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Positive Handling Policy

June 2023

Version Control

Reviewer / owner (role)	Executive lead (role)	Approving body	Meeting date when the policy was approved
Director of Primary	CEO and Executive Board	EPSC	16 October 2023

This policy is reviewed every three years. The next review is due by October 2026.

Contents

1. Introduction

- 1.1. Aims and Scope
- 1.2. Other Linked Policies

2. Policy Statement

- 2.1. Policy Terms

3. Guidance and Procedures

- 3.1. Risk Assessment and Planning
- 3.2. Unplanned / Emergency Use
- 3.3. Use of Force and Restraint
- 3.4. Post-incident Support
- 3.5. Reporting, Recording and Monitoring

1. Introduction

The Trust intends and expects that all decisions, policies and procedures will be underpinned at all times by its vision and values:

Our aim:

To create centres of educational excellence that inspire all pupils to turn their potential into performance.

To achieve this our schools will:

- Provide a broad and balanced curriculum that allows pupils to develop their talents and ambitions.
- Deliver the highest quality learning opportunities facilitated by excellent teachers.
- Inspire our pupils to become confident, motivated and respectful individuals ready to make a positive contribution to society.

The Trust will support our schools by:

- Maximising the resources and expertise available to individual schools.
- Providing a platform for the sharing of excellent practice.
- Challenging and developing staff to turn their potential into performance.

1.1. Aims and Scope

This policy is based on guidance outlined in Circular 10/98 – ‘The Use of Force to Control or Restrain Pupils’. The Circular refers to the 1996 and 1997 Education Acts which clarify the position regarding the use of physical force by teachers and other staff working in schools, to control or restrain pupils.

All staff should follow this policy, and also refer to the whole school Behaviour Policy – ‘Guidelines for the Use of Physical Intervention in Schools’ – for more detailed advice. This is available from the Director of Inclusion.

Purpose

Our School Behaviour Policy should develop a secure, stimulating, calm and well-managed learning environment. There may, however, be rare occasions on which members of staff will need to use ‘reasonable force’ in order to control or restrain pupils.

This policy aims to:

- Establish clarity amongst the LAB members, staff, parents and pupils as to the circumstances in which physical intervention may be appropriate.
- Describe what actions staff may take when incidents occur that may require the physical restraint of a pupil.
- Define the procedures that must be taken immediately after any such incident

At schools within The Park Academies Trust, we believe that the use of reasonable force is only necessary to prevent a pupil from:

- Injuring themselves or others.
- Causing damage to property, including their own.
- Committing a criminal offence.
- Engaging in any behaviour prejudicial to maintaining good order and discipline at the school or among any of its pupils, whether that behaviour occurs in the classroom during a teaching session or elsewhere.

1.2. Other linked Policies

- Safeguarding and Child Protection Policy
- Behaviour Policy

2. Policy Statement

In TPAT Schools, we aim to avoid the need for physical intervention and regard this as a last resort in a minority of situations. We always aim to deal with behaviour using a positive approach, in line with our individual school behaviour policies. It is not possible to define every circumstance in which physical restraint would be necessary or appropriate and staff will have to exercise their own judgement in situations which arise where physical restraint may need to be used.

Staff should always act within the school's policy on behaviour and discipline, particularly in dealing with disruptive behaviour. Staff should be aware that when they are in charge of pupils during the school day, or during other supervised activities, they are acting in loco parentis and have a 'Duty of Care' to all pupils they are in charge of. They must, therefore, take reasonable action to ensure all pupils' safety and wellbeing. Staff are not expected to place themselves in situations where they are likely to suffer injury as a result of their intervention.

3. Guidance and Procedures

3.1. Risk Assessment and Planning

Where necessary for certain pupils, a Positive Handling Plan (PHP) should be written, outlining planned responses and techniques. This should be written in conjunction with the child's parents / carers, and should be shared with all staff who regularly come in to contact with the child.

The Headteacher is responsible for authorising staff to use physical interventions to control and restrain children as part of a structured and planned intervention within this school. The Headteacher is also responsible for ensuring that all planned use of physical intervention is risk assessed. Copies of all risk assessments are held in the central folder and are reviewed regularly.

No other person other than those who are Team Teach trained should engage in a planned intervention, unless for those reasons stated below under 'unplanned / emergency use'.

3.2. Unplanned / Emergency Use

Emergency use of physical interventions may be required when pupils behave in unforeseen ways. In an emergency, to exercise 'duty of care', the use of reasonable force is permissible if it is the only way to prevent injury or serious damage to property, in line with this policy.

Those who have not received Team Teach training, but whose roles include the supervision of children may use reasonable force in an unplanned intervention where it is necessary to prevent a serious injury from occurring.

3.3. Use of Force and Restraint

If physical intervention appears to be likely, staff should adhere to the following guidelines:

- Send for assistance.
- Remove other pupils from the area immediately.
- Whenever possible, ensure that two members of trained staff carry out any physical intervention.

The use of restraint should always be the last resort. If practical before and during an intervention, calm reassurance and understanding should be offered, so the child understands that we are there to help them, asking them to stop and giving them opportunities to rectify the situation independently, to try to de-escalate the situation. Every effort should be made to achieve a satisfactory outcome without physical intervention. **In all circumstances help must be sent for, even when intervention is necessary.** Where possible, force and restraint should only be carried out by those fully trained. Restraint can take a variety of forms – many of which are outlined in Circular 10/98 and in the Borough Guidelines referred to above. Staff should always avoid touching / holding a pupil in a way that might be considered inappropriate.

Force, where used, should always be reasonable. There is no legal definition of 'reasonable force'. It should always be proportional to the risk and no more than necessary to prevent harm, damage or serious disruption. It should be used only to control or restrain and never with the intent to cause pain, harm, punishment or humiliation. It must, therefore, be the minimum needed to achieve the desired result. In any action, due regard has to be taken to age, understanding and sex of the pupil. Under the Equality Act 2010, careful consideration of any additional needs or disabilities will be taken into consideration and any reasonable adjustments made accordingly.

The Trust accepts and understands that in accordance with the law corporal punishment is forbidden.

3.4. Post-incident Support

Following the incident, positive listening and debrief should take place between those involved to help them to recover, rebuild and restore positive relationships. Details of this should be recorded in the Bound and Numbered book to support monitoring. The question 'are you hurt?' needs to be asked and responses and follow up action recorded on the forms in the Bound and Numbered book.

3.5. Reporting, Recording and Monitoring

Where restraint has been necessary, the incident must be reported to the Headteacher the same day, and logged in the incident book which is held in the office. A report should be written and filed using the Bound and Numbered book which is held in the school office, including completion of the 'Are you hurt?' form and letter home to parents / carers. Each incident must also be recorded on CPOMS (Child Protection Online Management System) which all staff receiving training for.

Where Force and Restraint has been necessary on multiple occasions for the same child, a Positive Handling Plan (PHP) should be written and agreed with parents and all staff that work with the child, using the agreed proforma. Please see the SENDCo for support with writing a PHP if needed.

The Headteacher will conduct a review following incidents, to help determine the need for any action. The class teacher / Headteacher, as appropriate, must contact the child's parents / carers after each incident if the child does not have a Positive Handling Plan, and any other relevant bodies.

In the event of an injury occurring, the appropriate Health and Safety form must be completed and the accident reporting procedures followed. Parents of pupils involved must always be advised of an incident and it may be necessary for it to be followed up by other disciplinary action or pastoral support.