

The Mill Academy

Positive Handling Policy



September 2023

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Introduction

The policy has been developed in response to The Education and Inspections Act 2006 section 93. It also takes cognisance of joint guidance issued by the DfES and Department of Health, and follows the guidance for 'The Use of Reasonable Force to Control or Restrain Pupils'.

The policy should be read in conjunction with other school policies and guidance relating to interaction between adults and pupils such as the SEN Policy, Safeguarding Policy, Behaviour Policy.

The policy has been prepared for the support of all teaching and support staff, who come into contact with pupils and for volunteers working within the school to explain the school's arrangements for care and control.

Definitions of Positive Handling

Positive Handling describes a broad spectrum of risk reduction strategies. Positive handling is a holistic approach involving policy, guidance, management of the environment, and deployment of staff. It also involves personal behaviour, diversion, defusion, and de-escalation. Risk assessment identifies positive prevention strategies and how a pupil may need to be supported in a crisis.

Underpinning Values

Everyone attending or working in this school has a right to:

- recognition of their unique identity;
- be treated with respect and dignity;
- learn and work in a safe environment;
- be protected from harm, violence, assault, acts of verbal abuse and criminal activity.

Pupils attending this school and their parents have a right to:

- individual consideration of pupil needs by the staff who have responsibility for their care and protection;
- expect staff to undertake their duties and responsibilities in accordance with the school's policies;
- be informed about school rules, relevant policies and the expected conduct of all pupils and staff working in school;
- expect IEPs to be designed to achieve outcomes that reflect the best interests of the child whose behaviour is of immediate concern and others affected by the behaviour requiring intervention;
- be informed about the school's complaints procedure.

The school will ensure that pupils understand the need for and respond to clearly defined limits, which govern behaviour in the school.

Objectives

Good personal and professional relationships between staff and pupils are vital to ensure good order in our school. It is recognised that the majority of pupils in our school respond positively to the discipline and control practised by staff. This ensures the well-being and safety of all pupils and staff in school. It is also acknowledged that in exceptional circumstances, staff may need to take action in situations where the use of reasonable, proportionate and necessary force may be required.

The Mill Academy acknowledges that physical techniques are only a small part of a whole setting approach to behaviour management.

Every effort will be made to ensure that all staff in this school:

- (i) Clearly understand this policy and their responsibilities in the context of their duty of care in taking appropriate measures where use of force is necessary and
- (ii) Are provided with appropriate training to deal with these difficult situations.

The Education and Inspections Act 2006 stipulates that reasonable force may be used to prevent a pupil from doing, or continuing to do any of the following:

- damage to property, including their own
- causing injury to others or self (including staff)
- committing a criminal offence
- engaging in any behaviour prejudicial to maintaining good order and discipline at the school or among any of its pupils, whether the behaviour occurs in a classroom during a teaching session or elsewhere within school (this includes authorised out-of-school activities).

As teaching and non-teaching staff work 'in loco parentis' and have a 'Duty of Care' towards their pupils, they could be liable for a claim of negligence if they fail to follow the guidance within this policy.

The use of **Team Teach techniques** is one of our control methods for reducing risks presented by children's challenging behaviour.

The application of any form of physical control inevitably carries an attached risk of unintended harm and this places staff and the school at risk of potential litigation. It can only be justified according to the circumstances described in this policy. Staff, therefore, have a responsibility to follow this policy and to seek alternative strategies wherever possible in order to prevent the need for physical intervention.

Staff must be aware that they are responsible for:

1. assessing risks (dynamic risk assessment) related to individual circumstances which may arise in the course of their day-to-day duties and
2. making judgements about when the use of force is necessary and the degree of force which may be regarded as necessary to manage a situation.
3. Staff need to be aware that they are required to justify their decisions in writing through the recording and reporting procedures outlined later in this document

Minimising the Need to Use Force

At The Mill Academy we constantly strive to create a calm environment that minimises the risk of incidents arising that might require the use of force. Pupils who have issues relating to sensory dysfunction or other conditions that may result in increased anxiety levels, and therefore an increase in the likelihood of challenging behaviour, may have individualised support or programmes to help them to manage this.

Through the PSHE curriculum pupils learn about feelings and managing conflict, where this is appropriate, to their level of development. The ethos further promotes independence, choice and inclusion; pupils are given maximum opportunity for personal growth and emotional wellbeing.

All staff are trained in skills to help them to defuse situations before behaviour becomes challenging and how to de-escalate incidents should they arise. Reasonable force will only be used when the risks involved in doing so, are outweighed by the risks involved in not using force.

