

POSITIVE HANDLING POLICY

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Document Control

Organisation	Falinge Park High School
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Revision History

Revision Date	Revisor	Previous Version	Description of Revision
December 2016	G Skerrow		
July 2017	J Allen	December 2016	Revised fully to take into account changes in personnel + changes to Drugs Policy

Document Approvals

This document requires the following approvals:

Approval Sought From	Name	Date
Governors	Pupil Welfare	October 2017
Governors	Full Governing Body	November 2017

Document Distribution

This document will be distributed to:

Individual/Group	Distribution Date
SLT	July 2017
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Rationale

In line with our mission at Falinge Park High School to “Open doors and unlock potential” we promote a culture of respect and work hard to create compelling learning opportunities for all students and staff in everything we do. We encourage everyone to believe in themselves, aim high and have pride in what they can achieve. As part of this, we also expect the highest standards of behaviour and recognise our responsibility and duty to care for and support one another as adults and students.

In general it is important that adults working in school avoid physical contact with students but it is neither desirable nor possible to have a total ‘no contact’ policy as there are a variety of situations where this would not be responsible (For example: when providing first aid or demonstrating the use of a sports technique or musical instrument. One such occasion where contact may be necessary is where there is a need for appropriate physical restraint or the use of reasonable force, both of which are permitted in law. This policy should also be seen in conjunction with the right to search students.

Statutory Framework

Section 93 of the Education and Inspections Act 2006 and further guidance issued by the DfE in July 2013 (Use of reasonable force – Advice for Headteachers, staff and governing bodies) enables school staff who are authorised by the Headteacher to use such force as is reasonable in the circumstances, to prevent a pupil from doing, or continuing to do, any of the following:

- committing a criminal offence;
- causing personal injury to, or damage to the property of, any person (including themselves); or
- prejudicing the maintenance of good order and discipline at the school or among any pupils receiving education at the school, whether during a teaching session or otherwise.

Purpose

The purpose of this policy is to make clear the position of our school with regards to the use of necessary physical intervention/s 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 Falinge Park High School to maintain consistent and safe practices in the use of handling, reasonable force & restraint.

Definition of Terms:

Handling – refers to any physical intervention applied by a member of staff where it is necessary to make physical contact with a student in order to manage their conduct or ensure their own or others safety. Handling strategies may be restrictive or non-restrictive and include shepherding, guiding, supporting, blocking, confining, holding and, in the most extreme cases, restraining.

Use of Reasonable Force – is the application of appropriate and proportionate force required to achieve the required outcome from the handling strategy employed (see above) without further endangering the student, member of staff or others present at the time of the physical intervention.

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 damage property.

*Significant Injury would include: actual or grievous bodily harm, physical or sexual abuse, risking the lives of, or injury to, themselves or others by wilful or reckless behaviour, and self-poisoning.

It must be shown that on **any occasion where physical restraint is used**, there were **strong indicators that if immediate action had not been taken, significant injury would have followed.**

When can handling, reasonable force or restraint be used?

Staff considering handling, the use of reasonable force or restraint should attempt to provide an opportunity for the student to alter their behaviour/actions before employing a physical intervention strategy and **should continue to make instructions to the student and details of their intended interventions clear**. For example, *“I am going to have to stop you hurting that member of staff/student...”*. In some cases, however, the member of staff may not have this opportunity.

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. The decision to handle, use reasonable force or restraint is down to the professional judgement of the staff member concerned and should always depend on the individual circumstances. Any action taken must be in the best interests of both the pupil and staff member. Failure to take such action could be regarded as negligence on the part of the individual staff member. There is no need for parental consent prior to its use but reasonable adjustments need to be taken into account and be made for disabled students and students with a statement of special educational need.

N.B. There is a difference between emergency intervention and that which can be anticipated for some children with complex learning difficulties and, if necessary planned for with risk assessments and an individual handling plan.

