



## Positive Handling Policy

Date Policy formally approved by Governing Body/Committee:	
Date Policy becomes effective:	Summer 2019
Review Date(s):	Summer 2022
Signed (Headteacher/School)	
Signed (Chair of Governing Body/Chair of Committee)	
Issue No:	2

## **Ysgol Clywedog Positive Handling Policy**

**This policy has been drawn up in consultation and agreement with all staff at Ysgol Clywedog, governors, those with parental responsibility, students and the trades unions.**

At Ysgol Clywedog our aim is to provide a welcoming, secure and safe environment.

This policy should be read in conjunction with the guidance issued from time to time by the Welsh Government and with particular reference to Circular 041/2010 “Safe and Effective Interventions”. The school follows the principles and recommendation set out in this guidance. It should also be read in conjunction with the school’s student behaviour policy. Our aim is to create an environment in which the use of force in relation to a student is unlikely and situations are diffused before it becomes necessary.

However, 041/2010 states:

“Schools should never seek to inhibit the ability of staff to use force by adopting a “no contact” policy. The power to use force helps ensure student and school safety and the risk with a no-contact policy is that it might place a member of staff in breach of their duty of care towards a student, or prevent them taking an action needed to prevent a student causing injury to others”.

### **Circumstances in which reasonable force may be used**

Section 93 of the Education and Inspections Act 2006, replaced Section 550A of the Education Act 1996 and enables school staff to use such force as is reasonable in the circumstances to prevent a student from doing, or continuing to do, any of the following:

- committing any offence (or, for a student under the age of criminal responsibility, what would be an offence for an older student);
- causing personal injury to, or damage to the property of, any person (including the student himself); or
- prejudicing the maintenance of good order and discipline at the school or among any students receiving education at the school, whether during a teaching session or otherwise.

### **Staff authorised to use force**

The staff to which this power applies are defined in section 95 of the Act. They are:

- any teacher who works at the school, and any other person whom the head has authorised to have control or charge of students. This:

i. includes support staff whose job normally includes supervising students such as teaching assistants, learning support assistants, learning mentors and lunchtime supervisors;

ii. can also include people to whom the head has given temporary authorisation to have control or charge of students such as paid members of staff whose job does not normally involve supervising students (for example catering or premises-related staff) and unpaid volunteers (for example parents accompanying students on school-organised visits); and

iii. does not include prefects.

## **Staff need to make judgements about:**

Whether to use force and what force to use should always depend on the circumstances of each case and - crucially in the case of students with SEN and/or disabilities - information about the individual concerned. There is no expectation to use force and staff should only do so if they feel confident and it does not put themselves at risk.

Ysgol Clywedog will ensure that relevant staff will be made aware of any individual students behaviour plans e.g. IBP, PSP and/or specific needs of individual students and in particular those with Special Education Needs, which may impact on the range, type and appropriateness of any physical intervention.

Decisions on whether the precise circumstances of an incident justify the use of significant force must be reasonable. Typically such decisions have to be made quickly, with little time for reflection. Nevertheless, staff need to make the clearest possible judgments about:

- the seriousness of the incident, assessed by the effect of the injury, damage or disorder which is likely to result if force is not used. The greater the potential for injury, damage or serious disorder, the more likely it is that using force may be justified;
- the chances of achieving the desired result by other means. The lower the probability of achieving the desired result by other means, the more likely it is that using force may be justified; and
- the relative risks associated with physical intervention compared with using other strategies. The smaller the risks associated with physical intervention compared with other strategies, the more likely it is that using force may be justified.

## **Examples of situations where force could be used**

Examples of situations that particularly call for judgments of this kind include:

- a student attacks a member of staff, or another student;
- students are fighting, causing risk of injury to themselves or others;
- a student is committing, or on the verge of committing, deliberate and serious damage to property;
- a student is causing, or at risk of causing, injury or damage by accident, by rough play, or by misuse of dangerous materials or objects;

## **Examples of situations where force should not be used**

- Where a student is disruptive in a classroom and refuses to move. The appropriate action in this case is to call for assistance from a senior member of staff, or failing that, a colleague. Should the student continue to refuse to leave, the class should be moved to another room and the parents of the misbehaving student contacted.
- Where a student refuses to remain in a classroom for a detention. Members of staff should never block a student's exit from a classroom, since this can lead to physical contact and allegations of assault.

## **Using force**

Before using force staff should, wherever practicable, tell the student to stop misbehaving and communicate in a calm and measured manner throughout the incident. Staff should not act out of anger or frustration, or in order to punish a student, and should make it clear that physical contact or restraint will stop as soon as it ceases to be necessary. Staff should always seek support, where practical, from another member of staff (ideally a senior member of staff) before resorting to force. The types of force used could include:

- passive physical contact resulting from standing between students or blocking a student's path;
- active physical contact such as:
  - i. leading a student by the hand or arm;
  - ii. ushering a student away by placing a hand in the centre of the back;
  - iii. in more extreme circumstances, using appropriate restrictive holds, *which require specific expertise or training*.