Prevention of unsafe behaviour will be enabled through:

- The deployment of appropriate staffing numbers;
- The deployment of appropriately trained and competent staff;
- Avoiding situations and triggers known to provoke challenging behaviour;
- Creating opportunities for choice and achievement;
- Developing staff expertise through a programme of Continuous Professional Development;

- Exploring pupils' preferences relating to the way/s in which they are managed
- Staff employ 'defusion' techniques to avert escalation of behaviour into violence or aggression

Use of Physical Intervention

No legal definition of reasonable force exists however for the purpose of this policy and the implementation of it in The Mill Academy

- Positive Handling uses the **minimum** degree of force necessary for the **shortest period of time** to prevent a pupil harming himself, herself, others or property
- The scale and nature of any physical intervention must be **proportionate** to both the behaviour of the individual to be controlled, and the nature of the harm they might cause
- Staff would be expected to follow the pupil's IEP / Risk Assessment in the first instance to manage an incident/challenging behaviour
- If this was unsuccessful and the situation continues to escalate staff would then be expected to employ other Team Teach techniques in which they have been trained and which are stated on the child's Positive Handling Plan. This may include escorts and holds
- Only if all of the above have been tried and are unsuccessful should staff even consider any other form of physical control. The overriding consideration should still be the reasonableness and proportionality of the force used

All the techniques used take account of a young person's;

- gender
- culture
- level of physical, emotional and intellectual development
- special needs
- social context

They also provide a gradual, graded system of response.

Where behavioural records and/or risk assessment identifies a need for a planned approach, plans (IEP) are written for individual children. Where possible, these will be designed through multi agency collaboration and, with parental consent, shared with other agencies/services supporting the child to facilitate consistency of approach so far as is possible.

1. Physical Contact

There are situations in which proper physical contact occurs between staff and pupils, e.g., in the care of pupils and in order to support their access to a broad and balanced curriculum. It would seem reasonable that young children do require opportunities for close contact, as long as this is within public view, sensitively carried out and age/person-appropriate.

2. Physical Intervention

This may be used to divert a pupil from a destructive or disruptive action, for example guiding or leading a pupil by the arm or shoulder where the pupil is compliant.

This technique cannot be emphasised enough and in the hands of a skilful practitioner, many pupils can be deflected from a potentially volatile situation into a less confrontational situation i.e. it may be possible to "defuse" a situation by a timely intervention.

3. Physical Control / Restrictive Physical Intervention

This will involve the use of reasonable force when there is an immediate risk to pupils, staff or property. All such incidents must be recorded on the Serious Incident Form. If anyone is injured an accident/incident report must also be completed. Records of incidents must be given to the Health & Safety

Officer/Headteacher/Assistant Headteacher as soon as possible, and by the end of the next school day at the latest. These are then uploaded to CPOMS.

The level of compliance from the pupil determines whether or not the interaction is an intervention or a control/RPI. Restrictive Physical Intervention is defined as the positive application of force, in order to overcome rigorous resistance, completely directing, deciding and controlling a person's free movement.

Types of Incident

The incidents described in The Education and Inspections Act 2006 The Use of Reasonable Force to Control and Restrain Pupils fall into three broad categories:

- Where action is necessary in self-defence or because there is an imminent risk of injury.
- Where there is a developing risk of injury, or significant damage to property.
- Where a pupil is behaving in a way that is compromising good order or discipline.

Examples of situations which fall within one of the first two categories, are:

- A pupil attacks a member of staff, or another pupil
- Pupils are fighting
- A pupil is engaged in, or is on the verge of committing, deliberate damage or vandalism to property
- A pupil is causing, or at risk of causing, injury or damage by accident, by rough play, or by misuse of dangerous materials or objects
- A pupil is running in a corridor or on a stairway in a way which he or she might have or cause an accident likely to injure him or herself or others
- A pupil absconds from a class or tries to leave school (NB this will only apply if a pupil could be at risk if not kept in the classroom or at school).

Examples of situations which fall into the third category are:

- A pupil persistently refuses to obey an order to leave a classroom
- A pupil is behaving in a way that is seriously disrupting a lesson.

Other Positive Handling strategies include:

Time out

This involves restricting the child's access to positive reinforcements in a room or area which they may freely leave. It is a specific behaviour management technique and does not necessarily mean time spent out of the class/group, but rather refers to a withdrawal of attention and/or things they find rewarding. It could be as simple as turning away from a child who is attention-seeking, or positioning a child away from the class/group. This withdrawal of attention could also be achieved by sending a pupil to another class/group or a quiet area.

Withdrawal

This involves removing the child from a situation that causes anxiety or distress to a location where they can be continuously observed and supported until they are ready to resume their usual activities. This can mean removing a child from the class/group, to allow them time to calm down or to prevent a situation from escalating. They may need time away from staff and pupils (either on their own or in another class/group) in order to break the cycle/pattern of their behaviour or to reduce their level of anxiety/distress. The arrangement of "quiet time" shall be negotiated between the child and staff involved.

