

Positive Handling Policy



Southend YMCA
Community School
building a future

Approved by:	The Governing Body & the Headteacher	Date: October 2024
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Last reviewed on:	October 2024
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Next review due by:	October 2026
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Our Vision Statement

Introduction

At the Southend YMCA Community School there are children with challenging behaviour that can necessitate the use of restrictive physical intervention to prevent injury to themselves, staff and students, damage to property, or the breakdown of a safe and enjoyable learning environment. The aim of positive handling is not punishment or control but to support safe learning for everyone. The policy has been written to support all staff who come into contact with students and for volunteers working within the school to explain the school's arrangements for positive handling. The policy is available to parents on request and on the school website.

Values and Principles

The Southend YMCA Community School believes that everybody in the school community:

- has the right to feel safe, secure and cared for
- has the right to access to appropriate support to manage their emotions and their behaviour
- should be provided with a framework so that all staff who come into contact with students are clear about their roles and responsibilities within the context of positive handling
- should be provided with information and guidance to support the school's Child Protection, Safeguarding and Behaviour Policies

Staff have a responsibility to follow this policy and to seek alternative strategies wherever possible in order to prevent the need for physical intervention. Reasonable force will only be used as a last resort when all other behaviour management/ de-escalation strategies have failed or when students, staff or property are at risk.

Unless an unplanned emergency, positive handling should only be carried out by trained staff using appropriate procedures and relating to the student's Behaviour Management Plan or personalised plan.

In the case of an unplanned emergency restrictive physical intervention may become necessary when a child or young person behaves in an unexpected way, the child or young person may not have a behaviour plan and trained staff may not be on hand. The duty of care still remains if appropriately trained staff are not on hand to assist the child or young person. The response must be reasonable, proportionate and necessary and use the minimum amount of force necessary to prevent injury and maintain safety, consistent with the circumstances and with any training the staff may have received.

Relationship to Other Policies and documents

This policy should be read in conjunction with the Child Protection Policy and the Behaviour Policy. This policy will take guidance from;

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/444051/Use_of_reasonable_force_advice_Reviewed_July_2015.pdf

The use of all forms of physical intervention and physical contact are governed by the criminal and civil law. The unwarranted or inappropriate use of force may constitute an assault. In addition, it may infringe the human rights of a child or young person.

Section 93 of the Education and Inspections Act 2006 enables school staff to use reasonable force to prevent a student from: -

- a. committing a criminal offence
- b. causing personal injury or damage to a property;
- c. prejudicing the maintenance of good order and discipline at the school or among the students, whether during a teaching session or otherwise.

As included in the DFE 2010 guidance on 'The use of force to control or restrain students' seclusion should only be considered in exceptional circumstances and it is an offence to lock a person in a room without a court order. Therefore, at no time should the door be locked as to do so is unlawful and can amount to the false imprisonment of a student.

Government Advice Informing This Policy

Behaviour and discipline in schools: Advice for Headteachers and school staff (January 2016)

The use of withdrawal rooms:

Schools can adopt a policy which allows disruptive students to be placed in an area away from other students for a limited period, in what are often referred to as withdrawal room. If a school uses withdrawal rooms as a disciplinary penalty this should be made clear in their behaviour policy.

The school must also ensure the health and safety of students and any requirements in relation to safeguarding and student welfare. Students should never be locked in a withdrawal room and be unable to leave at any time. Ideally someone should be in the room with them. Schools should also allow students time to eat or use the toilet.

The Southend YMCA Community School satisfies these requirements; the use of calm rooms is included in our Behaviour Policy and their use is only acceptable as a last resort and when included in the student's Behaviour Management Plan or personalised plan, approved by the parent/s or carer/s. Frequency and duration of their use is monitored by the staff responsible for behaviour.

Use of Reasonable Force: Advice for Head teachers, staff and governing bodies (July 2013)

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/444051/Use_of_reasonable_force_advice_Reviewed_July_2015.pdf

- The term 'reasonable force' covers the broad range of actions used by most teachers at some point in their career that involve a degree of physical contact with students.
- Force is usually used either to control or restrain. This can range from guiding a student to safety by the arm through to more extreme circumstances where a student needs to be restrained to prevent violence or injury.
- 'Reasonable in the circumstances' means using no more force than is needed.
- Control means either passive physical contact, such as standing between students or blocking a student's path, or active physical contact such as leading a student by the arm out of a classroom.
- Restraint means to hold back physically or to bring a student under control.

