

POSITIVE HANDLING POLICY

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The Positive Handling Policy has been written and approved by a team with a range of experience, and will be reviewed regularly.

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INTRODUCTION

This policy takes account of guidance as contained within Section 93 of the Education and Inspections Act 2006 and DfE 'Guidance on the Use of Reasonable Force (July 2013). It should be read in conjunction with other key school policies and guidance relating to interaction between adults and students.

Learning Opportunities recognise the serious implications for all concerned when the use of physical intervention becomes necessary. In particular they acknowledge the stress and very real anxiety that such actions can and do generate in students, parents / carers and staff.

The purpose of this policy is to provide guidelines intended to protect students from the risk of abuse / harm, to help staff minimise the risk of being accused of improper conduct towards students and to provide a supportive framework in which they can act with confidence. Learning Opportunities acknowledge that guidelines cannot anticipate every situation; the sound professional judgement of staff at all times is crucial.

This policy has been formulated to ensure that students, parents / carers, staff and other agencies are fully aware of the context for Learning Opportunities response to behaviour that requires physical intervention. Further it is designed to provide detailed guidance for all concerned regarding the use of holding, escorting and restraint, including when it is appropriate to physically intervene, and what strategies must be used in so doing.

Employment with Learning Opportunities Limited places on staff a duty of care, which includes maintaining an acceptable level of safety. Staff must therefore seek to protect students from harm to the same extent as would a caring parent. The duty of care is owed to the individual student rather than the 'ordinary' or 'reasonable' student, it is therefore important that staff take account of the individual needs of each student.

All staff have a legal obligation to safeguard the welfare of students in their care (Refer to Safeguarding Policy). Providing they follow guidelines and act in good faith they should not hesitate to act in an emergency. However, this is not to say that the use of physical contact will not be questioned by others including, students, parents / carers, external agencies including social care and the police.

Training will be provided for all employees to ensure they are confident to use appropriate methods of holding and restraint, and they will be expected to apply approved techniques to the best of their ability. Staff will be expected to undertake such training as provided by Learning Opportunities and to keep themselves up to date with the methods prescribed by that training.

Positive handling strategies, that may or may not result in restraint, are normally only applied when all forms of de-escalation and attempts to defuse situations have been unsuccessful.

LEGAL FRAMEWORK

What the Law says

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

- (a) committing any offence,

(b) causing personal injury to, or damage to the property of, any person (including the pupil himself), or

(c) prejudicing the maintenance of good order and discipline at the school or among any pupils receiving education at the school, whether during a teaching session or otherwise.

The staff to which this power applies are defined in section 95 of the Act. They are:

- a. any teacher who works at the school, and
- b. any other person whom the head has authorised to have control or charge of pupils. This:
 - i) includes support staff whose job normally includes supervising pupils such as teaching assistants, learning support assistants, learning mentors and lunchtime supervisors.
 - ii) can also include people to whom the head has given temporary authorisation to have control or charge of pupils such as paid members of staff whose job does not normally involve supervising pupils (for example catering or premises-related staff) and unpaid volunteers (for example parents accompanying pupils on school-organised visits).

The power may be used where the pupil (including a pupil from another school) is on school premises or elsewhere in the lawful control or charge of the staff member (for example on a school visit).

There is no legal definition of when it is reasonable to use force. That will always depend on the precise circumstances of individual cases. To be judged lawful, the force used would need to be in proportion to the consequences it is intended to prevent. The degree of force used should be the minimum needed to achieve the desired result.

Those exercising the power to use force must also take proper account of any particular special educational need (SEN) and/or disability that a pupil might have. Under the Equality Act 2010 schools have a duty to make reasonable adjustments for disabled people.

The statutory power conferred by section 93 of the Education and Inspections Act 2006 is in addition to the common law power of any citizen in an emergency to use reasonable force in self-defence, to prevent another person from being injured or committing a criminal offence. So section 93 makes it clear that authorised staff may use force to prevent behaviour that prejudices the maintenance of school discipline regardless of whether that behaviour would also constitute a criminal offence.

The 2006 EIA guidance acknowledges that reasonable force may also be used in exercising the statutory power, introduced under section 45 of the Violent Crime Reduction Act 2006, to search pupils without their consent for weapons. This search power applies to head teachers and staff authorised by them. The Department strongly advises schools not to search pupils where resistance is expected, but rather to call the police.

