

Positive Handling Policy

Policy Statement

Staff at this school are trained to look after the students in their care. Staff have a duty of care to intervene in order to prevent students from hurting themselves or others. There may also be situations in which a child seriously disrupts good order in the school or causes damage to property. If a member of staff ever needs to intervene physically, they will follow the school's Positive Handling Policy. All staff will be issued with a copy of the Policy. Any parent/carer wishing to view this policy may do so on request.

Introduction

The term "Positive Handling" includes a wide range of supportive strategies for managing challenging behaviour. Included are a small number of responses, which may involve the use of reasonable force to control or restrain a student. The term 'physical restraint' is used when force is used to overcome active resistance. A clear and consistent positive handling policy supports students who have Social, Emotional and Mental Health difficulties within an ethos of mutual respect, care and safety.

The Legal Framework

The use of all forms of physical intervention and physical contact are governed by criminal and civil law. The use of restraint or force may be used lawfully provided staff abide by the Human Rights Act 1998 (HRA), European Convention of Human Rights (ECHR), comply with the Equality Act 2010, the Mental Capacity Act 2005 (for students aged 16 and over) and follow the draft guidance from the Department of Health and the Department of Education titled – Reducing the Need for Restraint and Restrictive Intervention, November 2017.

Section 9 of the Education and Inspections Act 2006 allows the use of reasonable force:

- To prevent the committing of any offence
- To prevent personal injury to, or damage to the property of any person (including the pupil themselves)
- To maintain good order and discipline

Guidance on the use of reasonable force is provided by the non-statutory guidance Use of reasonable force: Advice for headteachers, staff and governing bodies (DfE, July 2013).

This policy details how we implement the above guidance in this school. It is designed to help staff to ensure that any actions they take are reasonable, proportionate and absolutely necessary.

School Expectations

The staff and governors take seriously its duty of care towards students, employees and visitors to the school. Staff protection is an important part of student safeguarding: both depend on confident and competent staff who feel supported by the management. This policy has a clear focus.

- The first and paramount consideration is the welfare of the students in our care.
- The second is the welfare and protection of the adults who look after them.

Positive Behaviour Management

All physical interventions at this school are conducted within a framework of positive behaviour management. The school behaviour policy is intended to reward effort and application, and encourage students to take responsibility for improving their own behaviour. Part of our preventative approach to risk reduction involves looking for early warning signs, learning and communicating any factors, which may influence behaviour, and taking steps to divert behaviours leading towards foreseeable risk. Students are encouraged to participate in the development of their own Behaviour Support Plans by focusing on positive alternatives and choices. Parents are also encouraged to contribute. However if problems arise staff have an additional responsibility to support all students when they are under pressure and safely manage crises if, and when, they occur.

Alternatives to Physical Controls

A member of staff who chooses not to make a physical intervention can still take effective action to reduce risk. They can:

- Show care and concern by acknowledging unacceptable behaviour and requesting alternatives using negotiation and reason.
- Give clear directions to the students to stop.
- Remind them about rules and likely outcomes.
- Remove an audience or take vulnerable students to a safer place.
- Make the environment safer by moving furniture and removing objects which could be used as weapons.
- Use positive touch to guide or escort students to somewhere less pressured.
- Ensure that colleagues know what is happening and get help.

Modifications to the Environment

Ideally, staff will not be waiting until a crisis is underway before conducting a risk assessment of the environment. We know that some students at this school may exhibit extreme and possibly dangerous behaviour. In general, it is a good rule to keep the environment clutter free. This may mean giving consideration to secure storage for a range of everyday objects when they are not being used. For example:

- How is the availability of pointed implements (including pens, pencils and compasses) controlled?
- What small items are available to an angry student who may be tempted to use them as missiles?
- What objects are available to be used as blunt instruments?
- Do they all need to be left out all the time?
- Are there sharp edges or corners, which present a risk?
- Is the design and arrangements of furniture safe and appropriate for students who exhibit extreme behaviour?
- Is there a comfortable place to sit with an agitated student? – (Quiet Room)
- Are protocols in place to encourage angry students to take themselves to a safer place? – (Quiet Room)

Help Protocols

The expectation at this school is that all staff should support each other. This means that staff always offer help and always accept it. Help does not always mean taking over. It may mean just staying around in case you are needed, getting somebody else or looking after somebody else's group. Supporting a colleague does not necessarily mean agreeing with their suggestions and offering sympathy when things go wrong. Support sometimes means acting as a critical friend to help colleagues become aware of possible alternative strategies. Good communication is necessary so that colleagues avoid confusion when help is offered and accepted. Staff here have agreed scripts so that all parties understand what sort of assistance is required and what is available. Our chosen help script is "help is available" and "More help is available". The latter is used when a member of staff makes a judgement that help needs to be accepted promptly.