It is not possible to provide a comprehensive list of all the situations in which it might be appropriate to handle, use reasonable force or restrain and they will in practice be rare but some examples of where they may be necessary include:-

- Removing disruptive students from a classroom where they have refused to follow an instruction to do so
- Preventing a student behaving in a way that seriously disrupts a school event
- Preventing a student leaving a classroom where allowing them to leave would seriously risk their safety or lead to behaviour that disrupts the behaviour of others
- Preventing a student from attacking a member of staff or another student
- Restraining a student at risk of harming themselves through physical outbursts
- Physically separate students found fighting

Wherever possible, assistance should be sought so as to avoid one to one situations. Any other students at risk should be removed from the situation.

It is always unlawful to use force as a punishment.

Reporting and Recording

It is not necessary to record every incident of contact with a child, but where a member of staff perceives that contact has been received at all negatively, they are advised to record the circumstances. All incidents where staff feel that they have used physical force with students to modify behaviour or conduct **MUST** be reported to the Headteacher as soon as practically possible (or to the Deputy Headteacher in the Head's absence).

It is the responsibility of the intervening member of staff to complete the Physical Restraint intervention form Appendix A (copies available on staff share and from D. Barlow or L. Fitton) for any incident involving the use of physical force on the day the intervention took place and notify the Headteacher. Further details regarding the incident may also be added to this paperwork as appropriate by the Headteacher. This will include a brief outline of the parental contact made. Other accounts of the same incident should also be taken including those of the pupil/pupils involved and as available any witnesses. The organisation of these witness statements would usually be led by the

Pastoral team as instructed by the Headteacher. Best practice requires that these statements should be a description of the behaviour and action taken with no unnecessarily emotive or judgemental language.

The Headteacher or Assistant Headteacher for Personal Development and Welfare will decide on how best to report the incident to parents/carers. The Headteacher will also inform any other necessary agencies/authorities of the physical intervention. The circumstances and nature of the physical intervention will also be held on the record of the student involved. For the safeguarding of both staff and student, any subsequent investigation of the situation/incident should be undertaken by a member of staff other than the one applying the physical intervention. The Headteacher will keep an up to date record of any such incidents, within a referenced and incident book.

The Head teacher is responsible for monitoring and reviewing the use of physical intervention within Falinge Park High School and will report any such interventions to the school's governing body.

Complaints

All complaints about the use of force will be investigated thoroughly, speedily and appropriately by a person appointed by the Headteacher. Where there is an allegation against a member of staff of using excessive force the Headteacher will follow procedures as per the School's Disciplinary Policy and Procedures. The school will ensure that appropriate pastoral care is made available to any member of staff who is subject to a formal allegation following a use of force incident.

Searching Students

On occasions a member of staff may have reasonable grounds to suspect that a student is in possession of an item or items which contravene school regulations and could potentially cause harm to the student or others. Prohibited items as specified by legislation include knives and weapons, alcohol, illegal drugs, stolen items, tobacco and cigarette papers, fireworks, pornographic images and any article that has been or is likely to be used to commit an offence or cause personal injury or damage to property. Under these circumstances The Education Act 2011 extends the power of staff to search students without their consent. Searches will be conducted by two members of staff, at least one of whom will be the same sex as the student.

Falinge Park High School does not endorse and will not undertake a physical search of any students' person. Where necessary a student will be asked to remove his/her coat and/or blazer, empty all pockets, open their bags and in some circumstances remove their shoes and socks. Possessions and items of apparel that have been removed may then be searched by the staff present. If undesirable items are discovered the school will use its power of confiscation to retain the offending item(s). Parents/carers will be contacted to explain what has been found and any subsequent sanctions that have been applied. Where appropriate, parents/carers will be invited to retrieve the offending property and asked to ensure that they are not brought to school again.

In the event that drugs or illegal substances are discovered then the Police will be informed as per the Drugs Policy (revised September 2017).

APPENDIX A - POSITIVE HANDLING PROFORMA

Date of incident	
Time of incident	
Place of incident	

Details of incident:

Name of student/s involved:	
Name of member/s of staff involved:	
What happened	

Additional staff witnesses:	
Addition student witnesses:	
Name of member of staff completing the form:	