It is always unlawful to use force as a punishment. This is because it would fall within the definition of corporal punishment, abolished by section 548 of the Education Act 1996.

This policy takes account of the following legislation:

- Education and Inspections Act 2006
- The Children's Act 2004
- The Human Rights Act 1998

- The Equality Act 2010

EVERY CHILD MATTERS

Learning Opportunities wholeheartedly support the sentiments of the Every Child Matters policy. All students whatever their background or circumstances need to:

- Be healthy
- Stay safe
- Enjoy and achieve
- Make a positive contribution
- Achieve economic well-being

We are proactive in encouraging outside agency input where it will be of benefit to the wellbeing and progress of our students.

CONTEXT

Learning Opportunities is a DfE approved independent special school, specialising in working with students who have a combination of complex needs including social, emotional and mental health, moderate learning difficulties or a diagnosis of ASD. The school provides a lively and thriving community dedicated to the provision of high quality teaching, where sound management and high standards of professional practice ensure a calm and purposeful learning environment. Within this, the importance of safety and consistency are recognised as being paramount in encouraging students to develop a wider horizon of potential, achievement and ambition.

Students referred to Learning Opportunities all have Education, Health & Care Plans, some of whom are 'Children in Care'. Previous life experiences have necessitated placement within a specialist educational provision.

Students, wherever possible, will be appropriately involved in formulating any plans that are made to meet their individual needs. Such plans will also detail how specific behaviours will be managed. The use of positive handling will be detailed as an integral element of the plan.

THE USE OF REASONABLE FORCE

Learning Opportunities adheres to the guidance contained in the Education Act 1996, The Education and Inspections act 2006 (Section 93), the DfE guidance – The Use of Reasonable Force 2013.

This guidance has been prepared in the context of 'The Human Rights Act (1998) and 'The United Nations Convention on the Rights of the Child (ratified 1991). It is based on the presumption that every young person is entitled to:

- Respect for his/her private life
- The right not to be subjected to inhuman or degrading treatment
- The right to liberty and security, and
- The right not to be discriminated against in his/her enjoyment of those rights

Learning Opportunities acknowledges its legal duty to make reasonable adjustments for disabled students and students with special educational needs (SEN).

WHAT IS REASONABLE FORCE?

DfE guidance 'Use of Reasonable Force' (July 2013) states 'Force is usually used either to control or restrain. This can range from guiding a student to safety by the arm through to more extreme circumstances such as breaking up a fight or where a student needs to be restrained to prevent violence or injury.'

'Reasonable in the circumstances' means using no more force than is needed. Control means either passive physical contact, such as standing between students or blocking a student's path, or active physical contact such as leading a student by the arm out of a classroom. Restraint means to hold back physically or to bring a student under control. It is typically used in more extreme circumstances, for example when two students are fighting and refuse to separate without physical intervention.

WHO CAN USE REASONABLE FORCE

All members of Learning Opportunities staff have a legal power to use reasonable force (Section 93, Education and Inspections Act 2006).

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 and acts of verbal abuse.

Students attending this school and their parents / carers have a right to:

- individual consideration of student 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 students and staff working in school;
- be informed about the school's complaints procedure.

Staff will ensure that students are given support to understand the need for clearly defined limits, which govern behaviour in the school, and how to respond to these.

KEY PRINCIPLES

Physical interventions are only used after other less intrusive methods have been fully implemented. At Learning Opportunities physical interventions are part of a 'graduated' approach which actively seeks to avoid any conflict and confrontation, and are a last resort when other diffusion strategies have failed to prevent a crisis occurring for the student.

Physical interventions are only used:

- In the best interests of the student
- For the shortest period of time, using the minimal reasonable force
- With respect to the student's personal dignity
- With respect to age, gender and cultural background
- Where staff support each other in managing crisis situations
- When they are based on gradient support
- When other strategies have failed, i.e. when other less intrusive methods have failed

Physical interventions should not:

- Cause injury
- Punish
- Cause pain
- Create distrust and undermine personal relationships
- Become routine
- Force compliance
- Be used in anger
- Humiliate a student
- Deprive
- Frighten
- Cause cultural offence
- Arouse sexual expectation
- Restrict breathing or impact upon the student's airways

Physical interventions may include:

