



Star

NURTURING TODAY'S **YOUNG PEOPLE**,  
INSPIRING TOMORROW'S **LEADERS**

# POSITIVE HANDLING POLICY





## Document control

<b>This document has been approved for operation within:</b>	All Trust Schools		
<b>Status</b>	Statutory		
<b>Owner</b>	Star Academies		
<b>Date effective from</b>	July 2021	<b>Date of next review</b>	July 2023
<b>Review period</b>	2 Years	<b>Version</b>	1

## Summary of changes in this version

Information
<p><b>Additions</b></p> <ol style="list-style-type: none"> <li>Educational excellence, discipline, mutual care and respect and community service are the foundations for our approaches to leading and managing learning and behaviour at the school.</li> <li>We value and promote an inclusive culture where all pupils are rewarded and praised regularly, consistently and fairly and where staff take cognisance of any barriers to learning which individual pupils need to overcome to make progress.</li> <li>The school operates a firm but fair and just approach, applied rigorously, robustly and consistently; ensuring that disruptive behaviour by the few does not damage the achievements of the many.</li> <li>The school creates a supportive environment which allows pupils to flourish within a culture of high expectations, unconditional positive regard, deliberate 'botheredness' and compassionate consistency.</li> <li>The expectations we have for Star pupils are set out in the Pupil Code of Conduct, which is shared with pupils and parents/carers, and is based upon the STAR values of Service, Teamwork, Ambition and Respect.</li> <li>Schools aim to build a welcoming and stable environment where pupils feel safe, secure and cared for. The safety and well-being of pupils and staff are paramount.</li> <li>The school has a responsibility to support pupils to manage their emotions and behaviour. Most pupils can cope with the demands of their environment and respond positively to the strategies outlined in the School's Behaviour Policy. However, it is also recognised that there are occasions when the use of reasonable force or 'positive handling' is appropriate and necessary to support pupils to self-regulate.</li> <li>This policy should also be read in conjunction with Star's Behaviour Norms - Playbook SOP, the In-School Inclusion Centre (ISIC) Toolkit, along with Trust's Anti-Bullying policy and Pupils with Special Educational Needs and/or Disabilities (SEND) policy.</li> </ol> <p>Added to point 9 'and Reducing the Need for Restraint and Restrictive Practices (DfE, June 2019)'</p> <p>Deleted Defining Reasonable Force section and added the following;</p> <p><u>Defining Terms</u></p>



16. The term 'reasonable force' covers the broad range of actions that involve a degree of physical contact with pupils.
17. Staff making the decision to use force to support a pupil should do so using a dynamic risk assessment. Force is usually used either to 'control' or 'restrain'.
18. The use of force must be in the best interest of the young person. It must be deemed reasonable, proportionate, and necessary, as a result of a dynamic risk assessment.
19. The use of force should be for the minimum amount of time necessary and should maintain a pupil's dignity.
20. At Star, the terminology Team Teach is used to describe any physical interventions as 'positive handling'.
21. Physical interventions include:
  - Prompts;
  - Guides;
  - Escorts;
  - Restraint Holds
22. The use of force to control pupils and to restrain them should not be a common occurrence. The use of force must only be used in emergency situations or as part of an agreed positive handling plan. There should be no planned use of prone restraint unless there is a cogent reason for doing so and this should be documented in a positive handling plan.
23. Control means either passive physical contact, such as standing between pupils or blocking a pupil's path, or active physical contact such as guiding a pupil out of a classroom.
24. Restraint means to hold back physically or to bring a pupil under control. It is typically used in more extreme circumstances. For example, when two pupils are fighting and refuse to separate without physical intervention.
25. Team Teach techniques seek to avoid injury to the pupil, but it is possible that bruising or scratching may occur accidentally, and these are not to be seen necessarily as a failure of professional technique, but a regrettable and infrequent "side-effect" of ensuring that the pupil remains safe.
26. It is lawful for staff to use force without specific training or qualifications as long as it is deemed reasonable, proportionate and necessary. However, the Trust recommends Team Teach training which gives guidance upon the following:
  - Arm Disengagements;
  - Small Child Holds;
  - Neck Disengagements;
  - Body Holds;
  - Clothing and Hair Disengagements ;
  - Two Person Holds;
  - Single Person Holds;
  - Separating Fights;
27. The following techniques are not deemed reasonable, proportionate or necessary and therefore are not to be used within Star:
  - The 'seated double embrace' – where two members of staff restrain a pupil into a seated position and lean them forwards, whilst another monitors breathing.
  - The 'double basket-hold' – holding pupils' arms across their chest.
  - The 'nose distraction technique' – a sharp upward jab under the nose.
28. Timeout is when a pupil has restricted positive reinforcement as part of a pre-planned behavioural programme. This does not require physical intervention.
29. Withdrawal means removing a pupil from a situation which causes anxiety or distress to themselves and/or taking them to a safer place where they have a better chance of composing themselves. This may require physical intervention as a result of a dynamic risk assessment.



