



## **Positive Handling Policy**

**Updated Nov 2018**

### **Related documents:**

Behaviour Policy  
Statement of behaviour principles  
Child Protection and Safeguarding Policy  
School's set of child protection related policies  
Keeping Children Safe in Education 2018  
'Behaviour and Discipline in Schools' DfE  
'Use of reasonable force' DfE guidance

### **Introduction and context**

'Positive Handling' of challenging situations or behaviours includes a wide range of strategies used to de-escalate, defuse and divert in order to prevent violence and reduce the risk of injury to staff and children. Positive Handling describes a broad spectrum of risk-reduction verbal and non-verbal, contact and non-contact strategies, including eg saying something at the right time-or keeping quiet until appropriate. It is a holistic approach involving policy, guidance, management of the environment, training and deployment of staff. Team-Teach is a training course and restraint is a very small part of Team-Teach strategies. The aim of Positive Handling of challenging situations is to provide security, safety and acceptance; allowing for emotional recovery and repair.

From the Team Teach training workbook: Allowing children to hurt themselves or to damage their own property is clearly not in their best interests. But neither is it in their best interest to allow them to hurt other people or damage other people's property. Professionals may be justified in taking action to prevent children from doing something they will later regret. There are times when the behaviour of one child threatens the physical or emotional safety of other children, with a consequent risk of significant harm. Failure to take early action may result in the child becoming out of control so that when action is eventually taken, the risk of injury is greater. This is not in the child's best interest.

Staff receive support and training to confidently manage challenging situations or behaviours by deploying a range of de-escalation strategies. Training includes in-school induction, guidance from policies, staff meeting discussion, modelling of Positive Handling strategies by experienced staff as well as the offer of Team Teach training. All staff are allowed to move a child away from other children or guide them to a safe seated position if there is a risk.

### **1:1 Legal Framework**

Positive Handling (formerly known as Physical Restraint) should be limited to emergency situation and used only in the last resort. Section 550A of the Education Act 1996 allows teachers, and other members of staff at a school who are authorised by the Head teacher, to use positive handling as is reasonable in circumstances where the pupil may need to be prevented from engaging in behaviours which are likely to

cause injury to themselves, others or damage to property. The guidance extends this to maintaining good order and discipline, for both on-site and off-site activities.

DfE's 'Use of Reasonable Force' guidance states that all members of school staff have a legal power to use reasonable force. The term 'reasonable force' covers the broad range of actions used by most teachers at some point in their career that involve a degree of physical contact with pupils. Force is usually used either to control or restrain. 'Reasonable in the circumstances' means using no more force than is needed. Restraint means to hold back physically or to bring a pupil under control. Schools cannot use force as a punishment.

The Criminal Law Act (1967) allows any person to use such force as is reasonable in the circumstances to prevent an offence (e.g. physical assault) being committed. Reasonable minimal force must be a matter of personal judgement. It enables teachers and other members of staff in the school, authorised by the Head teacher to use such force as is reasonable in the circumstances, to prevent a pupil from:

- Committing an offence
- Causing personal injury to, or damage to the property of, any person (including the pupil himself)
- Engaging in any behaviour prejudicial to the maintenance of good order and discipline at the school or among its pupils, whether during a teaching session or otherwise

### **1:2 What does it mean to restrain a child?**

Positive Handling includes the positive application of force with the intention of protecting the child from harming himself or others or seriously damaging property. The proper use of Positive Handling requires skill and judgement, as well as knowledge of non-harmful methods of restraining. Restraint includes guiding a child to a safe sitting position; removing disruptive children from the classroom where they have refused to follow an instruction to do so or guiding a child away from others.

### **1:3 Why use restraint**

Positive Handling should avert danger by preventing or deflecting a child's action or perhaps by removing a physical object, which could be used to harm him/herself or others. Positive Handling skilfully applied may be eased by degrees as the child calms down in response to the physical contact. It is only likely to be needed if a child appears to be unable to exercise self-control emotions and behaviour.

