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1st September 2021

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1. Introduction

- 1.1. This policy has been prepared for the support of all staff in Oak Trees Multi Academy Trust who come into contact with pupils who may need to be positively handled.
- 1.2. This policy should be read in conjunction with other Oak Trees Multi Academy Trust and school policies relating to interaction between adults and pupils specifically the Trusts' Behavioural Policy and Exclusions Policy.
- 1.3. Good professional relationships between staff and pupils are vital to ensure good order in school. It is recognised that the majority of pupils in our schools respond positively to the discipline practised by the staff. This ensures the well-being and safety of all pupils and staff. It is also acknowledged that in **exceptional** circumstances staff may need to take action in situations where the use of positive handling may be required.
- 1.4. Every effort will be made to ensure that all staff:
 - clearly understand this policy and their responsibilities in the context of their duty of care in taking appropriate measures where positive handling is necessary and
 - are provided with appropriate training to deal with these difficult situations should they occur.
- 1.5. Positive handling can only be justified according to the circumstances described in this policy. Staff, therefore, have a responsibility to follow the policy and **to seek alternative strategies wherever possible** in order to prevent the need for positive handling.
- 1.6. **In all Oak Trees Multi Academy Trust schools, Positive Handling will only be used as a last resort when all other behaviour management strategies have failed or when pupils, staff or property are at risk.**

2. Objectives

- To maintain the safety of pupils and staff.
- To prevent serious breaches of school discipline.
- To prevent serious damage to property.

3. Definitions of Contact

- 3.1. **Physical Contact:** Situations in which proper physical contact takes place between staff and pupils, e.g., demonstrating or supporting in PE, administering first aid or comforting pupils.
- 3.2. Contact with younger children may occasionally be used to de-escalate a situation or distract younger children from inappropriate behaviour. This would be used before physical intervention, which would only be seen as a last resort.
- 3.3. **Physical Intervention:** This may be used to divert a pupil from a destructive or disruptive action, e.g., guiding or leading a pupil by the hand, arm or shoulder with little or no force.

- 3.4. **Positive Handling (Restrictive Physical Intervention):** This will involve the use of reasonable force when there is a risk to pupils, staff or property or if good order is being seriously prejudiced.

4. Underpinning Values

- 4.1. Everyone attending or working at an Oak Trees Multi Academy Trust school has the right to:

- a recognition of their unique identity
- be treated with respect and dignity
- learn and work in a safe environment
- be protected from harm

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

- 4.3. Parents should have committed themselves through the schools' Home-School Agreement to ensure the good behaviour of their child and that the child understands and follows the Trusts'/Schools' Behaviour Policy.

5. What the Law Says: When is Reasonable Force Permissible

- 5.1. Section 93 of 2006 Education and Inspections Act enables school staff to use force as is reasonable in the circumstances to prevent a pupil doing any of the following:

- Committing any offence;
- Causing personal injury to, or damage to the property of, any person (including the pupil themselves); or
- Prejudicing the maintenance of good order and discipline at the school or among any pupils, whether during a teaching session or otherwise.

6. Risk Assessment

- 6.1. The use of restrictive physical intervention will be the outcome of professional judgement made by staff on the basis of this school policy. It is avoided whenever possible and will not be used for staff convenience. Restrictive physical intervention will only be considered if other behaviour management options have proved ineffective or are judged to be inappropriate (in an emergency situation). Before deciding to intervene in this way, staff will weigh up whether the risk of not intervening is greater than the risk of intervening.

- 6.2. A Risk Assessment that is made during an incident will be known as a 'Dynamic Risk Assessment'. Those dealing with the incident are responsible for this risk assessment and a record of the process should be kept (see record keeping section).

- 6.3. Incidents of serious negative or outrageous behaviour should only 'surprise' staff once. Following an incident of serious/outrageous behaviour, school leaders should ensure that the risk posed by pupils and ways to manage this risk are detailed in a positive handling plan and that pupils risk assessments are updated/completed as appropriate.

7. Training

To ensure the safety and wellbeing of all members of the school community, an agreed number of members of substantive staff in the school will be trained in an appropriate care and control method as soon as reasonably possible.

All adults working in the school have a duty of care under the statutory Keeping Children Safe in Education to ensure that they give children 'the right help at the right time'. In line with this and Section 93 of the 2006 Education and Inspections Act, all staff should, where the dynamic risk assessment indicates, use force that is reasonable, proportionate and necessary in the circumstances in line with the guidelines in this policy.

Staff should not hold if on their own unless a dynamic risk assessment deems it absolutely necessary.

All adults in the school must be prepared to offer support.

However, this is only in exceptional circumstances – i.e., when all trained members of staff are unavailable or if lack of intervention would put the child or another person at risk of immediate danger.

7.1. Only members of each school's staff who are legally trained will use restrictive physical intervention. The aims of the training are:

- To develop skills in the area of diffusion and de-escalation
- To use physical intervention in its correct context – as a last resort
- To develop safe and non-harmful physical intervention techniques.
- To help staff and children maintain their dignity.

However, staff who have not had the necessary training may, after undertaking a dynamic risk assessment, hold a child as long as the response is reasonable, proportionate and necessary.

