

## Positive Handling Policy

### Policy Statement

At OMG Education Independent School (OMG), we create a calm environment to minimise incidents that may require any physical intervention. We prioritise the use of non-physical de-escalation strategies when students display challenging behaviour. We only use physical interventions when the risks involved in doing so are outweighed by the risks of not doing so. The Education Act 1996 forbids corporal punishment but allows all teachers to use reasonable force in order to prevent a student from:

- harming him/herself or others
- seriously damaging property or vandalism
- committing a criminal offence
- acting in a way that is counter to maintaining good order and discipline at the school
- injury (or harm to self or others) as actual or grievous bodily harm, physical or sexual abuse, risking the lives of or injury to self or others by wilful or reckless behaviour and self-poisoning.

Staff should not hesitate to act in these situations provided they follow this policy and the attached guidance and their reason for using physical intervention is professionally justified. Furthermore, the decision to use physical intervention will be made in the context of the level of risk presented by the behaviour, the seriousness of the incident, and the relative risks of the use of physical intervention compared with any available alternative. The use of physical intervention will take into account the characteristics of the pupil, including their age, gender, SEN, physical needs or disability, developmental level or cultural issues.

### Purpose

The purpose of this policy is to make clear the position of the school with regard to necessary physical interventions and to safeguard the well-being of students and staff when a situation or incident requires the use of physical intervention. It is the objective of OMG to maintain consistent and safe practices in the use of handling, reasonable force and restraint that are both consistent with the law and with the ethos of our school. It is our aim to ensure that any physical intervention is a last resort, minimum, infrequent, and recorded.

All staff and volunteers adopt a positive approach to improving behaviour aligned with our Behaviour and Exclusion Policy in order to reward effort and application, build self-esteem, and promote a safe environment for students and staff. We work in partnership to understand our students, reduce the escalation of behaviours, and make sure that the use of physical intervention is rare. We normalise early and preventative intervention by following the following approach:

- Identify the trigger and understand the factors that have influenced the students' behaviour
- Understand what the student is communicating through their behaviour; is there an unmet need?
- Identify the early warning signs that indicate foreseeable behaviours are developing
- Meet the needs of the student to the best of our ability

### Definition of terms

Although we believe that physical intervention is deemed as a last resort, at OMG, we recognise that there is a need, reflected in common law, to physically intervene when there is an obvious risk to the safety of children, staff and property. This applies on and off-setting sites. If used at all, the use of force to control a situation or restrain pupils will be used in the context of a respectful, supportive relationship with the child in order to ensure minimal risk of injury to students and staff. OMG has adopted the term 'Positive Handling' to describe such interventions.

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

Positive handling refers to a graduated approach that moves towards the control of extreme behaviour by adopting the least intrusive intervention for the shortest period of time to achieve the aim. Positive handling strategies may be restrictive or non-restrictive and include shepherding, guiding, supporting, blocking, confining, holding and, in the most extreme cases, restraining. Restraint' – is the positive application of force in order to actively prevent a child from causing significant injury to him/herself or others or seriously damaging property.

- **Physical Contact:** This would be used if it would seem reasonable that students require opportunities for close contact from staff, as long as this is within public view, sensitively carried out and age/person-appropriate.
- **Physical Intervention:** This may be used to divert a student from a destructive or disruptive action, for example, guiding or leading a student by the arm or shoulder where the student is compliant. This technique cannot be emphasised enough. In the hands of a skilful practitioner, many students can be deflected from a potentially volatile situation into a less confrontational situation. i.e., it may be possible to defuse a situation by timely intervention.
- **Physical control/Restraint/Restrictive Physical Intervention:** This will involve the use of reasonable force when there is an immediate risk to students, staff or property.
- **Planned Physical Intervention:** This is outlined in the student's Risk Assessment. It covers most interventions, as possible scenarios will be identified and planned for in a crisis.
- **Emergency Physical Intervention:** This may be necessary if a situation arises that was not foreseen or is uncharacteristic of the pupil. Staff members retain their duty of care to pupils, and any response, even in an emergency, must be proportionate to the circumstances. Staff should use the minimum force necessary to prevent injury and maintain safety, consistent with the training that they have received. Following any such incident, a risk assessment will be devised (or the existing one updated) to support effective responses to any such situations that may arise. Wherever possible, assistance will be sought from a member of the Leadership Team.