Well Chosen Words

A well-chosen word can sometimes avert an escalating crisis. When students are becoming angry there is no point in getting into an argument. Telling people to calm down can actually wind them up. Pointing out what they have done wrong can make things worse. The only purpose in communicating with an angry person is to prevent further escalation. It is better to say nothing and take time to choose your words carefully than to say the wrong thing and provoke a further escalation.

Last Resort Principle

At this school, we only physically intervene when there is no other realistic alternative. This does not mean that we always expect people to methodically work their way through a series of failing strategies, before attempting an intervention in which they have some confidence. Nor does it mean always waiting until the danger is imminent, by which time the prospect of safely managing it may be significantly reduced. National guidance is clear on this point.

“If necessary staff have the authority to take immediate action to prevent harm occurring even if the harm is expected to happen sometime in the predictable future.”

Para 10 Page 4 Department of Health – 1997 – “The Control of Children in the Public Care: Interpretation of the Children Act 1989” – London H.M.S.O.

It does mean that we expect staff to conduct a risk assessment and choose the safest alternative.

It also means that we expect staff to experiment and think carefully about the alternatives to physical intervention, which may be effective.

Proactive Physical Interventions

It is sometimes reasonable to use a physical intervention to prevent extreme behaviour from becoming dangerous provided that it is an agreed part of the Positive Behaviour Plan. Examples of this are where a student has shown ritual patterns of behaviour, which in the past have led to the student becoming more distressed and violent. In such circumstances it may be reasonable to escort the student to a safer place when the pattern of behaviour begins, rather than wait until the student is distressed and out of control. **The paramount consideration is that the action is taken in the best interest of the student and it reduces, rather than increases risk.**

Reasonable and Proportionate

Any response to extreme behaviour should be **reasonable** and **proportionate**. People should not react in anger. If they feel they are becoming angry they should consider withdrawing to allow someone else to deal with the situation. Where staff act in good faith, and their actions are reasonable and proportionate they will be supported.

When physical controls are considered staff should think about the answers to the following questions:

- **How is this in the best interest of the student?**
- **Why is a less intrusive intervention not preferable?**
- **Why do we have to act now?**
- **Why am I the best person to be doing this?**
- **Why is this absolutely necessary?**

If staff can answer these questions, it is more likely that a physical intervention will be judged to be reasonable and proportionate.

Team Teach

It is the policy of Portal House School that all staff working closely with pupils are trained in the pre-emptive and responsive positive handling strategies and techniques of Team Teach, to complement the behaviour management approaches and strategies reflected in the School Behaviour Policy.

Team Teach is designed to reduce reliance on restraint and restriction by expanding the toolbox of positive behaviour supports. Reducing risk involves giving staff the confidence to take decisive action whilst at the same time encourage better assessment, planning and communication to anticipate hazards and avoid them. The physical techniques are based on providing the maximum amount of supporting control and therapeutic support.

Further details of the Team Teach approach can be found in the Team Teach training manual 2018 and on the Team Teach website (www.team-teach.co.uk)

Unreasonable Use of Force

It is not reasonable to use force simply to enforce compliance in circumstances where there is no risk (please be patient). Nor is it reasonable to use any more force than is necessary to achieve a reduction in risk. Under no circumstances, should pain be deliberately inflicted or should students be deliberately subjected to undignified or humiliating treatment (this should not be confused with the unavoidable discomfort associated with some approved techniques for disengaging from assaults such as bites and grabs). Other than as a one-off emergency measure to protect health and safety, force should never be used to keep a student secluded. Seclusion is only lawful by specific court order and cannot become part of a planning strategy at this school.

Health and Safety

If dangerous behaviour presents a significant risk of injury to people, there is a legal Health and Safety issue to be addressed. Dangerous behaviour should be regarded just as seriously as dangerous equipment. Dangerous occurrences should be reported to **Rose Bradley**, Headteacher, the person responsible for Health and Safety in the school. We all have a shared responsibility to identify risks, communicate potential risks and take active steps to reduce risk wherever possible. We recognise that it is not possible to entirely remove risk. Sometimes things go wrong even when we make our best efforts to do the right thing.