8. Strategies for Dealing with Challenging Behaviour

8.1. Staff consistently use positive strategies to encourage acceptable behaviour and good order. Every effort will be made to resolve conflicts positively. Where unacceptable behaviour threatens good order and discipline and provokes intervention, some or all of the following approaches will be taken according to the circumstances of the incident (diffusion and de-escalation strategies would be used throughout):

- a. Verbal acknowledgment of unacceptable behaviour with request for the pupil to refrain; this includes negotiation, care and concern.
- b. Further verbal reprimand stating:
 - this is the second request for compliance
 - an explanation of why observed behaviour is unacceptable
 - an explanation of what will happen if the unacceptable behaviour continues.

Care must be taken at this stage to limit the possibility of positively handling a child. All options should be exhausted to avoid physical intervention, and these should be part of the school's overall behaviour policy and protocol.

- c. Warning of potential need to intervene physically and that this will cease when the pupil complies. If possible, summon assistance.
- d. Physical intervention. Reasonable physical intervention (guiding, escorting, shepherding) using the minimum degree of contact to prevent a child harming him or herself, others or property.
- e. **Restrictive physical intervention.** Reasonable restrictive physical intervention (embrace, adapted embrace, seated shoulder support) using the minimum degree of force that is necessary.

9. Preventative Measures

9.1. If, through the school's special needs assessment procedures, it is determined that a form of physical intervention may be required to help a pupil, a risk assessment will be carried out. If appropriate, in conjunction with an additional support plan, a positive handling plan (Appendix 3) will be compiled. This plan will aim to reduce the likelihood of the need for restrictive physical intervention as well as describing how such intervention would be carried out. The plan will be discussed with the pupil, parents/carers, class teacher and SENCo and Headteacher.

10. Recording and Reporting

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

- Details of the incident will be recorded using the **positive handling incident report form** (Appendix 1). The form will be given to the Headteacher.
- Recording will be completed as soon as possible after the event.
- Any injuries suffered by those involved will be recorded following normal school procedures.
- Records must be kept for 75 years from date of birth of the child.
- Parents will be informed on the same day (if possible) both verbally and by letter (Appendix 2 or 3).
- All incidents will be reviewed by the Headteacher and reported to Governors.

11. Complaints

11.1. Any complaints will be addressed following the Trust's Complaints Procedure Policy.

12. Review

This policy will be reviewed every 3 years by the Oak Trees Multi Academy Trust board.

13. APPENDIX 1 – POSITIVE HANDLING INCIDENT REPORT FORM

xxxxxxxxxxxxxxxx PRIMARY SCHOOL POSITIVE HANDLING INCIDENT REPORT FORM	
Pupil's Name:	Person Completing Form:
Details of Incident Date: Time: Location: Duration:	
Staff Involved:	
Pupils Witnessing Incident:	
Describe behaviour and events leading up to incident including diversionary and de-escalation strategies that were used.	
Describe the incident; who was involved, positive handling strategies used, duration of incident and pupil response.	
Describe what happened after the incident; pupil's response, any injuries to pupil, staff or other pupils, damage to property.	
Any additional action taken.	
Pupil views	
Signature of staff involved:	Date:
Signature of Headteacher:	Date:

This form must be completed as soon as possible after the event and be specific, detailed and factual.

14. APPENDIX 2 – LETTER TO INFORM PARENTS IF USING PRICE TRAINING

Dear

Unfortunately, on _____ your child was involved in an incident in which he/she was:

- Causing injury to himself / herself
- Causing injury to another child or staff member
- Damaging property
- Significantly disrupting the good order of the school

To de-escalate the situation, the following was carried out:

-

The school felt it was reasonable, proportionate and justifiable for at least 2 staff, using the PRICE approach, to positively handle your child using the following techniques:

- Embrace
- Adapted embrace
- Seated shoulder support

Your child was positively handled for approximately ____ minutes. This was distressing both for your child and the member of staff involved.

Please contact us if you would like to discuss the incident further.

Your sincerely

Headteacher

15. APPENDIX 3 - LETTER TO INFORM PARENTS IF USING TEAM TEACH

Dear

Unfortunately, on _____ your child was involved in an incident in which he/she was:

- Causing injury to himself / herself
- Causing injury to another child or staff member
- Damaging property
- Significantly disrupting the good order of the school

To de-escalate the situation, the following was carried out:

-

The school felt it was reasonable, proportionate and justifiable for at least 2 staff, using the team teach approach, to positively handle your child using the following techniques:

- T-wrap for smaller children
- Friendly hold for taller children
- Single elbow for taller children
- Figure of four for taller children
- Double elbow for taller children

Your child was positively handled for approximately ____ minutes. This was distressing both for your child and the member of staff involved.

Please contact us if you would like to discuss the incident further.

Your sincerely

Headteacher

16. APPENDIX 4 - POSITIVE HANDLING PLAN

Pupil:		Date of Assessment:		Review Date:	
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Reason(s) for Assessment:

Known Triggers:

Planned Strategy of Diversion and De-escalation:

Planned Strategy of Physical Intervention:

Post Incident Support:

Signatures:

Headteacher: _____ Date: _____

SENCo: _____ Date: _____

Class Teacher: _____ Date: _____

Parent/Carer: _____ Date: _____