30. A dynamic risk assessment is completed 'in the moment' by the member of staff. The staff member must consider the potential risks of a physical intervention against the risk of taking no action at all.

31. Seclusion is the supervised confinement of a pupil, away from others, in an area from which they are prevented from leaving. This applies when the behaviour is all of the following;

- of immediate necessity
- for the purpose of the containment of severely disturbed behaviour
- for behaviour which poses a risk of harm to others

Schools can use seclusion, only in an emergency, it requires statutory powers to do so in non-emergency situations schools do not hold.

32. Isolation is supervising a pupil in an area away from others, such as an isolation room, impact centre or reflection room. It is expected that pupils remain within the area. However, a pupil is free to walk out at any point as s/he is not deemed to be a risk to themselves or others.

33. Haptic communication or acceptable touch are allowed where appropriate. For example, a hand on a shoulder can sometimes offer support. However, staff must be mindful of appropriate touch too. Some pupils with SEND might require a positive handling plan to develop their understanding of acceptable touch.

#### Other additions

35. Schools should ensure that staff who are more likely to need to physically intervene to support a pupil's behaviour, such as SLT, pastoral staff, or staff who work with pupils with SEND are appropriately trained to do so.

#### Completely revised section

When can reasonable force be used?

36. The Children Act (2004) provides a duty for all services to work together to protect children and promote their best interests this includes keeping children safe. As a result, the School does not encourage a 'no contact' policy as there is a real risk that such a policy might place a member of its staff in breach of their duty of care towards a pupil or prevent them taking action needed to prevent a pupil causing harm.

37. The decision on whether or not to physically intervene is down to the professional judgement of the staff member concerned and should always depend on the individual circumstances. A dynamic risk assessment should always be taken where the risks of a pupil injuring themselves or others is balanced against the potential risks of a physical intervention and the risk of taking no action at all. It is expected that 95% of crisis behaviours are supported by positive behaviour supports or diversion de-escalation.

38. A physical intervention can be used if it is deemed reasonable, proportionate, and necessary whilst being in the best interests of the pupil.

39. The following list is not exhaustive, nor would physical intervention be necessary in all occasions. However, it provides some examples of situations where reasonable force could be used if deemed reasonable, appropriate and necessary to do so:

- remove disruptive pupils from the classroom where they have refused to follow an instruction to do so;
- prevent a pupil behaving in a way that disrupts a school event or a school trip or visit;
- prevent a pupil leaving the classroom where allowing the pupil to leave would risk their safety or lead to behaviour that disrupts the behaviour of others;
- prevent a pupil from attacking a member of staff or another pupil, or to stop a fight in the playground;
- restrain a pupil at risk of harming themselves through physical outbursts;
- when conducting a search without consent for knives or weapons, alcohol, illegal drugs, stolen items, tobacco and cigarette papers, fireworks, pornographic images or articles that have



been or could be used to commit an offence or cause harm (whilst a search can be conducted without consent for items banned in the school rules, force cannot be used to search for these items).

40. Pupils with SEND should have details of their positive handling needs within their Pupil Support Plan (PSP), Education and Health Care Plan (EHCP) or, their Individual Learning Plan (ILP).

Changes to the recording arrangements for incidents of reasonable force

44. An initial record should be made of an incident within 24 hours within the Team Teach Bound and Numbered Book or other school-based recording system including:

- the name of the pupil;
- details of the pupil's behaviour leading to the use of the measure;
- the date, time and location of the use of the measure;
- a description of the measure and its duration;
- details of any methods used or steps taken to avoid the need to use the measure;
- the name of the person who used the measure and of any other person present when the measure was used;
- the effectiveness and any consequences of the use of the measure;
- and a description of any injury to the pupil or any other person, and any medical treatment administered, as a result of the measure.

45. Within 48 hours, a responsible person should have spoken to the staff member and signed the record to confirm it is accurate.