- Holding a student's arm
- Leading a student by the arm
- Deflecting a student away or blocking their path
- Blocking punches with forearms
- Escorting a student to another environment
- Staff member 'breaking away' from dangerous or harmful physical contact with a student
- Holding, i.e. 'wrapping' or 'hugging' a student in a dangerous situation

Examples of situations where positive handling maybe appropriate include:

- To remove disruptive students from the classroom where they have refused to follow an instruction to do so, and where their behaviour is impacting on the learning of others;
- To prevent a student behaving in a way that disrupts a school event or a school trip or visit;
- To prevent a student leaving the classroom where allowing the student to leave would risk their safety or lead to behaviour that disrupts others;
- To prevent a student from attacking another student or member of staff, or to stop a fight in the school;
- To restrain a student at risk of harming themselves through physical outbursts.
- To prevent a student who is engaging in, or on the verge of, from committing deliberate damage or vandalism to property
- To prevent a student attempting to abscond from school or room (this only applies where there are safeguarding concerns).

It is recognised that good behaviour must be acknowledged and celebrated as a matter of course, and that this in itself is a primary tool in managing behaviour. Additionally the management of behaviour at Learning Opportunities is based on the belief that students have the right to learn from their experiences of life, which will, at times, involve testing the clearly defined boundaries established by the behaviour management system adopted.

Decisions on whether an incident justifies the use of reasonable force often have to be made quickly, with little time for reflection. Nevertheless, staff need to make the clearest possible judgements about:

- a. the seriousness of the incident, assessed by the effect of the 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 reasonable and proportionate force may be justified.
- b. the chances of achieving the desired result by other means. The lower the probability of achieving the desired result by other means, the more likely it is that using reasonable and proportionate force may be justified; and

In addition, it is important:

- For staff intervening with students to seek assistance from other members of staff as early as possible, since single-handed intervention increases the risks of injury to both parties and does not provide a witness.
- That a member of staff recognising that a situation is escalating to a point demanding positive handling yet feeling unable to carry this out must, as part of their duty of care, clearly tell the student(s) to stop the behaviour and seek help by any means available.
- That staff who become aware that another member of staff is intervening physically with a student recognise that they have a responsibility to provide a presence and to offer support and assistance should this be required.
- That where possible, staff who have not been involved in the initial confrontation leading up to an incident may be in a better position to intervene or restrain the student if this proves necessary.
- To understand that a student's behaviour may be adversely affected by the presence of an audience. Wherever possible, the audience will be removed, or if this is not possible, the student and member(s) of staff will withdraw to a quiet place.
- For staff to be aware of the need to tell the student being restrained, in a calm and gentle manner, that the reason for the intervention is to keep the student and others safe. Staff will explain that as soon as the student calms down, she/he will be released.

It is the responsibility of everyone at Learning Opportunities to ensure that the environment is calm and safe for all. Parents / carers will be encouraged to support the school by discussing with their child the need to be sensitive to the needs of others. Learning Opportunities home school agreement is one way that this is achieved, as it sets clear expectations for parents/carers, students and Learning Opportunities, from the point of admission.

EMERGENCY INTERVENTIONS

Emergency Interventions may be necessary on the rare occasion when a student behaves in an unexpected way or exhibits a "new" behaviour i.e. unforeseeable behaviour. In these situations staff retain their 'duty of care' to the student and their response should be proportionate to the circumstances.

There will be situations that cannot be foreseen. These require staff to use their professional judgement.

POWER TO SEARCH STUDENTS WITHOUT CONSENT (Refer to Behaviour Management Policy)

In addition to the general power to use reasonable force, staff can use such force as is reasonable given the circumstances to conduct a search for the following **"prohibited items"**

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

IMPLEMENTATION

The Positive Handling policy will be implemented and maintained through:

- The recruitment and selection of staff, which will be governed by the principles, enshrined in the Warner report "Choosing With Care." as well as guidance from the DfE Guidance (Keeping Children Safe in Education 2023 / Working Together to Safeguard Children 2018 (currently under review)).
- As a minimum, the selection process will ensure that relevant pre-appointment checks are made including those relating to DBS.
- Interview techniques go beyond the standard formal interview and include opportunities for candidates to engage in focused debates designed to provide insights into their individual values and beliefs.
- All staff having access to a copy of this policy document.
- Induction of all new staff / volunteers to ensure that there is an opportunity for detailed study and discussion of the policy with senior staff, and ongoing discussion within the staff group;
- The Senior Leadership Team having in place systems to identify individual and group training needs, and ensuring a consistent interpretation of policy and practice;
- Regular training activities both in-house, and reinforcement by external trainers as appropriate.