After the use of a restrictive physical intervention

After the use of an unplanned restrictive physical intervention, the following steps will be taken:

- Details of the incident will be recorded by all adults involved immediately on the serious incident report form

- Recording will be completed within 12 hours whenever possible. Staff will be offered the opportunity to seek advice from a senior colleague or professional representative when compiling their report.
- Any injuries suffered by those involved will be recorded on the serious incident form and also on forms following normal school procedures.
- The Headteacher will check that there is no cause for concern regarding the actions of adults involved. If it is felt that an action has 'caused or put a child at risk of significant harm' the Headteacher will follow the school's child protection procedures and also inform parents/carers.
- Parents/carers will be informed by the Headteacher/SENCO on the day of the incident if possible. Parents/carers will be offered the opportunity to discuss any concerns that they may have regarding an incident.
- Support/debriefing will be available for adults and pupils who have been involved in any incident involving restrictive physical interventions.
 - The serious incident form will be uploaded onto CPOMS.

Authorised Staff / Health and Safety / Training / Support

Authorised Staff

All teachers, staff and the Headteacher are authorised to have control or charge of pupils automatically, and they have the statutory power to use reasonable force within the context of The Education and Inspections Act 2006 and the subsequent guidance 'The Use of Reasonable Force to Control and Restrain Pupils' as well as guidance from the **DFE April 2012**. Supply staff must ensure that they are familiar with this school's policy.

Through the provision of Team Teach training, the risk of harm towards staff is reduced but it is possible for some injury to be received. All such occurrences should be treated and subsequently recorded, on the Serious Incident Form/Accident Form.

Authorisation is not given to volunteers, students on placement, visitors or parents as they will not have control of pupils who may present with challenging behaviour, but will be supervised at all times.

Health and Safety of Staff

Under the Health and Safety at Work Act, employees have a responsibility to report any circumstances which give rise to an increased risk to their Health and Safety.

Staff who have, or acquire, permanently or temporarily, any medical condition that may impact on their ability to carry out pupils' plans have a duty to report these to the Headteacher / Deputy Headteacher immediately, as there may be an impact on their own safety and that of colleagues and/or pupils. This information will be shared on the staff notice board.

Staff Training

It is the responsibility of the Headteacher to ensure that Team Teach training in the use of positive handling is available to staff and is kept up to date. The school provides training for all authorised staff and the Headteacher / Assistant Headteacher retains a list of all those staff trained. The list is reviewed on an annual basis. For St Mary's Academy Trust, the responsibility for training staff falls to Miss Lee Priestley (Team Teach tutor). Miss Priestley attends the Team Teach accredited training to ensure it is always up to date.

No member of staff will be expected to use Team Teach techniques without appropriate training. Prior to the provision of training, guidance will be given on action to be taken. Arrangements will be made clear as part of the induction of staff and training will be provided as part of on-going staff development.

Most school staff working directly with pupils will receive the 6-hour Level 1 Course in Team Teach as the school is considered to be a low risk setting. This is in line with Team Teach policy. This level of training is required for most staff as they are expected to be able to actively support each other, and pupils, if an

incident occurs and a child needs physical intervention to keep themselves and/or others safe. However, if staff are unable to support physically they are expected to support with de-escalation.

Staff Support Following Incidents

Any member of staff or pupil at the school involved in or witnessing a serious incident involving the use of physical hold, may require additional support following the incident. Staff should ensure that they are fully recovered from an incident before resuming their duties and colleagues are encouraged to seek and offer support where it is deemed necessary. When recording an incident, staff should describe the situation in as much detail as possible using the Positive Handling report form.

Team Teach trained staff

Teacher	Learning Support Staff	SMSAs	Date of training
Rachel Chambers (Head)			20,26,27 September 2022
	Lee Priestley (Team Teach Tutor)		29 June – 1 July 2022 (annual Advanced reaccréditation)
	Wendy Wilson		Refreshed 14,15 November 2022
Annabel Firth			20,26,27 September 2022
Ellen Crossley			16, 17, 23 January 2023
	Betty Land Noble		16, 17, 23 January 2023
	Sena Mehanović		28 May 2021
	Chloe Mountain		28 May 2021
	Jessica Kirk		20,26,27 September 2022
	Alexandra O'Neil		20,26,27 September 2022
	Gillian Beckett		20,26,27 September 2022
	Jayne Clapham		20,26,27 September 2022
Kirsty Glyde			20,26,27 September 2022
Lee Winslow			20,26,27 September 2022
	Thalia Lawson		16, 17, 23 January 2023

St Mary's Academy Trust offers an ongoing Team Teach programme for staff of both Level 1 and refresher courses. Attendance on these courses is determined by a number of factors, including the needs of the class in which they are working, their overall role within the school and their ability to manage the techniques in line with protocols set out by Team Teach Ltd.