



Bell Lane Academy

POSITIVE HANDLING POLICY

Updated November 2016
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Introduction

- Staff at Bell Lane Academy are trained in accredited, safe restraint techniques by a qualified Team Teach trainer.
- Restraining a child is used only as a last resort and only by trained personnel.
- If restraint is necessary, the child should be removed to a safe and quiet area.
- Staff should not be left entirely on their own and there should be other staff available to support.

Legal framework

Section 550A of the Education Act (1996) came into force on 1 September 1998.

This section allows members of the staff who are authorised by the Headteacher to use such force as is reasonable in all circumstances to prevent a pupil from doing, or continuing to do, any of the following:

- ♦ Committing a criminal offence (including behaving in a way that would be an offence if the child were not under the age of criminal responsibility).
- ♦ Injuring themselves or others.
- ♦ Causing damage to property (including the pupil's own property).
- ♦ Engaging in any behaviour prejudicial to maintaining good order and discipline at the school or among any of its pupils, whether that behaviour occurs in the classroom during a teaching session or elsewhere.

The Children Act (1989) with its guiding principle of the 'welfare' of the child being paramount supports the taking of:

'... any necessary action to prevent injury or serious damage to property ...' (Annex A, Section 8, para. 3b).

Support available for the academy

The Primary Behaviour Service has full time Behaviour Support Teachers and a Family Caseworker whose work is managed and supervised by an Educational Psychologist. WCAT has behaviour advisors.

The aim of the Service is to help primary schools/academies better meet the needs of pupils who are presenting behaviour management difficulties in school.

The specific aims are:

1. To help schools in the management of specific children whose behaviour presents particular difficulties.
2. To develop procedures that help ensure early identification and appropriate intervention.
3. To help schools develop policies and practical strategies for promoting good classroom and playground behaviour and social relationships.

Duty of care

The duty of care is outlined in the Education (School Teachers Pay and Conditions of Employment) Order, 1989 (part X, section 35, para.7) and subsequent amendments.

'Staff are obliged to maintain good order and discipline among the pupils and to safeguard their health and safety, both when they are authorised to be on the school premises and when they are engaged in authorised school activities.'

Staff must not do something, or fail to do something, which they could reasonably foresee will cause loss or injury to a pupil. The standard of care required of a teacher is that of a reasonable prudent parent ('in loco parentis') judged not in the context of this own home but in that of the academy.

A trained and experienced teacher must seek to protect the pupil from harm to the same extent that a natural loving parent would. The duty of care is owed to the individual pupil and there is therefore a duty upon the teacher to take some account of the susceptibilities of individual pupils.

The important point to remember is that to take no action where the outcome of the situation is that the pupil injures himself or herself or another, could be seen as negligence. However, it is the agreed Policy of the Behaviour Support Team that chasing a child either within or beyond the school boundaries may compromise the safety of the child. An assessment of the risks to the child will be made before a decision to pursue or leave is made. If a child leaves the school premises the procedure outlined in Appendix 1 will be initiated.

Reasonable Force

Wherever practicable retreat/breakaway should always be the first consideration. Every member of staff must, where necessary, accept a responsibility to call for assistance. However, if more decisive action is needed then only 'reasonable' force may be used to control or restrain the child.

What constitutes 'reasonable' must always be a matter of personal judgement. No two situations are ever similar in all respects, still less the children in our care. However, there are some guidelines which may be helpful:

1. Where force is applied it should be done in a manner that attempts to reduce rather than provoke a further aggressive reaction.
2. The number of staff involved should be the minimum necessary to restrain the child, while minimising injury to all parties.
3. The more serious the danger the greater the degree of force which may be used to avoid such danger.
4. The force used must be the minimum necessary to deal with the harm that needs to be prevented, i.e. it must be reasonable in the circumstances.
5. Violence must always be dealt with promptly and positively. No blame should be attached to a member of staff who has acted in good faith and consistently with the training he/she has received.

Alternatives to restrictive physical intervention

Wherever possible alternative courses of action should always be considered before embarking on restrictive physical intervention. It is important that staff are aware of and implement any strategies outlined in a pupils Behaviour Management Plan (BMP).

1. Try to anticipate the situation arising and take avoiding action if necessary.
2. Instruct the pupil who is misbehaving to stop.
3. Try to diffuse and calm the situation by distracting the pupil, moving them away from the situation etc.
4. Consider your role in the situation. Is your body language, response or relationship with the child likely to aggravate the situation further? If so then be prepared to retreat or hand over to another member of staff.

Circumstances where the use of restrictive physical intervention or restraint is acceptable

Restrictive physical intervention of pupils displaying aggressive or violent behaviour will be used by staff in the following situations:

1. Where such interventions might calm an excessive emotional, aggressive or violent outburst.
2. Where the pupils behaviour is likely to injure or harm himself or herself.
3. Where the pupils behaviour is likely to injure or harm other pupils.
4. Where the pupils behaviour is likely to harm staff or others.
5. Where the pupils behaviour is likely to cause damage to property including their own.

Circumstances where the use of restrictive physical intervention or restraint is unacceptable

1. Under normal circumstances it is against the law for any member of staff to use any form of physical chastisement as an act of punishment. This would be considered as corporal punishment or 'the intentional application of force as a punishment'.

