

# POSITIVE HANDLING POLICY



## CAPENHURST C.E. (CONTROLLED) PRIMARY SCHOOL

Reviewed: September 2021

To be reviewed September 2023 unless legislative changes dictate otherwise

## POSITIVE HANDLING POLICY



### CAPENHURST C of E (CONTROLLED) PRIMARY SCHOOL

#### Objectives

At Capenhurst we are a partnership of school, home, church and community. We create a stimulating and caring environment, with Christian beliefs and values forming the ethos of our school, so that all members of our school community feel happy, safe and secure. Time is taken to value and nurture each child educationally, creatively and spiritually. All pupils and staff are encouraged to aim high and believe in themselves in order to achieve their full potential. This policy reflects our commitment to these objectives. It outlines the procedures we follow to ensure all pupils and staff are treated with respect and given appropriate support and care as necessary in the event of an incident requiring this level of intervention. It is closely linked to our behaviour policy.

At Capenhurst C.E. Primary School it is the responsibility of the school governors and staff to keep all the children and staff safe and to take appropriate measures to ensure this.

#### What the Law says

Section 93 of the Education and Inspection Act 2006 enables 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:

- a. committing any offence (or, if a pupil under the age of criminal responsibility, what would be an offence to an older pupil)
- b. causing personal injury to, or damage to the property of any person (including the person themselves)
- c. prejudicing the maintenance of good order and discipline at the school or among any pupils receiving education at school, whether during a teaching session or otherwise.

There is no legal definition of reasonable force. The Criminal Law Act (1967) allows any person to use such force as is reasonable in the circumstances to prevent an offence (e.g. physical assault) being committed.

#### Minimising the need to use force

Although preventative measures may not always work, there are a number of steps staff will endeavour to take to help reduce the likelihood of situations arising where the power of force may need to be exercised. These are as follows:

- a. By using force when the risks involved in doing so are outweighed by the risks involved in not using force
- b. Creating a calm, orderly and supportive climate that minimises the risk and threat of violence of any kind.
- c. All staff work hard to develop and build effective relationships between pupils and staff
- d. Taking a whole school approach to promoting positive behaviour, in line with our school's 'Positive Management of Pupil Behaviour' policy and raising self esteem

- e. By developing social and emotional skills through school conduct and the PSHCE and RE curriculum
- f. Recognising that challenging behaviours are often foreseeable
- g. Staff will try to diffuse the situation by using time-out away from the area of conflict and a cooling off period
- h. Wherever possible, warning a pupil that force may have to be used before using it
- i. Where possible having a non-confrontational discussion with the child or adult involved
- j. By de-escalating incidents where possible if they arise
- k. All appropriate risk assessments are carried out for curricular and extra-curricular activities
- l. All staff are trained in manual handling awareness and emergency first aid training

### **Staff authorised to use force**

People authorised by the head teacher to have control or charge of pupils and therefore to use 'reasonable force' should it ever be necessary, include:

- a. all teaching staff employed at Capenhurst C.E. Primary School
- b. all teaching assistants employed at Capenhurst C.E. Primary School
- c. non-teaching staff - school administrator, midday assistants, cook and caretaker

For specific, up-to-date list of trained staff, please ask at the school office.

### **The term 'reasonable force'**

The term 'reasonable force' refers to physical intervention, which might involve staff:

- Physically interposing between pupils;
- Blocking a pupil's path;
- Holding a pupil by the arm;
- Leading a pupil by the hand or arm
- Shepherding a pupil by placing a hand in the centre of the back; or around (in extreme circumstances) using more restrictive holds e.g. wrap arms around a pupil trapping their arms to their sides.

Staff and helpers must not act in any way which might cause injury by;

- Twisting or forcing limbs against a joint
- Holding a pupil by the collar, around the neck, or in any way that might restrict the pupil's ability to breathe
- Holding or pulling by the hair or ear

No one in school will use corporal punishment

### **Individual support and management plans**

At times it may become apparent that some individual pupils' behaviours indicate a need for more personalised support to enable them to access their education without disrupting that of others. These needs will have been discussed with the child and their parents so that all possible triggers, environmental factors and needs can be identified and strategies to support the pupil can be put in place. These will be recorded on the pupil's support and management plan from which an IEP will be generated. It may be necessary to include a positive handling plan as part of this package so that appropriate de-escalation strategies, the manner in which the child prefers to be held, how support is to be summoned and any medical considerations can be noted. Positive handling plans are to be reviewed on a term by term basis, unless an incident or change in circumstances requires an earlier review.

