



# Positive Handling Policy 2023-24

## The Legal Framework

Positive handling should be limited to emergency situations and used only in the last resort. Under the Children Order 1995, it is only permissible as described under the heading "Physical Control". Article 4 of the Education Order 1998 clarifies powers that already exist in common law. It enables trained staff in the school, authorised by the School Director, to use such force as is reasonable in the circumstances, to prevent a student from:

- Committing an offence.
- Causing personal injury to, or damage to the property of, any person (including the student).
- Engaging in any behaviour prejudicial to the maintenance of good order and discipline at the school or among its students, whether during a teaching session or otherwise.
- To enable searching and confiscation of prohibited items as referred to in the School's Behaviour Policy.

(Examples of possible situations are given in Appendix 1)

## Definition of Positive Handling at Northleigh House School

Positive handling is the positive application of force with the intention of protecting the child from harming themselves or others or seriously damaging property.

## General Policy Aims

Staff at Northleigh House School recognise that the use of reasonable force is only one of the last in a range of strategies available to secure pupil safety / well-being and to maintain good order and discipline. Our policy on positive handling should therefore be read in conjunction with our Behaviour and Child Protection policies.

As stated within the School's Behaviour Policy - All staff employed by the School are expected and have the authority, to maintain good behaviour inside and outside the classroom. Challenging behaviour refers to problematic or testing behaviours that young people can present. These behaviours can be harmful to the person and others around them and can stop the person achieving things in their daily life. Examples include:

- Aggression (hitting out, biting, pinching)
- Destruction of property (breaking things)
- Self-injury (e.g. biting, picking, head banging, self-harm)
- Defiance (e.g. refusing to follow your requests)
- Fussiness (e.g. refusal to eat certain foods or wear certain clothes)

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- Hurting other people (e.g. biting, kicking)
- Excessive anger when the child doesn't get their own way
- Tantrums.

Challenging behaviour must be addressed by staff to ensure the safety of all. Staff when dealing with any incidences of challenging behaviour will endeavour to distract/deescalate/reduce the type of behaviour by the use of their own language, finding a quiet place to sit with them and reassure them and/or illicit assistance. Reporting of any incidences will need to be considered through either the School data system, low level concerns form and/or safeguarding form. A safety plan may need to be drafted or amended in the light of any incident and other reporting procedures followed. A School Safety Plan should identify the types of behaviour, the potential risks, triggers for the behaviour, measures that are in place to minimise the risks, actions to be taken when the type of behaviour occurs.

### **Specific Aims of the Positive Handling Policy**

To protect every person in the school community from harm.

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

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

### **Why Use Positive Handling?**

Positive handling should avert danger by preventing or deflecting a student's action or perhaps by removing a physical object, which could be used to harm themselves or others. It is only likely to be needed if a student appears to be unable to exercise self-control of emotions and behaviour.

It is not possible to define every circumstance in which positive handling would be necessary or appropriate and staff will have to exercise their own judgement in situations, which arise.

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 students during the school day, or during other supervised activities, they are acting in *loco parentis* and should, therefore, take reasonable action to ensure all student's safety and well-being.

Failure to positively handle a student who is subsequently injured or injures another, could, in certain circumstances, lead to an accusation of negligence. At the same time staff are not expected to place themselves in situations where they are likely to suffer injury because of their intervention.

### **Alternative Strategies**

There are some situations in which the need for positive handling is immediate and where there are no equally effective alternatives (e.g., if a student is about to run across a road). However, in many circumstances there are alternatives e.g., use of assertiveness skills such as:

- whereby an instruction is repeated until the student complies
- distraction, such as a loud whistle, to interrupt the behaviour (such as a fight) long enough for other methods of verbal control to be effective
- withdrawal of attention (audience) e.g., if an action such as damage to property is threatened

- other techniques designed to defuse the situation, such as the avoidance of confrontation, or use of humour (in these cases the incident can be dealt with later when emotions are no longer running high)
- the employment of other sanctions consistent with the school's policy on behaviour.

## **Use of Positive Handling**

**Positive handling should be applied as an act of care and control with the intention of re-establishing verbal control as soon as possible and, at the same time, allowing the student to regain self-control. It should never take a form which could be seen as a punishment.**

Staff are only authorised to use reasonable force in applying positive handling, although there is no absolute definition of this. As to what constitutes reasonable force depends upon the situation and the student to whom it is being applied. However, as a rule, only the force necessary to stop or prevent the behaviour should be used, in accordance with the guidelines below.