All staff must be aware that they must not:

- Use force as a punishment, as this action would fall within the definition of corporal punishment, which has been abolished
- Use pain to gain compliance
- Deprive the child of food or drink
- Require the child to wear inappropriate clothing
- Require the child to wear clothing that marks them out as different
- Humiliate and/or degrade the child or young person
- Use punitive measures to intentionally cause discomfort or distress
- Confine children in rooms that are unsafe and/or unheated as punishment
- Lock children in rooms to isolate them

The circumstances in which we regard as justified intervention by a staff that would have the effect of limiting a service user's lifestyle or human rights are:

- a) to prevent self-harm or self-neglect by the service user
- b) to prevent abuse or harm to others.

The restraint used must be the least restrictive and compatible with containing the risk. It must last for as short a time as possible. Neither restraint nor the threat of restraint should ever be used as a form of punishment.

### **The Legal Position – Who Can Use Force To Control or Restrain and When**

Teachers and other school staff have a statutory power to use reasonable force to restrain pupils in a number of circumstances as set out in Section 93 of the Education and Inspections Act 2006. Teachers are generally permitted the use of reasonable force to prevent pupils from hurting themselves or others, from damaging property, or from causing disorder. The DfE guidance on the Use of Reasonable Force provides that teachers can use reasonable force:

- To remove disruptive children from the classroom where they have refused to follow instructions to do so
- To prevent a pupil behaving in a way that disrupts a school event or a school trip or visit
- To prevent a pupil leaving the classroom where allowing the pupil to leave would risk their safety or lead to behaviour that disrupts the behaviour of others
- To prevent a pupil from attacking a member of staff or another pupil or to stop a fight in the playground
- To restrain a pupil at risk of harming themselves through physical outbursts.

The statutory provisions can apply when a teacher or other authorised person is:

- On the premises of the school
- Elsewhere at a time when, as a member of school staff, he or she has lawful control or charge of the pupil concerned, for example, on an out-of-school activity.

It should be noted that the use of any degree of force is unlawful if the particular circumstances do not warrant it. The degree of force should be in proportion to the circumstances and the seriousness of the behaviour or consequences it is intended to prevent. The level and duration of the force used should be the minimum necessary to achieve the desired result, such as to restore safety. It is always unlawful to use force as a form of punishment or discipline.

It is relevant that failure to respond in circumstances which merit it can be as serious as overreacting. In many circumstances, it is not a safe option for a teacher to do nothing or to take very limited action when taking action could restore safety. This action may involve swiftly alerting a third party. So far as a teacher's duty of care is concerned, an omission can be significant if there is a subsequent claim for negligence. This will depend on the circumstances of the case. Teachers would not be expected to intervene to restore safety at the expense of their own personal safety.

### **The procedure for restrictive physical intervention**

It is important for all staff to follow the procedure below:

Do

- Tell the pupil what you are doing and why;
- Use the minimum force necessary;
- Involve another member of staff if possible;
- Tell the pupil what s/he must do for you to remove the restraint (this may need frequent repetition);
- Use simple and clear language;
- Hold limbs above a major joint if possible, e.g. above the elbow;
- Relax your restraint in response to the pupil's compliance.
- Reassure the pupil that they are safe throughout

Do not

- Act in temper (involve another staff member if you fear loss of control);
- Involve yourself in a prolonged verbal exchange with the pupil;
- Involve other pupils in the restraint;
- Touch or hold the pupil in a way that could be viewed as sexually inappropriate conduct;
- Twist or force limbs back against a joint;
- Bend fingers or pull hair;
- Hold the pupil in a way which will restrict blood flow or breathing, e.g. around the neck;
- Slap, punch, kick or trip up the pupil;
- Use physical restraint or intervention as a punishment.

### **Guidance**

- Force should be used in all incidents as a method of last resort.
- Support from a colleague should be sought urgently before any use of the intervention.