- School staff should always try to avoid acting in a way that might cause injury, but in extreme cases it may not always be possible to avoid injuring the student.

Schools can use reasonable force to:

- remove disruptive children from the classroom where they have refused to follow an instruction to do so;
- prevent a student behaving in a way that disrupts a school event or a school visit;
- prevent a student leaving the classroom where allowing the student to leave would risk their safety or lead to behaviour that disrupts the behaviour of others;
- prevent a student from attacking a member of staff or another student
- restrain a student at risk of harming themselves through physical outbursts.
- stop a student behaving in a way that is seriously disrupting a lesson, causing distress to the students and/or a breakdown of order

Schools cannot use force as a punishment – it is always unlawful to use force as a punishment.

Staff Training

- The majority of staff are trained in Team Teach so that their use of physical restraint /positive handling falls within safe and statutory guidelines.
- We also train staff in legal requirements and general advice on managing behaviour.
- Staff have a duty to inform the Senior Management team of any injuries which affect their ability to handle children.
- Training for all staff will be made available and will be the responsibility of the Senior Member of Staff responsible for Behaviour and Positive Handling.
- No member of staff will be expected to undertake the use of reasonable force without appropriate training.
- Southend YMCA Community School acknowledges that physical techniques are only a part of a whole setting approach to behaviour management.

Recording

- Where physical control or restraint has been used a record of the incident will be kept. If there is a serious incident involving a student, not involving physical intervention, it must also be recorded. This record should be made in the 'Bound and Numbered Book' which is kept in the Safeguarding office.
- An incident form needs to be completed as soon as possible after the incident, prior to staff going off duty.
- Parents will be informed by telephone, text message or email.
- Phone calls need to be logged on CPOMS

- A Health and Safety Accident/Incident Form will be completed and returned to the Safeguarding Lead where an injury has occurred to either a member of staff or students. This will be reported, if needed to the LADO by the Safeguarding Lead.
- Staff and children will be given basic first aid treatment for any injuries that require treatment. Where staff and students have been involved in an incident involving reasonable force, they should have access to emotional support. This can be provided by other members of staff or if an exceptionally serious incident occurs then a referral to Occupational Health may be necessary. Debriefing must take place as soon as possible after the incident has been dealt with.
- Any injuries must be recorded in the school accident book, kept in the School Business manager's office. Teaching Assistants can seek guidance from the class teacher on this. Class teachers are responsible for supporting supply staff that sustain injuries. All injuries must also be recorded in the Files provided for this purpose in the school business managers office. There are separate files for staff and students.
- If a member of staff needs hospital or GP attention following an incident with a student at work an HSW3 form will be filled in and sent to the local authority where needed.

Action after an Incident

The Headteacher/behaviour lead/safeguarding lead will ensure that each incident is reviewed and investigated further as required. It is the role of the school leadership team to support staff who work with students with challenging behaviour. If further action is required in relation to a member of staff or a student, this will be pursued through the appropriate procedures:

- Review of Behaviour Plan
- Child Protection Procedure (this may involve investigations by Police and/or Social Services)
- Staff or Student Disciplinary Procedures
- School Behaviour Policy
- Exclusions Procedure in the case of violence or assault against a member of staff
- Risk assessment if necessary
- The member of staff will be kept informed of any action taken.
- In the case of any action concerning a member of staff, he/she will be advised to seek advice from his/her professional association/union.

If a student complains when force is used on them

All complaints about the use of force will be investigated by the Headteacher or the safeguarding lead.

Where a member of staff has acted within the law – that is, they have used reasonable force in order to prevent injury, damage to property or disorder – this will provide a defence to any criminal prosecution or other civil or public law action. This reinforces the need for staff to fill in the red Bound Book on the day of the Incident.

Any complaints about staff will be investigated through the School's Complaints Policy. If necessary, the complaint will be dealt with by the Staff Disciplinary Procedures and/or Child Protection Procedures

Review of Policy

Southend YMCA Community School will review this Positive Handling Policy at least once every two years, or as new Government advice is published.