46. Within 5 days, the responsible person should have spoken to the pupil and added their views to the record.

47. Records should be kept for 75 years after the date of birth of the pupil.

Addition

53. Key points relating to the advice that all staff should remember:

- school staff have the power to use force. Lawful use of the power will provide a defence to any related criminal prosecution or other legal action that may arise;
- suspension will not be an automatic response when a member of staff has been accused of using excessive force;
- senior school leaders will support their staff when they exercise this power.
- Staff have a duty of care. Failure to act when reasonable force is necessary could be a breach of that duty.

57. The Trust provides accredited Team Teach training for schools who take advantage of the opportunity.

Addition of Appendix 1 – positive handling plan template



## Contents

Introduction .....	7
Aims .....	7
Who is responsible for this policy? .....	8
Defining terms.....	8
Who can use reasonable physical intervention? .....	10
When can reasonable physical intervention be used? .....	10
Reporting .....	11
Investigating complaints .....	12
Other physical contact with pupils .....	12
Appendix 1: Positive handling plan.....	13



## Introduction

1. Educational excellence, discipline, mutual care and respect and community service are the foundations for our approach to leading and managing learning and behaviour at the school.
2. We value and promote an inclusive culture where all pupils are rewarded and praised regularly, consistently and fairly; and where staff acknowledge any barriers to learning which individual pupils need to overcome to make progress.
3. The school operates a firm but fair and just approach, applied rigorously, robustly and consistently, ensuring that disruptive behaviour by the few, does not damage the achievements of the many.
4. The school creates a supportive environment which allows pupils to flourish within a culture of high expectations, unconditional positive regard, deliberate 'botheredness' and compassionate consistency.
5. The expectations we have for Star pupils are set out in the Pupil code of conduct, which is shared with pupils and parents/carers, and is based upon the STAR values of service, teamwork, ambition and respect.
6. The school aims to build a welcoming and stable environment where pupils feel safe, secure and cared for. The safety and wellbeing of pupils and staff are paramount.
7. The school has a responsibility to support pupils to manage their emotions and behaviour. Most pupils can cope with the demands of their environment and respond positively to the strategies outlined in the school's behaviour policy. However, it is also recognised that there are occasions when the use of reasonable force or 'positive handling' is appropriate and necessary to support pupils to self-regulate.
8. This policy should also be read in conjunction with Star's Behaviour norms - Playbook SOP, the In-school inclusion centre (ISIC) toolkit, along with trust's anti-bullying policy and the pupils with special educational needs and/or disabilities (SEND) policy.
9. This policy is written in conjunction with the DfE document: Use of reasonable force - advice for head teachers, staff and governing bodies (DfE, 2013, revised 2015) and Reducing the need for restraint and restrictive practices (DfE, June 2019)
10. This document was previously named the Use of reasonable force policy.

## Aims

11. To provide clarification to all staff, volunteers and visitors to the school on positive handling.
12. To help all staff feel confident about using physical interventions when they feel it is necessary.
13. To make clear the responsibility of the principal and local governing body in respect of this policy.



14. To support the mission, vision and values of the trust and its establishments.

## Who is responsible for this policy?

15. The trust has overall responsibility for the effective operation of this policy and for ensuring compliance with the relevant statutory or trust framework. The trust has delegated day-to-day responsibility for operating the policy to Star Central, the local governing body and the principal of each trust school.
16. The local governing body and senior leadership team at each trust school has a specific responsibility to ensure the fair application of this policy and all members of staff are responsible for supporting colleagues and ensuring its success.

## Defining terms

17. At Star, the terminology adopted from 'Team Teach' that is used to describe any physical intervention is 'positive handling'.
18. 'Positive handling' covers the broad range of actions that involve a degree of physical intervention with pupils.
19. Staff making the decision to physically intervene to support a pupil should do so using a dynamic risk assessment. Physical intervention is usually used either to 'control' or 'restrain'.
20. The use of physical intervention must be in the best interest of the young person. It must be deemed reasonable, proportionate, and necessary, as a result of a dynamic risk assessment.
21. Physical intervention should be for the minimum amount of time necessary and should maintain a pupil's dignity.
22. Physical interventions include:
  - prompts
  - guides
  - escorts;
  - restraint holds.
23. Physical interventions to control pupils and to restrain them should not be a common occurrence. Physical interventions must only be used in emergency situations or as part of an agreed positive handling plan (Appendix 1). There should be no planned use of prone restraint unless there is a cogent reason for doing so and this should be documented in a positive handling plan.
24. 'Control' means either passive physical contact, such as standing between pupils or blocking a pupil's path, or active physical contact such as guiding a pupil out of a classroom.



