techniques.

## **Legal Position**

Section 93 of the Education and Inspections Act 2006 enables all school staff to use such force as is reasonable in the circumstances to prevent a pupil from doing, or continuing to do, any of the following:

- committing a criminal offence
- injuring themselves or others
- causing damage to property
- engaging in any behaviour that is prejudicial to maintaining the good order and discipline at the school.

Some examples of circumstances which may warrant physical intervention as an appropriate or necessary response include the following:

- Pupils fighting.
- A child causing, or at risk of causing, injury or damage by accident, rough play or by the misuse of dangerous materials or objects.
- A child engaged in, or on the verge of, committing deliberate damage or vandalism to property.
- A pupil running in a corridor in a way that might themselves or someone else.
- A pupil persistently refusing to obey an order to leave the classroom.
- A child behaving in a way that is seriously disrupting the session/lesson.
- A pupil absconding from a class or trying to leave the building in a risky manner.
- A pupil attacking a member of staff, a member of the public or another pupil.

In addition, under Section 550ZB(5) of the Education Act 1996, staff can use such force as is reasonable given the circumstances to conduct a search for the following 'prohibited items':

- knives
- alcohol
- illegal drugs
- stolen items
- tobacco and cigarette papers
- fireworks
- pornographic images
- any article that has been used or is likely to be used to commit an offence, cause personal injury or damage to property.

## **What do we mean by Physical Intervention?**

There are occasions when staff will have cause to have physical contact with pupils for a variety of reasons, for example:

- to comfort a pupil in distress (so long as this is appropriate to their age)
- to gently direct a pupil
- for curricular reasons (for example in PE, Drama etc)
- in an emergency to avert danger to the pupil or pupils
- in rare circumstances, when Restrictive Physical Intervention is warranted.

In all situations where physical contact between staff and pupils takes place, staff must consider the following:

- the pupil's age and level of understanding
- the pupil's individual characteristics and history
- the location where the contact takes place (it should not take place in private without others present).

Physical intervention to manage behaviour may take a variety of forms, for example:

- physically placing oneself between pupils
- blocking a pupil's path
- leading a pupil by the hand
- holding
- pulling
- shepherding a pupil away by placing a hand in the centre of the back
- removing shoes if child has kicked or attempted to kick person or property
- removing property that is dangerous or prohibited
- placing a child in a time out room or other restricted space.

### **The Support of Parents/Carers**

The use of Restrictive Physical Intervention (RPI) can be a source of anxiety for parents/carers. Both schools attempt to establish, as a priority, close working relationships with parents and carers so that they fully understand why physical intervention has been used. This school/home relationship is, in itself, a strategy for reducing the likelihood of need for RPI on any regular scale.

Christ Church School has a Home School Agreement which explains behaviour expectations as well the policies and practices that manage the more challenging behaviour. Acceptance of the place offered and the Home School Agreement indicate parental support in the application of all our behaviour management strategies to help the pupil.

### **Escorting and Holding**

The most commonly used forms of physical intervention are escorting and holding. These depend upon the degree of compliance from the child as to whether they constitute 'restrictive'. The development of trusting, confident relationships is of high priority so that children are accepting of the use of the friendly **escort** and calming **holding** to support their own efforts to manage their behaviour. These positive handling holds rarely need force and are not 'Restraint'.

### **Definition of Restrictive Physical Intervention (RPI)**

"Restrictive Physical Intervention" is the term used to include interventions where bodily contact using force is used. It refers to any instance in which a teacher or other adult has to, in specific circumstances, use "reasonable force" to control or restrain pupils. There is no legal definition of "reasonable force". However, there are two relevant considerations:

- the use of force can be regarded as reasonable only if the circumstances of an incident warrant it
- the degree of force must be in proportion to the circumstances of the incident and the seriousness of the behaviour or consequences it is intended to prevent.