Therefore the following are not acceptable:

- ♦ Physical chastisement such as slapping, punching, pushing or prodding as a form of punishment.
 - ♦ Any form of rough handling of a pupil as a form of punishment.
2. Where the type of physical intervention is likely to cause the child injury or harm.
 - ♦ Holding a pupil around the neck, or by the collar, or in any other way that might restrict the pupil's ability to breathe.
 - ♦ Slapping, punching or kicking the pupil.
 - ♦ Twisting, forcing limbs against a joint.
 - ♦ Tripping up a pupil.
 - ♦ Holding or pulling a pupil by the hair.

3. Staff should avoid touching or holding a pupil in any way that might be construed as indecent and should seek to maintain their personal dignity as far as possible.

Implementation of restrictive physical intervention procedures by staff

No member of staff will use restrictive physical intervention procedures except in an emergency, without the knowledge and support of the Head teacher or senior management.

When the behaviour displayed by some of the pupils we work with means they may require repeated handling these children and the nature of that handling will be discussed with all the staff involved with the child.

The nature and level of intervention will then be outlined in the pupil's Behaviour Management Plan.

The Headteacher should ensure parents/carers are aware of the plan and in agreement with it.

The effectiveness of any restrictive physical intervention as part of a planned programme should be reviewed and evaluated as part of the Behaviour Management Plan.

IMPORTANT DEFINITIONS

Reference will be made to the following definitions when discussing/writing behaviour management plans:

Restraint: 'Physical control is the positive application of force with the intent of overpowering the client.'

'The proper use of restraint requires skill, judgement and knowledge of non-harmful methods of control'. (DOH *Permissible Forms of Control 4/93 section 5.2*).

Physical Intervention: direct physical contact with a child e.g. using an approved TEAM TEACH "friendly hold" to reassure a child who is upset

Restrictive Physical Intervention involves the use of force to:

- Restrict movement
- Restrict mobility
- Disengage from dangerous or harmful physical contact.

Seclusion: Where a child is forced to spend time alone against their will. As this requires statutory powers, except in an emergency, no member of the behaviour support team will advocate or use seclusion except in an emergency.

Time Out: Restricting positive reinforcement as part of a planned behaviour programme. Use of time out requires a written plan that has been agreed by all involved with the child.

Withdrawal: When the child is removed from the situation (possibly using reasonable force) but is observed and supported until they are ready to resume their normal activities.

RECORDING OF INCIDENTS

Staff must document all cases of restrictive physical intervention when it is used to physically overpower the child for the reasons as outlined on page 1.

A pro forma is available for this recording. These are kept in the academy office.

This will be completed and signed by the member of staff by the end of the academy day.

Any members of the academy staff involved in the intervention should record their involvement in order to comply with school guidelines. They will pass a copy of the report to the Head teacher.

THE HEALTH AND SAFETY OF STAFF AND PUPILS

Any member of staff who has to become involved in physical restraint is likely to find it a draining experience. It is important that staff recognise their limitations both emotionally and physically and seek help when necessary.

Pupils who have been involved in incidents should be given the opportunity to talk through the situation as soon as they are calm with a member of staff. By doing this staff can help the child to see the intervention in the context of a learning experience.

The main priority throughout must be safety ... the safety of the pupils and staff. No-one should be tempted to try to 'go it alone' ... the risks are too great.

If one pupil in a group suddenly becomes very aggressive the member of staff should move the rest of the group to safety before seeking help from colleagues in dealing with the child.

Wherever possible, it is desirable that a minimum of two adults should be involved, The role of the second adult should be to take over for a while or to make them selves available to support, however necessary, depending on the situation.

TRAINING

Only staff who have received training in the Team Teach approach are eligible to retrain and must do so in accordance with team teach guidelines.

POINTS TO REMEMBER

- ♦ The needs of the pupils are paramount and should always be our prime consideration.
- ♦ We must always respect the rights of the pupils and ensure our actions are in their best interest.
- ♦ Examine and evaluate the behaviour strategy regularly. Don't let restrictive physical intervention become a habit.
- ♦ Stay calm and in control at all times. Recognise when you need help and ask for it.
- ♦ Record every incident. This keeps everyone informed and protects you.

APPENDIX 1

PROCEDURE FOR ABSCONDING CHILDREN

Following guidance from the child's BMP (or in an emergency for a 'first incident');

If the child is within reach;

- Prevent the child from absconding using approved team teach restrictive physical intervention if necessary. (Unless this contravenes BMP guidance).

If the child is beyond reach;

- Alert another member of staff to inform class teacher/senior management.
- Do not chase the child.
- Maintain verbal encouragement to return and observe.
- Ask someone to contact a parent/guardian.

If child leaves the academy premises;

- Ask child to return to the academy/talk to child.
- Do not chase.
- Maintain visual and verbal contact as much as possible.
- If child refuses to return, contact parents/carers and social services if applicable.
- Contact the police - give your name and details of incident. Ensure you obtain an incident number.
Inform the police if child returns.
- Contact a parent/guardian.