Where there is a high and immediate risk of death or serious injury, any member of staff would be justified in taking any necessary action (consistent with the principle of seeking to use the minimum force required to achieve the desired result). Such situations could include preventing a student running off the pavement onto a busy road or preventing a student from hitting someone with a dangerous object such as a glass bottle or hammer.

Staff should make every effort to avoid acting in a way that might reasonably be expected to cause injury. However, in the most extreme circumstances it may not always be possible to avoid injuring a student.

Staff should always avoid touching or restraining a student in a way that could be interpreted as sexually inappropriate conduct.

### **Post Incident Support**

Serious incidents that require use of force can be upsetting to all concerned and may result in injuries to the student or to staff. Immediate action should be taken to provide first aid for any injuries and to access medical help for any injuries that go beyond first aid. It is also important to ensure that staff and students are given emotional support.

### **Incident report**

See Appendix 1

The Headteacher will keep securely copies of all written reports and the governing body will monitor the use of restraint.

The Headteacher will advise the parent/guardian of any incident involving their child as soon as is reasonably practicable or otherwise at the end of the school day depending upon the seriousness of the incident.

### **Risk Assessment**

See Appendix 2

### **Staff Training**

It is the responsibility of the Headteacher to ensure that staff are fully informed of the school's policy and understand what authorisation entails. The Headteacher will arrange training and guidance to staff as appropriate.

The Local Authority recommends that all schools maintain a register of all staff that have been appropriately trained and include dates. Staff should be updated with training on a regular basis.

**Review**

This policy will be reviewed by staff and Governors every two years, or more frequently if necessary. In addition parents are invited to comment on this policy.

## Appendix 1: Incident Record Form

Details of student or students on whom force was used by a member of staff (name, class).
Date, time and location of incident.
Names of staff involved (directly or as witnesses).
Details of other students involved (directly or as witnesses), including whether any of the students involved were vulnerable for SEN, disability, medical or social reasons.
Description of incident by the staff involved, including any attempts to de-escalate and warnings given that force might be used.
Reason for using force and description of force used.
Any injury suffered by staff or students and any first aid and/or medical attention required.
Reasons for making a record of the incident.
Follow up, including post-incident support and any disciplinary action against students.
Any information about the incident shared with staff not involved in it and external agencies.
When and how those with parental responsibility were informed about the incident and any views they have expressed.

Has any complaint been lodged (details should not be recorded here)?

Report compiled by: Name and role: Signature: Date:	Report countersigned by: Name and role: Signature: Date:
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## Appendix 2: Proforma for assessing and managing foreseeable risks for children who present challenging behaviours – developing a Behaviour Management Plan

**Name of child** .....

**Class group** .....

**Name of teacher** .....

**School** .....

### Identification of Risk

Describe the foreseeable risk	
Is the risk potential or actual? (Has there already been an incident?)	
List who is potentially affected by the risk.	

### Assessment of Risk

In which situations does the risk usually occur?	
How likely it is that the risk will arise?	
If the risk arises, who is likely to be injured or hurt?	
What kinds of injuries or harm are likely to occur?	

How serious are the adverse outcomes?

### Assessment completed by:

Print Name .....

Signature ..... Date .....



Appendix 2 (continued)

Risk Reduction Options			
Measures	Possible Options	Benefits	Drawbacks
Proactive interventions to prevent risk.			
Early interventions to manage risk.			
Reactive interventions to respond to adverse outcomes.			

Agreed Behaviour Management Plan and School Risk Management		Strategy
Focus of Measures	Measures to be employed	Level of Risk
Proactive interventions to prevent risk.		
Early interventions to manage risk.		
Reactive interventions to respond to adverse outcomes.		

Agreed by: .....

Relationship to child: .....

Date: .....

Appendix 2 (continued)

Communication of Behaviour Management Plan and School Risk Management Strategy		
Plans and strategies shared with	Communication Method	Date Actioned

Staff Training Issues		
Identified training needs	Training provided to meet needs	Date training completed

Appendix 2 (continued)

Evaluation of Behaviour Management Plan and		
School Risk Management Strategy		
Measures set out	Effectiveness in supporting the child	Impact on risk
Proactive interventions to prevent risks		
Early interventions to manage risks		
Reactive interventions to respond to adverse outcomes		
ACTIONS FOR THE FUTURE		

Plans and strategies evaluated by: .....

Relationship to child: .....

Date: .....