The definition of physical force also includes the use of mechanical devices (e.g. splints on the pupil prescribed by medical colleagues to prevent self-injury), forcible seclusion or use of locked doors. It is important for staff to note that, although no physical contact may be made in the latter situations, this is still regarded as a Restrictive Physical Intervention.

### **Use of Restrictive Physical Intervention**

School staff use RPI as opposed to holding or escorting as the last resort after:

- appropriate de-escalation techniques have failed to help the child to control him/herself

**Or**

- instant risk assessment by staff lead them to believe that injury, or serious damage to property, is an immediate danger

**Or**

- knowledge of the child's history and behaviour pattern leads staff to believe that speedy removal from the room is necessary to prevent escalation or breakdown of the session or other pupils behaving in a similar manner

**And**

- the pupil has been cautioned that his/her continued choice of behaviour may lead to restraint.

We adopt positive behaviour management procedures to diffuse and de-escalate, including:

- requests to comply, partial agreement, negotiation
- exposition of consequences or application of sanction
- verbal advice and support, reassurance using calm talking, humour, distraction
- options offered, eg. stepping away, time out
- holding without force.

**Principles relating to the use of Restrictive Physical intervention**

- Restrictive Physical Intervention is an act of care and control, not punishment. It is never used to force compliance with staff instructions.
- Staff will only use it when there are good grounds for believing that immediate action is necessary and it is in the pupil's and/or other pupils' best interests.
- Staff will take steps in advance to avoid the need for Restrictive Physical Intervention through dialogue and diversion and at the level of understanding of the child or young person.
- Only the minimum force necessary will be used to prevent severe distress, injury, or damage.
- Staff will be able to show that the intervention used was in keeping with the incident.
- Every effort will be made to secure the presence of other staff, and these staff may act as assistants and/or witnesses.
- As soon as it is safe, the Restrictive Physical Intervention will be relaxed to allow the pupil to regain self-control.
- A distinction will be maintained between the use of a one-off intervention which is appropriate to a particular circumstance, and the using of it repeatedly as a regular feature of school policy.
- Escalation will be avoided at all costs, especially if it would make the overall situation more destructive and unmanageable.
- The age, understanding, and competence of the individual pupil will always be taken into account.
- In developing Additional Support/Behaviour Plans, consideration will be given to approaches appropriate to each pupil's circumstance
- Supporting and debriefing pupils and staff by senior staff is standard practice after every incident of Restrictive Physical Intervention, as it is essential to safeguard the emotional well-being of all involved at these times.

**Staff Training**

Staff participate in aspects of behaviour management training each year. All members of staff are authorised to use Restrictive Physical Intervention. Staff supporting particularly challenging pupils where restraint is needed from time to time have specific approved training which is refreshed annually. Training records are kept by the Deputy Head Teacher who is responsible for continuing professional development.

**Recording and Reporting**

All incidents of RSI will be recorded in the Bound and Numbered Book, which will be kept in the Executive Head Teachers Office and Head of School.

It is important that on occasions necessitating its use, RPI is recorded. This is to:

- prevent later misunderstanding of the incident
- prevent misrepresentation of the facts
- identify patterns of behaviour
- encourage pupils to acknowledge/take responsibility for their actions
- allow parents/carers to check the use of RPI at any time
- allow the Executive Headteacher or Head of School to monitor the implementation of the policy
- allow Positive Handling Plans or individual risk assessments to be developed for individual pupils who are assessed as being at greatest risk of needing RPI.

Incidents of Physical Intervention involving the use of reasonable force are recorded, giving the following information:

- pupil behaviour before and during the incident
- length, nature and location of restraint
- **verbal communication between child and adult**
- de-escalation techniques used
- **how the incident was brought to an end**
- names of any witnesses (adults & children) to the event
- details of any injuries or damage to clothing, property or building.

The report will be shared with the child who will be then be asked to sign their agreement.