- Strategies and techniques that help calm and diffuse the situation should be used wherever possible.
- Before intervening physically, a teacher or member of staff should, wherever practical, tell the pupil who is misbehaving to stop and what will happen if they do not stop.
- The teacher should attempt to continue to communicate with the pupil during the incident and should make it clear that physical contact or restraint if applied, will stop as soon as it ceases to be necessary.
- An assured, calm, and non-confrontational approach is helpful; however, trying the circumstances. This can be conveyed by one's tone of voice and body language.
- If the staff member believes they are at risk. They are advised to remove other pupils at risk and summon help from a colleague, and inform the Headteacher as soon as possible. Continue to diffuse the situation orally and try to prevent it from escalating until help arrives.

Physical Intervention can take a number of forms, such as:

- Physically interposing between pupil
- Standing in the way of a pupil
- Holding, pushing and pulling
- Leading a pupil away from an incident by the hand
- Leading a pupil away from an incident by gentle pressure on the centre of the back.
- In extreme cases, more restrictive holds may be used.

Restraint must NOT be:

- Holding around the neck or any other hold that might restrict breathing
- Kicking, slapping, punching
- Forcing limbs against joints (arm locks)
- Tripping or holding by the hair or ear
- Contact with sexually sensitive areas
- Holding face down on the ground

Pupils who may be distressed by events can be offered the following support:

- Downtime taking part in a calming or reflective activity
- Time for reflective practice away from the incident/trigger
- Resuming their usual routine/previous activity as soon as possible, especially for pupils with special needs
- Time with a member of staff to debrief the incident

## **Injury to the Child**

Whilst physical techniques are intended to reduce risk, there is always a risk when two or more people engage in using force to protect, release, or restrain a child. Techniques are used to avoid injury to the child, but it is possible that bruising or scratching may occur accidentally. These are not to be seen necessarily as a failure of professional technique but a regrettable infrequent side effect of ensuring that the child remains safe.

Any such injury will be reported as a critical incident on our school MIS. Any injuries to pupils as a result of incidents involving restraint will be reported to the Head Teacher and parent/carer. We have staff on site who are trained in First Aid. Any may be called upon to implement First Aid or seek further guidance in the event of an injury or physical distress arising as a result of a physical intervention.

## **Training**

The Headteacher is responsible for ensuring that relevant staff receive and keep up-to-date training in positive handling. Relevant staff includes members of the Leadership Team and adults employed to support children with social-emotional and behavioural difficulties. The school provides training for all relevant staff, and the Headteacher retains a list of all those staff trained.

Once appropriately trained, all members of staff working with students at the school are authorised to handle, use reasonable force or restrain students if / when such physical intervention is necessary. No member of staff is required to employ any physical intervention strategy if they are not comfortable or confident to do so effectively. No member of staff should intervene physically if they have reason to believe that to do so would worsen the situation/incident that is taking place.

In all circumstances where physical intervention is or may become required, members of staff should ensure that adult assistance is requested before the intervention, although it is understood that circumstances may lead to the need for intervention prior to the assistance arrives. Staff considering handling and use of reasonable force or restraint must provide an opportunity for the student to alter their behaviour before employing a physical intervention strategy and should continue to make instructions to the student and details of their intended interventions clear. The method of physical intervention employed must use the minimum reasonable force for the minimum length of time.

## **Monitoring and Recording Incidents**

Monitoring of incidents will help to ensure that staff are following the correct procedures and will alert the Head Teacher to the needs of any pupil(s) whose behaviour may require the use of reasonable force.

Incidents will be monitored regularly (at least termly), and the results will be used to inform planning to meet individual pupil and school needs. Our Head Teacher will ensure that each incident is reviewed and investigated further, as required. If further action is required in relation to a member of staff or a pupil, this will be pursued through the appropriate procedure.

All such incidents must be recorded on our school MIS, and parents must be informed as soon as practicably possible. If anyone is injured, an accident/incident report must also be completed on both our school systems and in our Accident book located in the main reception. Records of incidents must be given to the Headteacher as soon as possible and by the end of the school day at the latest.