### **2:1 General aims**

The staff of Woodside School recognise that the use of reasonable force is only one of the strategies available to secure pupil safety/well being and also to maintain good order and discipline. Our policy on the use of reasonable force is part of our overall pastoral care procedures and closely related to our policies on managing pupil behaviour in the 'Behaviour Policy' and also to 'Keeping Children Safe in Education.'

### **2:2 The aims**

To protect every person in the school community from harm.

To protect all pupils against any form of physical intervention which is unnecessary, inappropriate, excessive or harmful.

To provide adequate information and training for staff so that they are clear as to what constitutes appropriate behaviour and to deal effectively with violent or potentially violent situations.

To give full support to staff who have been assaulted or have suffered verbal abuse from pupils or others.

### **3:1 Risk Assessment**

Although most young people in Woodside School will never require any form of Positive Handling, staff may have to deal with some young people who exhibit disturbed, distressed and distressing behaviour. It is therefore necessary to carry out risk assessments. We will attempt to reduce risk by managing:

The environment

Body Language

The way we talk

The way we act

### **3:2 Environmental Risk Assessment**

#### **4:1 Recording**

Staff should always discuss incidents of restraint with the Head Teacher and record serious incidents using the attached form.

Details should include:

- Name of pupils(s)
- Staff member(s) involved
- Factors necessitating physical intervention
- The strategies which were employed prior to using physical intervention
- How physical intervention was effected
- Outcome of restraint
- Any other action taken in the management of the incident

#### **5:1 Complaints**

We all have a duty of care to the young people in our school and cannot escape our legal responsibilities by avoiding taking appropriate and necessary action. Involving parents when an incident occurs with their child, together with a clear policy adhered to by the staff, should help to avoid complaints from parents. It will not prevent all complaints, however, and a dispute about the use of force by a member of staff might lead to an investigation, either under disciplinary procedures or by the Police and social services department under child protection procedures.

Staff subjected to physical violence or assault, have the right to be supported in making a formal complaint to the police and, if necessary, can take private action against an assailant.

Remember that adhering to the principles and procedures referred to in this policy statement is part of effective practice and should minimise risk to young people in our care and enhance our own self-protection.

**Woodside Primary School  
Positive Handling Incident Form**

Name of pupil(s):

Staff Member(s) involved:

Factors necessitating physical intervention:

How physical intervention was effected:

Outcome of restraint:

Any other action taken in the management of the incident:

Parents/carers informed:

Time

Yes/No

## Frequently Asked Questions

**Q: I'm worried that if I use force a pupil or parent could make a complaint against me. Am I protected?**

**A:** Yes, if you have acted lawfully. If the force used is reasonable all staff will have a robust defence against any accusations.

**Q: How do I know whether using a physical intervention is 'reasonable'?**

**A:** The decision on whether to physically intervene is down to the professional judgement of the teacher concerned. Whether the force used is reasonable will always depend on the particular circumstances of the case. The use of force is reasonable if it is proportionate to the consequences it is intended to prevent. This means the degree of force used should be no more than is needed to achieve the desired result. School staff should expect the full backing of their senior leadership team when they have used force.

**Q: What about school trips?**

**A:** The power may be used where the member of staff is lawfully in charge of the pupils, and this includes while on school trips.

**Q: Can force be used on pupils with SEN or disabilities?**

**A:** Yes, but the judgement on whether to use force should not only depend on the circumstances of the case but also on information and understanding of the needs of the pupil concerned.

**Q: I'm a female teacher with a Year 10 class - there's no way I'd want to restrain or try to control my pupils. Am I expected to do so?**

**A:** There is a power, not a duty, to use force so members of staff have discretion whether or not to use it. However, teachers and other school staff have a duty of care towards their pupils and it might be argued that failing to take action (including a failure to use reasonable force) may in some circumstances breach that duty.

**Q: Are there any circumstances in which a teacher can use physical force to punish a pupil?**

**A:** No. It is always unlawful to use force as a punishment. This is because it would fall within the definition of corporal punishment, which is illegal.

(From DfE's 'Use of reasonable force' document)