There are some forms of physical intervention, which may involve minimal physical contact, such as blocking a student's path or the staff member physically interposing themselves between the student and another student or object. However, in some circumstances, direct physical contact may be necessary.

In all circumstances other methods should be used if appropriate and effective positive handling should be a last resort. When positive handling becomes necessary:

### **DO**

- Tell the student what you are doing and why.
- Use the minimum force necessary.
- Involve another member of staff where possible.
- Tell the student what they must do for you to remove the restraint (this may need frequent repetition).
- Use simple and clear language.
- Relax your restraint in response to the student's compliance.

### **DON'T**

- Act in temper (do involve another staff member if you fear loss of control).
- Involve yourself in a prolonged verbal exchange with the student.
- Attempt to reason with the student.
- Involve other students in the restraint.
- Touch or hold the student in sexual areas.
- Twist or force limbs back against a joint.
- Bend fingers or pull hair.
- Hold the student in a way, which will restrict blood flow or breathing e.g., around the neck.
- Slap, punch, kick, or trip up the student.

## Actions After an Incident

Positive handling often occurs in response to highly charged emotional situations and there is a clear need for debriefing after the incident, both for the staff involved and the student. **A member of the senior management team should be informed of any incident as soon as possible** and will take responsibility for planning for debriefing once the situation has stabilised. An appropriate member of the teaching staff should always be involved in debriefing the student involved and any victims of the incident should be offered support, and their parents/carers informed.

If the behaviour is part of an ongoing pattern, it may be necessary to address the situation through the development of a behavioural Individual Education Plan, which may include an anger management programme, or other strategies agreed by the School Director.

It is also helpful to consider the circumstances precipitating the incident to explore ways in which future incidents can be avoided.

All incidents should be recorded immediately (see Appendix 2). All sections of this report should be completed so that in the event of any future complaint a full record is available. A member of the senior management team will contact parents/carers as soon as possible after an incident, normally on the same day, to inform them of the actions that were taken and why, and to provide them with an opportunity to discuss it.

## Risk Assessments

If we become aware that a student is likely to behave in a disruptive way that may require the use of reasonable force, we will plan how to respond if the situation arises. Such planning will address:

- Management of the student (e.g., reactive strategies to de-escalate a conflict, holds to be used if necessary).
- Involvement of parents/carers to ensure that they are clear about the specific action the school might need to take.
- Briefing of staff to ensure they know exactly what action they should be taking (this may identify a need for training or guidance).
- Identification of additional support that can be summoned if appropriate.

## Complaints

A clear positive handling policy, adhered to by all staff and shared with parents/carers, should help to avoid complaints from parents/carers. It is unlikely to 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. It is our intention to inform all staff, students, parents/carers and trustees about these procedures and the context in which they apply.

**Review Date:           September 2024**

## Appendix 1

### **When might it be appropriate to use reasonable force?**

Examples of situations that may require restraint are when:

- a student attacks a member of staff, or another student
- students fighting
- a student is causing, or at risk of causing, injury or damage by accident, by rough play, or by misuse of dangerous materials, substances or objects
- a student is running in a corridor or on a stairway in a way in which he/she might have or cause an accident likely to injure her/himself or others
- a student absconding from a class or trying to leave school (NB this will only apply if a student could be at risk if not kept in the classroom or at school)
- a student persistently refuses to obey an order to leave an area
- a student behaves in such a way that seriously disrupts a lesson.

**Northleigh House School  
Record of Positive Handling (Including Restraint)**

<b>Date of incident:</b>	<b>Time of incident:</b>	
<b>Student Name: :</b>	<b>Year Group:</b>	<b>Date of Birth:</b>
<b>Member(s) of staff involved:</b>		
<b>Adult witnesses to restraint:</b>		
<b>Student witnesses to restraint:</b>		
<b>Outline of event leading to positive handling (including restraint) – including other strategies tried and reasons for using positive handling rather than another strategy:</b>		
<b>Outline of incident of positive handling (including restraint method used if appropriate):</b>		
<b>Outcome of positive handling:</b>		

**Description of any injury(ies) sustained by student (or other persons) and any subsequent treatment:**

**Date parent/carer informed of incident:**

**Time:**

**By whom informed:**

**Outline of parent/carer response:**

**Name & signature of staff member completing report: Date:**

**Signature of School Director:**

**Date:**

**Brief description of any subsequent inquiry/complaint or action:**