## Deciding whether to use force

The judgement on whether to use force and what force to use should always depend on the circumstances of each case – crucially in the case of pupils with SEN/and or disabilities. It should be used when all other strategies which do not employ force have been tried and found unsuccessful or in an emergency situation. Strategies for dealing with such incidents will be detailed (if necessary) in a pupil's individual plan. Further advice or guidance must be sought from the SENDCo and/or headteacher if a member of staff is unsure as to an appropriate response in any circumstance.

Decisions on whether the precise circumstances of an incident justify the use of significant force must be reasonable. Typical decisions need to be made quickly with no or little time for reflection. Nevertheless, staff at Capenhurst are advised to make the clearest possible judgements about:

- a. The seriousness of the incident, assessed by the effect of injury, damage or disorder which is likely to result if force is not used. The greater the potential for injury, damage or serious disorder, the more likely it is that using force may be justified.
- b. The chances of achieving the desired result by other means. The lower the possibility of achieving the desired result by other means, the more likely it is that using force may be justified.
- c. The relative risks associated with physical intervention compared with using other strategies.

Staff and helpers in school should avoid contact, which might be misconstrued. They should avoid touching or holding children which might be considered indecent.

Physical contact may be appropriate in supporting children in a gymnastics lesson, when First Aid is being administered, or by comforting a distressed child. Staff must use their own professional judgement when they feel children need this kind of support. They should be aware that some children are particularly sensitive about physical contact, sometimes because of their own cultural background or because they have been abused in the past.

It is clearly understood that if a difficult situation arises the adult involved may call for help from colleagues (both teaching and non-teaching staff). **Indeed it is advised that help be sought if possible.**

## Recording and reporting incidents

If an incident takes place which requires 'reasonable force' to be used, it will be recorded in a folder which is kept in the head teacher's office. Reporting forms and the 'Bound and Numbered' reporting book are located in the headteacher's office. It should also be reported on CPOMS.

*Parents will always be contacted and informed of what took place and invited to the school to discuss the incident. This will take place as soon as is practicably possible after the incident. When sharing details, staff will be mindful of the need to comply with data protection guidelines surrounding the sharing of information about others with a third party.*

In certain circumstance the headteacher may feel the need to report to external agencies such as other local authority children's services, the local Children's Safeguarding Board, the Health and Safety Executive or Police.

## Post-incident support

Incidents that require the use of force can be upsetting to ALL involved and may have resulted in injury to the staff or pupil. Immediate action should be taken to provide first aid where necessary and to access medical help for injuries that go beyond first aid.

Where necessary, staff and pupils will receive emotional support.

The Headteacher or member of staff in charge will:

- Decide whether multi-agency partners need to be involved, and if so which partners. This will complement and support work carried out in school with the child and parents to manage future behaviour and avoid future crisis points and repetition of the incident or similar.
- Where a pupil is responsible decide if further action such as an exclusion is beneficial
- Help the pupil and staff develop strategies to avoid such crisis points in the future and inform relevant staff about these strategies and their roles
- Ensure staff and pupils affected by an incident have continuing support for as long as necessary in respect of any physical consequences, emotional stress, loss of confidence and opportunity to analyse, reflect and learn from the incident

### **Complaints and allegations**

Parents and pupils have the right to complain about actions taken by school staff which includes the use of force.

If a specific allegation of abuse is made against a member of staff then this would be dealt with in line with school policy for 'Safeguarding Children and Safer Recruitment' and 'Managing Allegations' policy.

Other complaints are dealt with in line with the school's Complaints Procedure.

### **Monitoring and review**

This policy will be shared with all staff and reviewed by the Board of Governors. Class teachers are responsible for ensuring voluntary helpers know that no physical contact is acceptable unless an extreme circumstance occurs.