Sometimes we are faced with unpalatable choices. In these circumstances, we have to try to think through the outcomes of the options available, balance the risks and choose whatever course of action seems to involve the least risk. As a guide, think “would I like my child to be treated like this”.

As a minimum requirement, in order to comply with the Health and Safety legislation, each employee has a responsibility to ensure that they are conversant with school policy and guidance, and to cooperate to make the school safer. It is also a requirement that they participate in training if they are directed to do so. This does not necessarily mean that all staff can be involved in all the physical activities. The non-physical aspects of positive handling training are crucially important too.

When considering a student’s behaviour staff should think about the following questions:

- Can we anticipate a Health and Safety risk related to this student’s behaviour?
- Have we got all the information we need to conduct a risk assessment?
- Have we produced a written plan as a result?
- What further steps can we take to prevent dangerous behaviour from developing?

Risk Assessment

Informal risk assessments should be a routine part of life for staff working with students who may exhibit extreme behaviour. Responsible staff should think ahead to anticipate what might go wrong. If a proposed activity or course of action involves unacceptable risk, the correct decision is to do something else.

Factors which might influence a more immediate risk assessment (dynamic risk assessment), and therefore a decision about how to intervene, might include the state of health and fitness of the staff member, their physical stature, competence, confidence and relationships with the students concerned. Confidence and competence are often related to the level of staff training. Other than in an emergency, staff should only attempt physical controls when they are confident that such action will result in a reduction of risk. When faced by extreme behaviour, or even in a fight situation, the judgement may be that by becoming involved, the member of staff will increase the chance of somebody getting hurt. In this case, the correct decision is to hold back from physical controls.

Getting Help

At this school, staff can be called for additional support using their 2-way radios when necessary. For example, "support required in quiet room 2".

- At any given time, there will be staff on duty and with their radio on and able to respond to the call for support.
- Positive Behaviour Plans are available to all staff to read on students who may need positive handling.
- Daily briefing sessions first thing every morning, update on current issues and share information.
- Debrief sessions after a positive handling incident are available on request. Also, students are offered debriefing sessions.
- Team Teach training is offered to all staff. (12 hour basic plus update/refresher short courses).

Positive Behaviour Plans

Risk management is regarded as an integral part of behaviour management planning. All students who have been identified as presenting a risk should have a Behaviour Support Plan. The plan details any strategies which have been found to be effective for that individual, along with any particular responses which are not recommended. If particular physical techniques have been found to be effective or which caused problems in the past. Behaviour Support Plans should be considered alongside the EHC Plan and any other planning documents which relate to the student. They should take account of age, level of physical, emotional and intellectual development, special needs and social context. Behaviour Support Plans should result from multi-professional collaboration and be included alongside any other Support Plan or IEP.

Responding to Unforeseen Emergencies

Even the best planning systems cannot cover every eventuality and the school recognises that there are unforeseen or emergency situations in which staff have to think on their feet. It is not enough to thoughtlessly apply rules without thinking through the likely consequences. All staff should do an 'on the spot' risk assessment (DRA). The key principles are that any physical intervention should be:

- **in the best interest of the student**
- **reasonable and proportionate**
- **intended to reduce risk**
- **the least intrusive and restrictive of those options available which are likely to be effective**

Whenever a physical intervention has to be made there should be a verbal warning. Where possible staff should always attempt to use diversion or diffusion in preference to physical interventions. They should only use the techniques and methods approved for use in this school. In general, if staff act in good faith, and their actions are reasonable and proportionate, they will be supported.

The Post Incident Support Structure for Students and Staff

Following a serious incident, it is the policy of this school to offer support for all involved. People take time to recover from a serious incident. Until the incident has subsided, the only priority is to reduce risk and calm the situation down. Staff should avoid saying or doing anything which could inflame the situation during the recovery phase. Immediate action should be taken to ensure medical help is sought if there are any injuries which require more than basic first aid. All injuries should be reported and recorded using the school system. (Report the injury to your line manager and complete the relevant forms – a) accident form, b) restraint form c) body map.)

In accordance with current Team-Teach guidance, the following statement from the Founder and Chairman of Team Teach, George Matthews, is included in this policy with regard to working realities:

'Team-Teach techniques seek to avoid injury to the service user, but it is possible that bruising or scratching may occur accidentally, and these are not to be seen necessarily as a failure of professional technique, but a regrettable and infrequent side effect of ensuring that the service user remains safe.'