The written report should include:

- The name(s) of the pupil(s) involved and when and where the incident took place.
- The names of other staff and pupils who witnessed the incident.
- The reason force was necessary.
- How the incident began and progressed, including details of the pupil's behaviour, what was said by those involved, the strategies used to defuse or calm the situation, the degree of force used, how that was applied and for how long.
- The pupil's response and the outcome of the incident.
- Details of any injuries suffered by the pupil, another pupil or any member of staff and of any damage to property.
- The parents of the pupil/s need to be informed as soon as possible after the event.

For the safeguarding of both staff and students, any subsequent investigation of the situation/incident will be undertaken by a member of staff other than the one applying the physical intervention. The circumstances and nature of the physical intervention will be held on the record of the student involved. Where appropriate, the DSL will inform any necessary agencies/authorities of the physical intervention in accordance with DFE and LA guidance. The Headteacher will ensure that parents/carers are appropriately informed.

### **Debriefing arrangements**

After an incident, the child or young person and a member of staff will be checked for any sign of injury. First aid will be administered to anyone who requires it, and medical treatment will be obtained.

The child or young person will be given time to become calm while staff continue to supervise him/her, initiating reflective practice. When the child regains complete composure, a senior member of staff, plus our pastoral and behaviour lead, will discuss the incident with the child and try to ascertain the reason for its occurrence. The child will be given the opportunity to explain things from his/her point of view. All necessary steps will be taken to re-establish the relationship between the child and the member(s) of staff involved in the incident, initiating restorative practice.

In cases where it is not possible to speak to the pupil on the same day as the incident occurs, the debrief will take place as soon as possible after the child returns to school. All staff involved should be allowed a period of debriefing and recovery from the incident. A senior member of staff will provide support to the member(s) of staff involved. The Headteacher will be informed at the earliest possible opportunity of any incidents where positive handling was used.

The headteacher (or his/her nominee) will initiate the recording process if it is not already underway and review each incident to ensure that any necessary lessons are learned. All parents/carers will be informed immediately after an incident where positive handling is used with a child. Parents/carers will need to be notified sensitively and made aware of the full circumstances.

### **Arrangements for Informing Parents**

Parents/carers are informed of the school's policy regarding positive handling and behaviour. All planned positive handling or restraint procedures are outlined in the student's risk assessment.

All interventions will be routinely recorded and monitored with the expectation that steps are taken to reduce the number of restrictive physical interventions year on year. Parents will be informed as a matter of urgency if the physical intervention has been used.

## **Complaints**

After an incident in a school, there is always the possibility of a formal complaint. Individuals may feel aggrieved by the incident, whether they are students, parents, teachers, other employees, or even visitors to the school and members of the public. Any of these persons can lodge a complaint and expect it to be investigated diligently and fairly.

The general complaints procedure adopted by the governing body must always be followed, and it must include the following elements:

- A student wishing to complain should be treated courteously and without prejudice and be requested to write the complaint in his or her own words. In the event that the student has difficulty with writing, or cannot write fluently, or where English is not the first language, a member of staff not involved in the incident should record the complaint, verify and read through with the student, and ask the student to sign and date the report where possible. The student must be given clear information on how to access the services of an advocate.
- If a complaint is received that alleges some form of abuse or injury, whether inflicted during the use of Positive Handling and Physical Intervention or not, the Headteacher or designated person must record the complaint in writing. This recorded information must include where and when the incident occurred. It should include as much detail of the alleged injuries or abuse as possible. At this point, it is important that the Headteacher confirms to the complainant that the matter will be dealt with in line with Child Protection Procedures.

## **Whistleblowing**

In some cases, physical intervention can be misapplied. Staff are reminded that part of their duty of care to pupils includes the requirement to report any such matters which cause them concern in relation to pupil management and welfare.

Any such concerns should be raised with the Head Teacher, another member of the Senior Leadership or line manager, in order to allow concerns to be addressed in line with our whistleblowing policy and practice improved. In the case of any action concerning a member of staff, he/she will be advised to seek advice from his/her professional association/union.