### **Developing a positive handling plan**

If a pupil is identified, for whom it is felt that Restrictive Physical Intervention is likely, then a Positive Handling Plan will be completed. This Plan will help the pupil and staff to avoid difficult situations through understanding the factors that influence the behaviour and identifying the early warning signs that indicate foreseeable behaviours that may be developing.

The plan will include:

- the involvement of parents/carers and pupils to ensure they are clear about what specific action the school may take, when and why
- a risk assessment to ensure staff and others act reasonably, consider the risks, and learn from what happens
- a **record** kept in school of risk reduction options that have been examined and discounted, as well as those used
- strategies to manage the pupil and de-escalate a conflict, stating at which point a Restrictive Physical Intervention is to be used
- identification of key staff – ideally individuals who are well known to the pupil – who know exactly what is expected
- a system to summon additional support
- identification of training needs.

### **Complaints**

Staff seek to involve parents/carers in the effective management of such situations because home involvement is frequently key to behavioural change.

Despite the care taken by staff to follow procedures and ensure that incidents are positively resolved, a small number of complaints following restrictive intervention may be expected for many reasons, for example:

- Pupils with severe emotional and behavioural needs may take time to accept responsibility for their actions and seek to transfer ownership of negative behaviour to others – often the staff who have ‘controlled’ them.
- Some parents/carers find it difficult to accept that their child can behave in school in

- a manner dangerously violent or disruptive enough to have needed RPI.
- Any act of RPI carries with it a risk of accidental harm which is difficult for the injured party (who could be either the child, member of staff or passing member of the public) to accept as such.

A small number of parents/carers are unable or unwilling to support their children this closely. It is these situations that are most likely to result in a complaint, following RPI; since the parent/carer has not been fully involved in the process.

### **Dealing with Complaints**

Parents/carers must be informed by telephone (the most immediate and favoured communication method), in person, by letter or by note in home-school books of serious incidents of challenging behaviour necessitating RPI. This is the first opportunity for parents/carers to discuss any concerns they might have.

If the parent/carer or child remains anxious, an appointment can be made to discuss the incident with the staff concerned and/or the Executive Head Teacher for Christ Church Primary School or Head of School for Purley Nursery School. At this point, written records and other evidence may be consulted and shared with the parent/carer to help him/her to understand the facts. Presented with the evidence, parents/carers are enabled to see that procedures are followed and actions justified. The pupil concerned will also now, having been given the chance to re-evaluate and accept what has happened, in all likelihood confirm the facts postulated by staff and reassure the parent/carer.

If the situation cannot be resolved through informal discussion, the parent/carer may make an official complaint, which will be investigated according to the complaints policy.

### **Monitoring of the Policy and Practice of Procedures**

Following any incident of RPI, the Executive Head Teacher for Christ Church Primary School or Head of School for Purley Nursery School will receive and read the detailed account of the incident, and interview those involved if necessary. Appropriate follow-up action may then be taken. Any complaints will be recorded, including the nature of the complaint, the time taken to deal with them and the outcome.

### **Health and Safety**

Restrictive physical interventions are performed with due regard to ensuring the minimum risk to the safety of all concerned. The school has a legal duty to make reasonable adjustments for children with SEND. Where either a pupil has a medical condition (which may make some methods of intervention inappropriate), or a history of aggressive/victim behaviour all staff should be informed of the circumstances so that accurate risk assessments and reasonable adjustments can be made.

A member of staff may request to be exempted from obligation to apply if it may endanger their own health and safety, e.g. someone who is pregnant, temporarily suffering from an injury etc. In such a case, arrangements will be made to minimise the possibility of the member of staff becoming involved in a situation requiring the use of RPI.

### **Related Policies and guidance**

- Behaviour Discipline and Anti-Bullying Policy
- Code of conduct
- Safeguarding Policy
- 'Use of reasonable Force – Advice for Head teachers, staff and governing bodies issued by the DfE in July 2013