It is important to note that injury in itself is not evidence of malpractice. Even when staff attempt to do everything right, things can go wrong. Part of the post incident support for staff may involve a reminder of this, as people tend to blame themselves when things go wrong. Time needs to be found to repair relationships. When careful steps are taken to repair relationships a serious incident does not necessarily result in long-term damage. This is an opportunity for learning for all concerned. Time needs to be given to following up incidents so that students have an opportunity to express their feelings, suggest alternative courses of action for the future and appreciate other people's perspective. When time and effort are put into a post incident support structure the outcome of a serious incident can be learning, growth and strengthened relationships. This is an opportunity to review Positive Handling Plans with students and go through the write up on the restraint form.

Complaints

It is not uncommon for students to make allegations of inappropriate or excessive use of force following an incident. The school has a formal complaints procedure. (See Complaints Policy). Students should be reminded of the procedure and encouraged to use the appropriate channels. The complaints policy applies equally to staff. We are an open school and promote transparent policy and practice in order to protect the interests of students and staff alike. Any staff concerns regarding the welfare of students should be taken to the designated persons for child protection, **Rose Bradley**, Head Teacher and **Dan Long**, SENCO. Any safety concerns should be reported to the designated person for Health and Safety, **Rose Bradley**, Head Teacher.

Training

Teachers, Teaching Assistants and anyone authorised by the Head Teacher who may need to use planned physical techniques should be trained. This school has adopted the Team Teach model of training. All training courses have been fully accredited by the British Institute of Learning Disabilities (BILD) and the Institute of Conflict Management (JCM), in accordance with DfE and Department of Health guidance. Positive handling training is always provided by qualified instructors within rigorous guidelines.

The level of training recommended is related to the level of risk faced by the member of staff. Our preferred approach is for whole staff team training. Office staff may not require the same level of training in physical techniques as those working directly with students. However all staff benefit from whole school training. The level of training required is kept under review and may change in response to the needs of our students. Once trained, staff should receive refresher training every 2 years if practically possible.

Recording

Whenever an overpowering force is used, the incident must be recorded using the approved form (Restraint Form found in the staff shared area). All restraints are recorded in the bound and numbered book which is kept in the Headteacher's office and all paper copies of restraint forms are kept in student files in the Headteacher's office. When a student leaves school, his records are archived in the Archives Room. All staff

involved in an incident should contribute to the record, which should be completed within 24 hrs. Staff should take time to think about what actually happened and try to explain it clearly. Names should be completed in full and all forms should be typed, signed and dated. Bear in mind these records will be retained and cannot be altered. They will be kept for many years and could form part of an investigation at some time in the future. Restraint Forms should not be completed until the individuals concerned have recovered from the immediate effects of the incident. They should not be rushed. A record should be written into the bound and numbered book, which can refer to restraint forms and other relevant information.

Monitoring and Evaluation

The Headteacher will ensure that each restraint is reviewed and instigate further action as required. The school behaviour log on SIMS and in the bound and numbered book is open to external monitoring and evaluation.

Follow Up

Following a restraint incident, consideration may be given to conducting a further risk assessment, reviewing the Behaviour Support Plan, Behaviour Policy or this Positive Handling Policy. Any further action in relation to a member of staff, or an individual student, will follow the appropriate procedures.

Other relevant Policies

This policy should be read in conjunction with:

Behaviour Policy
Exclusion Policy
Health & Safety Policy
Child Protection Policy

References

British Institute of Learning Disabilities – www.bild.org.uk

Team-Teach- www.team-teach.co.uk

PROACT SCIPr UK Positive range of options using therapy – strategies for Crisis Intervention and Prevention – www.proact-scipr-uk.com

Recommended Reading

- Team Teach Workbook, Jan. 2018
- Reducing the Need for Restraint and Restrictive Intervention Draft guidance from Department of Health and Department for Education Nov. 2017
- Use of reasonable force, Advice for headteachers, staff and governors, July 2013.
- Mood Management, Bernard Allen, 2017
- Physical Contact, Bernard Allen, 2015
- The Legal Framework for Restraint, Bernard Allen 2012
- Persuasive Scripts, Bernard Allen, 2013
- Risk Assessment for Behaviour Management, Bernard Allen 2012
- Behaviour and discipline in schools, Dfe, February 2014
- The Use of Force to Control or Restrain Students April 2010
www.teachernet.gov.uk/doc/14800/4316_Use_of_force.pdf
- Guidance for Restrictive Physical Interventions – How to provide safe services for people with Learning Disabilities and Autistic Spectrum Disorder: D.O.H./D.F.E.S July 2002
www.teachernet.gov.uk/doc?6059?PI%20Guidance.pdf
- Guidance on the Use of Restrictive Physical Interventions for Students with Severe Behavioural Difficulties: D.F.E.S. Sept 2003 www.teachernet.gov.uk/doc/7035/Risk%20pro%20forma.pdf