TRAINING

Learning Opportunities are committed to providing ongoing, comprehensive training programmes which encompass all aspects of behaviour management. Such programmes aim to develop relevant skills and knowledge in order to ensure that staff are fully conversant and confident in their ability to skilfully and effectively implement agreed techniques.

As part of our induction process, the head teacher will explicitly inform the people concerned of their responsibilities in relation to the school policy on the use of reasonable and proportionate force. The Headteacher is also responsible for keeping an up-to-date record of staff who are permanently authorised to use physical intervention techniques.

In addition, the use of physical interventions including escorting, holding and restraint are the subject of staff development days. Qualified trainers, including an accredited trainer at Learning Opportunities, deliver programmes, which detail the context for physical intervention and practical guidance on the application of a range of strategies to keep everyone safe during the physical management of behaviour. The programme used in Learning Opportunities is **Team Teach** (<https://www.teamteach.co.uk/>) and is recognised by the Institute of Conflict Management.

Key aspects of the training include:

- Physical intervention techniques including: control, escorting and restraint
- Clear and unequivocal emphasis on the rights of students to be kept safe at all times
- Recognition that physical intervention should only be used when all else has been tried and the situation is likely to become dangerous for students and staff
- The need for staff to keep themselves safe at all times
- How students past experiences will affect the way they respond to physical interventions. Those with a history of physical or sexual abuse will often have painful and disturbing memories triggered by such interventions. As a result holds and restraints will be as least invasive as possible
- Managing adverse reactions to witnessing physical interventions
- The need to ensure that all actions are conducted in the context of Learning Opportunities key policies and procedures
- Training in the use of diffusion and de-escalation skills, as well as the more serious response of physical intervention
- The importance of maintaining clear and accurate records of the antecedents, behaviour and consequences.

Training Objectives specific to Team Teach

- To learn about the development of training in positive handling and the background of Team Teach
- To learn about the attitudes, values and key ideas which underpin Team Teach Training
- To learn about the legal framework, relevant guidance and good practice
- To gain knowledge and understanding of the psychology and philosophy which underpin the Team Teach approach
- To learn about the conflict spiral and the stages of crisis

- To develop skills and knowledge in verbal and non-verbal communication, diversion and de-escalation
- To develop skills and knowledge concerning personal safety responses, holds, escorts and other techniques relevant to the school setting
- To raise awareness about the elevated risks associated with some technique
- To improve active listening skills and raise awareness of the importance of the process of debrief, repair and reflection

Learning Opportunities recognise their responsibility to ensure, so far as practically possible, that all staff authorised to use physical management are enabled to manage such situations with maximum efficiency and safety.

DE-ESCALATION AND PREVENTION

Do	Do Not
Give clear Instructions	Give orders
Use a calm voice	Raise your voice or shout or argue.
Stand to one side of the student	Stand face on
Leave a personal gap	Get in their face
Bring in humour if appropriate	Be sarcastic or caustic
Allow a certain amount of choice	Be rigid
Offer supported time out	Demand they leave without support
Offer to listen somewhere else, at another time (be clear when).	Forget to see them when you said you would
Change the staff dealing with the issue	Try to carry on if someone else can help
Ask them what happened	Ask them why they did.....
Be fair	Use automatic punishments without knowing all circumstances.
Follow incidents up- so we can learn from each one.	Forget about it until it happens again then say 'Oh that happened last week too'.
Use accepted physical restraints only if absolutely necessary.	Keep using them longer than needed
Ask for help from other staff	Think you are on your own.
Ensure you know triggers on individuals	Make students do things that raise their anxiety without an agreed plan of how to do it by decreasing anxiety levels.
Remember students may have their own agenda and you do not know what happened to them today/last night etc.	Make assumptions.

Primary prevention of the need for physical intervention is achieved by:

- Ensuring that the number of staff and level of competence meets the needs of the groups.
- Actively looking to avoid placing students in situations which are known to provoke aggressive behaviour or high levels of anxiety.

