

Positive Handling Policy

Introduction.

St Ann's takes seriously its duty of care towards pupils, employees and visitors. Touch is a sensitive issue requiring careful judgement. In order to safeguard children and staff, St Ann's aims to provide clear guidance and appropriate training within the resources that can reasonably be made available.

This policy has a clear focus:

- The paramount consideration is to safeguard the welfare of the child
- And to safeguard the welfare of staff and others working in schools and services who act in good faith.

The Children Act 1989 places a duty upon staff to consider the welfare of the child first and for the welfare of the child to take precedence, when practical, over every other consideration. All physical interventions, including restraint, are conducted within a framework of positive behaviour management. The Behaviour Policy is intended to reward effort and application, encouraging pupils to take responsibility for improving their own behaviour.

Preventative approaches to risk reduction involve identifying and communicating early warning signs, situations, settings and other factors which may influence behaviour then taking steps to divert behaviours which lead towards foreseeable risks. Pupils are encouraged to participate in the development of their own individual support plans by focussing on positive alternatives and choices. Parents are also encouraged to contribute. Pupils with severe behavioural difficulties sometimes present a risk to themselves and others.

- The DCSF School Discipline and Pupil Behaviour Policies points out that 'the statutory powers to discipline are new'.
- Section 93 of the Education and Inspectors Act 2006 describes the circumstances in which teachers and others, authorized by the Headteacher, may use reasonable force to control or restrain pupils. Examples of when such action may be reasonable are: preventing personal injury, damage to property, breakdown of discipline, committing a criminal offence.
- Section 95 defines the staff to which this power applies.
- The Children Act 2004 places a duty on key partners to co-operate in the safeguarding of children. Where children receive a variety of services from the local authority, every effort will be made to ensure these are co-ordinated. Risk assessments and Positive Handling plans will be shared with all key partners who will co-operate to provide consistent approaches to meet the needs of individual children.

This policy should be read in conjunction with other school policies and guidance relating to interaction between adults and pupils. It has been prepared for the support of all teaching and support staff who come into contact with pupils and for volunteers working within the school to explain the school's arrangements for care and control. Its contents are available to pupils and parents. A statement regarding the Behaviour Policy is included in the prospectus and includes information on the use of Positive Handling, including Restrictive Physical Intervention, to manage challenging behaviour.

Objectives.

Good personal and professional relationships between staff and pupils are vital to ensure good order in our school. It is recognized that the majority of our pupils in school respond positively to the discipline and control exercised by staff. This ensures the wellbeing and safety of all pupils and staff in school. It is also acknowledged that, in exceptional circumstances, staff may need to take action in situations where the use of reasonable, proportionate and necessary force may be required. St Ann's acknowledges that physical techniques are only a small part of a whole setting approach to behaviour management.

Every effort will be made to ensure that all staff in this school:

- Clearly understand this policy and their responsibilities in the context their duty of care in taking appropriate measures where use of force is necessary.

Growing and Learning with the Guidance of God

- Are provided with appropriate training to deal with these difficult situations.

Underpinning Values.

Everyone attending or working in this school has a right to:

- Recognition of their unique identity
- Be treated with respect and dignity
- Learn and work in a safe environment
- Be protected from harm, assault, violence and acts of abuse

Pupils attending this school and their parents have a right to:

- Individual consideration of pupils' needs by the staff who have responsibility for their care and protection
- Expect staff to undertake their duties and responsibilities in accordance with the school's policies
- Be informed about school rules, relevant policies and the expected conduct of all pupils and staff working in school
- Expect individual support plans to be designed to achieve outcomes that reflect the best interest of the child whose behaviour is of immediate concern and others affected by the behaviour requiring intervention
- Be informed about the school's complaints procedure

The school will ensure that pupils understand the need for and respond to clearly defined limits, which govern behaviour in school.

Minimising the Need to use Force.

At St Ann's, we constantly strive to create a calm environment that minimises the risk of incidents arising that might require the use of force. In addition to this, pupils who present with challenging behaviour have an individual support plan.

Pupils who have autism or other conditions that may result in increased anxiety levels – and therefore an increase in the likelihood of challenging behaviour – may have individualised support or programmes to help them manage this.

The school uses SEAL (Social and Emotional Aspects of Learning) approach to help pupils learn about feelings and managing conflict where this is appropriate to their level of development. The school curriculum and ethos promote independence, choice and inclusion and pupils are given maximum opportunity for personal growth and emotional wellbeing.

All staff are trained in skills to help them defuse situations before behaviour becomes challenging and how to de-scale incidents should they arise. Reasonable force will only be used when the risks involved in doing so are outweighed by the risks involved in not using force.

Using Force.

No legal definition of reasonable force exists for the purpose of this policy and the implementation of it in St Ann's School:

- Positive handling uses the **minimum** degree of force necessary for the **shortest period of time** to prevent a pupil harming himself/herself, others or property.
- The scale and nature of any physical intervention must be proportionate to both the behaviour of the individual to be controlled and the nature of the harm they might cause.
- Staff would be expected to follow the pupil's individual support plan in the first instance to manage an incident or challenging behaviour.
- If this was unsuccessful and the situation continued to escalate, staff would then be expected to employ other Team Teach techniques they have been trained to use.

- Only if all of the above have been tried and are unsuccessful should staff even consider any other form of restraint. The overriding consideration should still be the reasonableness and the proportionality of the force used.

All the techniques used will take into account the young person's:

- Age
- Gender
- Level of physical, emotional and intellectual development
- Special needs
- Social context

They also provide a gradual, graded system of response.

Where behavioural records and/or risk assessment identifies a need for planned approach, individual support plans are written for individual children and, where possible, these will be designed through multi agency collaboration and (with parental consent) shared with other agencies supporting the child to facilitate consistency of approach so far as is possible.

Implications of the Policy.

The Education and Inspections Act 2006 stipulates that reasonable force may be used to prevent a pupil from doing, or continuing to do, any of the following:

- Self-injuring
- Causing injury to others
- Committing an offence
- Engaging in any behaviour prejudicial to maintaining good order and discipline at the school or among any of its pupils, whether the behaviour occurs in a classroom during a teaching lesson or elsewhere within school (this includes authorised out of school activities).

As teaching and non-teaching staff work in loco parentis and have a duty of care towards their pupils, they could be liable for a claim of negligence if they fail to follow the guidance within this policy. The use of Team Teach techniques is one of our control methods for reducing risks presented by children's challenging behaviour. Pupils' individual support plans are 'Safe Systems At Work Under Health And Safety Regulations'. As such, it is imperative that these plans are followed and implemented by all members of staff.

The application of any form of physical control inevitably carries an attached risk of unintended harm and this places staff and the school at risk of potential litigation. It can only be justified according to the circumstances described in this policy. Staff therefore have a responsibility to follow this policy and seek alternative strategies wherever possible in order to prevent the need for physical intervention. Staff need to be aware that they are responsible for:

- Assessing risks (dynamic risk assessment) related to individual circumstances which may arise in the course of their day to day duties
- Making judgements about when the use of force is necessary and the degree of force which may be regarded as necessary to manage a situation.

Staff need to be aware that they are required to justify their decisions in writing through the recording and reporting procedures outlined later in this document.

The Violent Crime Reduction Act 2006, effective from September 2007, gives schools powers to screen or search pupils for weapons. At St Ann's School, it is extremely unlikely that pupils would conceal weapons and, therefore, staff have not received training in weapons disarmament. Staff will not be requested to undertake searches. As the power to search should only be used where it is judged to be safe, the police will be called if the school decides a search may be necessary.

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