- Safeguarding Children in Education: Dealing with Allegations of Abuse against Teachers and Other Staff DFES 2044/2005 Jan 2007
<http://publications.teachernet.gov.uk/OrderingDownload/Final%206836-SafeGuard.Chd%20bkmk.pdf>
- Guidance for Safer Working Practice for adults who work with Children and Young People Jan 2009
www.dcsf.gov.uk/everychildmatters/resources-and-practice/IG00311/
- Every Child Matters Green Paper CM5860 September 2003
www.dcsf.gov.uk/everychildmatters/about/
- The Steer Report 2009 Learning behaviour: lessons learned, a review of behaviour standards and practices in our school www.teachernet.gov.uk/wholeschool/behaviour/steer
- The Screening and Searching of Students for Weapons 2007
www.teachernet.gov.uk/doc/11454/Screening_and_searching_students_for_weapons_guidance_DFES_final_3_doc
- Discrimination and Disability Act
www.direct.gov.uk/en/Disabled/People/RightsAndObligations/DisabilityRights/DG_4001068?CID=DWP&TYPE=Sponsoredsearch&CRE=DisabilityDiscriminationACT
- The following documents are available on the BILD website at www.bild.org.uk
- Code of Practice for the use of physical interventions: BILD
- Easy Guide to being held safely: for children and young people with learning difficulties and/or autism, their teachers and parents: BILD
- Risk in challenging behaviour: a good practice guide for professionals: Sharon Powell BILD
- An easy guide to physical interventions for people with learning disabilities, their carers and supporters: BILD
- Carers Guide to physical interventions and the law: Christina Lyon and Alex Pimor: BILD
- Physical Interventions – a policy framework: BILD
- Seclusion document: BILD
- Time out document: BILD
- Human Rights: BILD
- Children’s Views on Restraint: Dr. Roger Morgan, Children’s Rights Director: CSCI
www.ofsted.gov.uk/Ofsted-home/Publications-and-research/Browse-all-by/Archive/Children-s-Rights-Directorate/Children-s-views-on-restraint

Description of Team Teach holds

Single Elbow

Standing, sitting or kneeling alongside the person, holding the nearest forearm drawn back to be parallel to the ground with hands close to the chest and supporting pressure through the hip. The nearest hand holds the forearm with the other supporting the shoulder.

Double Elbow

Standing alongside the person, holding both forearms drawn back to be parallel with the ground with hands close to the chest and supporting pressure through the hip. One arm is supporting the person's back.

Figure of Four

Standing, sitting or kneeling alongside the person with the hand of the outer arm holding underneath the person's nearest forearm and the other under the armpit, across the top of the nearest forearm to hold their own wrist.

Glossary

Positive Handling – describes the range of risk reduction strategies which can include non-verbal, verbal and where absolutely necessary, physical interventions to keep adults and students safe and free from harm.

Escorting – accompanying for protection or guidance. The level of compliance from the student being escorted and the degree of physical force being used by the member(s) of staff will determine whether this act should be considered as an act of a person being overpowered in order to be escorted.

Holding – to hold authoritatively. The degree of force used in relation to the level of co-operation and compliance being displayed by the student determines when holding becomes restraining. The higher the level of force the more likely the action will be deemed restraint. Ultimately it will rest upon whether the student was overpowered and had no choice but to remain in the hold.

Restraint – the positive application of force by staff in order to overcome rigorous resistance, completely directing, deciding and controlling a person's free movement. The purpose of the action should be to safeguard the person, other people or prevent significant damage to property.

Restrictive Physical Intervention – is the use of force to control a person's behaviour and involves the use of force to:

- Restrict movement
- Restrict mobility
- Disengage from dangerous or harmful physical contact

Seclusion – forced to spend time alone against will (requires statutory powers other than in an emergency) see seclusion document at <http://www.bild.org.uk/>

Time Out – restricting positive reinforcement as part of a planned behavioural programme (requires written agreed plan) See Time Out document at <http://www.bild.org.uk/>

Withdrawal – removal from the situation but observed and supported until they are ready to resume.

This policy details how we implement Dfe guidance at this school. It should be considered alongside the most recent Kent Authority statements. It is designed to help staff to ensure that any actions they take are reasonable, proportionate and absolutely necessary.

Portal House School
Sea Street