- Assessing and reducing unavoidable but foreseeable risks by putting into a place restrictive physical intervention strategies as part of a behaviour modification plan.
- Creating a calm, orderly and supportive school climate that minimises the risk and threat of violence of any kind.
- Developing effective relationships between students and staff that are central to good order
- Adopting a whole-school approach to developing social and emotional skills.
- Taking a structured approach to staff development that helps staff to develop the skills of positive behaviour management; managing conflict and also to support each other during and after an incident.
- Effectively managing individual incidents. It is important to communicate calmly with the student, using non-threatening verbal and body language and ensuring the student can see a way out of a situation.
- Wherever practicable, warning a student that force may have to be used before using it.

In the first instance staff should always attempt to defuse the situation by:

- Appropriate use of voice, in terms of pace volume and tone
- Adjustment of body position to ensure minimum threat to the student
- Appropriate eye contact and a positive and calming stance
- Appropriate use of humour
- Making clear the expectations of all concerned in the incident, and the likely consequences if behaviour deteriorates further
- Removal of audience
- Seeking help from other staff to defuse the situation

HOLDING & ESCORTING

May be used to discourage and redirect from unwanted behaviours which are likely to lead to a loss of control by the student, resulting in severe disruption to the orderly environment, damage to property, damage to self and / or others.

Staff should use their judgement in using this method as to whether it is likely to lead to a full-scale restraint. Factors for consideration will be the likely reaction of the student based on the most recent and accurate information available, and the content of any plan; the environment i.e. the impact of onlookers, events immediately preceding the incident and whether the student has been involved in substance abuse (drugs, alcohol or solvents).

It is important that the students are made aware of what is expected of them, and that as soon as there is a genuine attempt to comply with such expectations the hold be released. The amount of force that is used should be reasonable and proportionate and the minimum necessary to successfully achieve the desired outcome as defined above.

PHYSICAL RESTRAINT

Physical restraint should only be used when all other strategies have been tried and found to be unsuccessful.

When restraint is used it should always be **USED WITH CARE**

URGENTLY required to prevent immediate possibility of harm or damage to self, others or property, or the disruption of the group.

SAFE using only the minimum of force necessary.

EFFECTIVE not if it will make the situation worse.

DECENT great care must always be taken to avoid sensitive areas of the body, the risk of cultural offence, or the risk of sexual arousal.

WITNESSED every effort must be made to ensure the presence of another member of staff as a witness and assistant.

INDEPENDENT of size, the method of restraint used must depend for its efficacy on the technique, and not the relative sizes of staff member and student.

TIMED the restraint should only continue for the minimum time for it to be effective.

HARMLESS it must always be an act of care and control, never punishment.

CALMING the intention is to help the student regain their self-control, there should always be a calming dialogue to that end.

APPROPRIATE to the circumstances, only when all else has failed, only for as long as necessary.

RECORDED all incidents of restraint must be recorded using Learning Opportunities pro-forma.

EXPLAINED reasons for the restraint and resolution of the incident should be conducted with the student, as soon after the incident as will be effective. All restraints should be discussed at the earliest opportunity by the staff concerned, and a senior member of staff.

The above has been adapted from material used by the Hesley Group.

Where there is a high and immediate risk of death or serious injury, any member of staff would be justified in taking any necessary action (consistent with the principle of seeking to use the minimum force required to achieve the desired result). Such situations could include preventing a student running off the pavement into a busy road or preventing a student from hitting someone with a dangerous object such as a glass bottle or hammer.

Situations where staff should not normally intervene without help:

There may be occasions where an authorised member of staff should not intervene in an incident without help, unless it is an emergency.

Help may be needed in dealing with a situation involving an older student, more than one student or if the authorised member of staff believes they may be at risk of injury. In these circumstances the member of staff should take steps to remove other students who might be at risk and summon assistance from other authorised staff, or where necessary phone the police.

CONTINGENT TOUCH (Refer to Safe and Appropriate Touch Policy)

A fundamental issue to be considered in the use of any form of physical contact with a student is their absolute right to be both "touched" and "not touched". It is clear that for some students who may have had experiences of abuse in the past, the issue of being touched in any way must be managed sensitively. Similarly for some students their need for emotional support and comfort may at times extend to being physically comforted and this too must be managed appropriately.

Physical interventions which do not amount to restraint – these are physical actions, which do not carry the force of physical restraint. Such actions include holding a student who is very distressed, placing a hand around the student's shoulder to comfort them or to discourage or divert him away from danger, or standing in the way to discourage them from leaving. All of these actions cover contact, which staff might commonly expect to have with students in the course of their professional duties, for example:

- To guide actions in PE
- To offer comfort, reassurance, praise and to relieve distress
- Placing a hand on a student's arm to discourage or direct him from disruptive or destructive behaviour
- Taking the hand or arm of a student to lead, guide or escort him away from danger
- Standing in the way to discourage them from leaving
- When administering first aid
- To demonstrate how to use a musical instrument.

Some students only regain calm when they are held closely by an adult. There may therefore be occasions where a distressed student needs comfort and reassurance which may include physical comforting such as a caring parent / carer would give. Staff use their own professional judgement, guided by our Safe and Appropriate Touch Policy, when they feel a student needs this kind of support.

The need for this type of physical closeness will be discussed with parents / carers and staff will make clear the amount of contact there is likely to be. The important issue here is the well-being of the student. Acting in Loco Parentis staff are required to assist the student as a good parent / carer would and understand that distressed students need to be taken care of. This kind of physical contact will be written as part of the management plan for that student.

Where a member of staff has particular concern about the need to provide this type of care and reassurance they should seek the advice of SLT.

Physical contact with students becomes increasingly open to question as students reach and go through adolescence, and staff should also bear in mind that even innocent and well-intentioned physical contact can sometimes be misconstrued. However, Learning Opportunities recognise that many of our adolescent students have similar needs to our younger students and as such may require appropriate physical actions e.g. for a student who is distressed, requiring comfort, discouraging / diverting away from danger.

ABSCONDING (Refer to Missing Person Policy)

A student may decide to leave the school whilst it is still in session. Staff should not let students go without trying to reason with them and it is reasonable to stand in their way when they attempt to

leave the building. However, if the student insists on leaving the school grounds physical restraint is not an option except in special circumstances where there are safeguarding concerns.

In extreme cases, where it is thought that the student may be an immediate threat to him / herself or others, it is reasonable to use physical restraint to prevent them leaving.

The age and understanding of the student has to be taken into account, as it is age and competence that will determine how far control should be enforced.

Any student, regardless of age, who may be in real danger due to lack of road sense or not being able to find their way home can be physically restrained from leaving. If forced to restrain a student and the restraint is prolonged, the parent / carer may be contacted to attend the school so that they may assume parental responsibility and the student can then be handed over to their care.

POSITIVE HANDLING PLANS

Where a student is assessed to be at risk of needing physical intervention this should be formally recorded using Learning Opportunities Positive Handling Plan format. This document outlines appropriate strategies for diffusing situations, as well as detailing the physical intervention techniques that staff aim to use, should the need arise. Incorporated within this plan are relevant risk assessments, which identify the benefits and risk associated with the application of different intervention techniques.

Proposed strategies are discussed with parents, carers and social workers where applicable. Where appropriate, students are also involved in this process.

These plans are regularly reviewed involving all staff and with input from other people involved in students care and education.

Examples of the need for a Positive Handling Plans:

- Any student for whom there has been a regular need to physically intervene
- A student who regularly needs to be physically escorted to a quiet area when emotionally upset for the protection of other students.
- A student whose records display that if intervention is not put into place they will begin to place themselves at increased risk over time.

RECORDING & REPORTING

Learning Opportunities ensure that all incidents requiring physical intervention are thoroughly and systematically recorded. Staff are expected to provide detailed, written reports, ideally on the day the incident occurred, but certainly within 24 hours.

Procedures

All incidents that result in non-routine interventions will be recorded in detail in the school Physical Intervention Record Book (Green).

The record will contain the following information:

- The name(s) and the job title(s) of the member of staff who used reasonable force
- The name(s) of the student(s) involved

- When and where the incident took place
- Names of staff and students who witnessed the incident
- The reason that force was necessary
- Behaviour of the student which led up to the incident
- Any attempts to resolve the situation
- The degree of force used
- How it was applied
- How long it was used for
- Details of any injuries suffered by either staff or students
- Details of any damage to property
- Details of any medical treatment required (an accident form will be completed, where medical treatment is needed).
- Details of follow-up, including contact with the parents/carers of the student(s) involved.
- Details of follow up involvement of other agencies – police, Social Services
- Witnesses may be asked to provide a written account.

Learning Opportunities will report any injuries to students or staff in accordance with RIDDOR (HSE Regulations 1995)2.

Informing parents / carers / social workers when force has been used on their child

A senior member of staff will always inform parents / carers and where relevant social workers about serious incidents involving the use of physical intervention. Details shared will include:

- Student's behaviour and level of risk presented at the time of the incident;
- Degree of force used;
- Effect on the student or member of staff;
- Any injuries sustained.

DEBRIEF

The student will be given time to calm while staff continue to supervise them. When the student regains complete composure, a senior member of staff (or her/his nominee) will discuss the incident with the student and try to ascertain the reason for its occurrence. The student will be given an opportunity to explain things from her/his point of view. All necessary steps will be taken to re-establish the relationship between the student and the member(s) of staff involved in the incident.

- In cases where it is not possible to speak to the student on the same day as the incident occurred, the debrief will take place as soon as possible after the student returns to school.
- All members of staff involved will be allowed a period to debrief and where necessary time-out of the class setting to recover from the incident. A senior member of staff (or her/his nominee) will provide support to the member(s) of staff involved.
- A member of the SLT will be informed at the earliest possible opportunity of any incidents where positive handling was used, and will review each incident to ensure that any necessary lessons are learned.

AUTHORISED STAFF

There are a number of nationally recognised training bodies and Learning Opportunities supports the use of TEAM TEACH techniques. Team Teach is recognised by the Institute of Conflict Management.

All members of school staff have a legal power to use reasonable force to prevent students from hurting themselves or others, from damaging property, or from causing disorder. Learning Opportunities supports this power through the use of TEAM TEACH techniques and permanent staff are provided with training in their methods. For new staff, appropriate guidance will be given prior to training being available with a registered trainer. Additional staff authorised by the SLT must ensure they are familiar with the school's policies.

All staff authorised to use TEAM TEACH methods update their training with a registered trainer in accordance with their requirements.

SUPPORT FOR STAFF

Staff that have had to use physical intervention will be offered the opportunity to discuss their feelings about the incident as soon as practical. It is an expectation that all staff acknowledge the importance of using a senior member of staff to discuss the issues raised by the use of restraint. An important part of staff debrief will be the reassurance for Learning Opportunities in establishing that procedures were adhered to, and that the actions were in accordance with the policy.

Learning Opportunities accept their responsibility to ensure that professional behaviour applies to relationships between staff and students. It is acknowledged however, that there may be occasions when students accuse staff of abuse. Procedures for dealing with such incidents are designed to minimise the damaging affects of false allegations. Details of which can be found within Learning Opportunities Safeguarding and Managing Allegations Against Staff Policies.

The SLT will support the actions of staff in the use of physical intervention, provided that they have been conducted in the context of this policy and the methods drawn from the ***Team Teach programme*** have been used.

COMPLAINTS (Refer to Complaints Policy)

Learning Opportunities is committed to establishing a clear, simple and accessible complaints procedure, which aims to resolve issues as quickly as possible.

All complaints relating to positive handling will be thoroughly, speedily and appropriately investigated.

Dfe guidance Use of Reasonable Force (2013) states that 'the onus is on the person making the complaint to prove that his/her allegations are true – it is not for the member of staff to show that he/she has acted reasonably'.

In considering the appropriateness of suspending a member of staff where an allegation of using excessive force is made, Learning Opportunities will refer to the "Dealing with Allegations of Abuse against Teachers and Other Staff". Where a decision is taken to suspend a member of staff, the Headteacher will ensure that they have access to a named contact who can provide support.

MONITORING

Learning Opportunities will review incidents involving positive handling / physical intervention, the purpose being to identify trends and to assess the impact of training.

Following evaluation Learning Opportunities will notify service users of any significant changes to the policy on the use of physical force, or to the way procedures are implemented.

It is Learning Opportunities expectation that in accepting an offer of a place, the placing authority / person with parental responsibility accepts our policies and procedures.

LINKS WITH KEY OTHER POLICIES

The best practice regarding positive handling outlined in this policy should be considered alongside other relevant policies in the school, specifically the following:

- Behaviour Management
- Anti-Bullying
- Safeguarding
- Health & Safety
- Complaints
- Safe and Appropriate Touch

APPENDIX A

TEAM TEACH

Team Teach is a structured, non-violent staff development programme that promotes techniques that are effective with anger and aggression management, utilising therapeutic educational awareness, communication and handling strategies.

Intervention Approaches

C.A.L.M.

Communication Para verbal skills
Remember your body language and personal space
Appear calm and confident

Awareness Don't corner or threaten a student
Avoid an audience if possible and summon assistance
Remember their triggers and separate the student from their behaviour

Listening Let someone else take over if you think it is personal or you start to
lose control
Leave the student a choice; give time and space, restating
expectations
Let the student express verbally, do not become defensive

Making Safe Where possible, adults must exhaust all agreed behavioural management strategies before using an accepted and endorsed physical intervention
Warn the student before physically intervening

Early Intervention Strategies

Positive Crisis Behavioural Management Strategies

Restructuring the environment / programme

Classroom conditions might well be responsible for encouraging or reinforcing appropriate behaviour. Does the physical arrangement of the classroom provide proper seating arrangements and free flowing movement patterns for students? Are students in a position to see and hear when staff speak? Are the instructional materials and objectives appropriate for individual students? Is interest level high?

Inappropriate behaviour is occurring, then it is necessary to determine what events or conditions in the classroom environment are reinforcing these behaviours.

Planned Ignoring

Some behaviours (example blowing bubble gum) have limited power and will fade away if it is not nourished nor replenished.

Simply ignoring these attention-seeking behaviours will stop behaviours. The teacher must however, know the student and know that the behaviour will not spread to other students.

Signal Interference

Many teachers use non-verbal signs to show disapproval of certain behaviours. Some non-verbal techniques are:

- *Eye contact*
- *Hand gestures*
- *Tapping or snapping fingers*
- *Coughing or clearing the throat*
- *Facial expressions – frowning*

These non-verbal techniques seem to be most effective at the beginning stages of the misbehaviour.

Proximity Control

By standing near a student who is having some difficulty, the student will gradually control his / her impulses. The teacher becomes a source of protection and strength. This makes identification easier.

Note: A good thing about ***Planned Ignoring, Signal Interference*** and ***Proximity Control*** is that these techniques are not embarrassing to the student. All three can be used while carrying on the regular class programme.

Interest Boosting

Showing interest in classroom assignments or saying something quietly about the student's personal interest could help to change poor behaviour. This shows the student that the teacher is a real person.

Tension Reduction Through Humour

A humorous comment can break through a tense situation. This clears the air and makes everyone feel more comfortable.

Hurdle Help

Disturbing behaviour is not always the result of an inner problem. Sometimes the student is frustrated by the immediate classroom assignment. Provide the student with help before he / she starts to act out and the situation gets out of control. A good technique is to ask the student that has a confused or puzzled look on his / her face does he / she understand the question.

Support Through Routine

Students need structure in order to feel comfortable and secure. Without structure they become anxious and active. Students also need a daily schedule or routine. It helps to calm and relax them. A schedule also helps the transition from one activity to another.

Removing Seductive Objects

A teacher cannot compete with a football or basketball in a regular class setting. Either the objects will go or the teacher will accept the disorganised state of the group.

Antiseptic Bouncing

There are times when a student may not respond well to verbal controls. When this happens, a good idea is to ask the student to leave the room for a few minutes, maybe to deliver a message or get a drink of water.

This technique is called 'Antiseptic Bouncing' because there is no intent to punish, but it protects and helps the student get over feelings of anger, disappointment or even uncontrollable laughter.

Positive Listening Skills

- Do not be judgemental
- Do not ignore fake attention: eye contact matters
- Carefully listen to what a person is really saying
- Use silence and restatement to clarify messages
- Reflection can be used to clarify

Short Term Goals

- To establish trust with the adult, to co-operate and respond positively
- To gain some degree of awareness of what affect the behaviour has on themselves, others and the situation
- To make a plan to solve the next problem in a more socially appropriate manner
- To assume responsibility for their own role in the situation

- To continue the calming process with the student so that he / she can return to the level at which he / she can function appropriately
- To explore with the student his / her responsibility for what has happened
- To identify alternative behaviour for the student to use
- To develop a plan to re-enter the student back into the class / school