25. 'Restraint' means to hold back physically or to bring a pupil under control. It is typically used in more extreme circumstances. For example, when two pupils are fighting and refuse to separate without physical intervention.
26. TeamTeach techniques seek to avoid injury to the pupil, but it is possible that bruising or scratching may occur accidentally, and these are not to be seen necessarily as a failure of professional technique, but a regrettable and infrequent 'side-effect' of ensuring that the pupil remains safe.
27. It is lawful for staff to use physical interventions without specific training or qualifications, as long as it is deemed reasonable, proportionate and necessary. However, the trust recommends Team Teach training which gives guidance upon the following:
  - arm disengagements
  - small child holds
  - neck disengagements
  - body holds
  - clothing and hair disengagements
  - two person holds
  - single person holds
  - separating fights
28. The following techniques are **not** deemed reasonable, proportionate or necessary and therefore are not to be used within Star Academies:
  - The 'seated double embrace' – where two members of staff restrain a pupil into a seated position and lean them forwards, whilst another monitors breathing
  - The 'double basket-hold' – holding a pupil's arms across their chest
  - The 'nose distraction technique' – a sharp upward jab under the pupil's nose
29. 'Timeout' is when a pupil has restricted positive reinforcement as part of a pre-planned behavioural programme. This does not require physical intervention.
30. 'Withdrawal' means removing a pupil from a situation which causes anxiety or distress to themselves and/or taking them to a safer place where they have a better chance of composing themselves. This may require physical intervention as a result of a dynamic risk assessment.
31. A dynamic risk assessment is completed 'in the moment' by the member of staff. The staff member must consider the potential risks of a physical intervention against the risk of taking no action at all.
32. 'Seclusion' is the supervised confinement of a pupil, away from others, in an area from which they are prevented from leaving. This applies when the behaviour is all of the following:



- of immediate necessity
  - for the purpose of the containment of severely disturbed behaviour
  - for behaviour which poses a risk of harm to others
33. Schools can use seclusion, only in an emergency, it requires statutory powers to do so in non-emergency situations schools do not hold.
34. 'Isolation' is supervising a pupil in an area away from others, such as an isolation room, impact centre or reflection room. It is expected that pupils remain within the area. However, a pupil is free to walk out at any point as they are not deemed to be a risk to themselves or others.
35. Haptic communication or acceptable touch are allowed where appropriate. For example, a hand on a shoulder can sometimes offer support. However, staff must be mindful of appropriate touch too. Some pupils with SEND might require a positive handling plan to develop their understanding of acceptable touch.

### **Who can use reasonable physical intervention?**

36. All members of school staff have a legal power to use reasonable physical intervention. It can also apply to unpaid volunteers or parents/carers accompanying pupils on a school organised visit.
37. Schools should ensure that staff who are more likely to need to physically intervene to support a pupil's behaviour, such as a member of the senior leadership team, pastoral staff, or staff who work with pupils with SEND are appropriately trained to do so.

### **When can reasonable physical intervention be used?**

38. The Children Act (2004) provides a duty for all services to work together to protect children and promote their best interests this includes keeping children safe. As a result, the school does not encourage a 'no contact' policy as there is a real risk that such a policy might place a member of its staff in breach of their duty of care towards a pupil or prevent them taking action needed to prevent a pupil causing harm.
39. The decision on whether or not to physically intervene is down to the professional judgement of the staff member concerned and should always depend on the individual circumstances. A dynamic risk assessment should always be taken where the risks of a pupil injuring themselves or others is balanced against the potential risks of a physical intervention and the risk of taking no action at all. It is expected that 95% of crisis behaviours are supported by positive behaviour supports or diversion de-escalation.
40. A physical intervention can be used if it is deemed reasonable, proportionate, and necessary whilst being in the best interests of the pupil.
41. The following list is not exhaustive, nor would physical intervention be necessary on all occasions. However, it provides some examples of situations where reasonable physical intervention could be used if deemed reasonable, appropriate and necessary to do so:



- remove disruptive pupils from the classroom where they have refused to follow an instruction to do so
  - prevent a pupil behaving in a way that disrupts a school event or a school trip or visit
  - prevent a pupil leaving the classroom where allowing the pupil to leave would risk their safety or lead to behaviour that disrupts the behaviour of others
  - prevent a pupil from attacking a member of staff or another pupil, or to stop a fight in the playground
  - restrain a pupil at risk of harming themselves through physical outbursts
  - when conducting a search without consent for knives or weapons, alcohol, illegal drugs, stolen items, tobacco and cigarette papers, fireworks, pornographic images or articles that have been or could be used to commit an offence or cause harm. Whilst a search can be conducted without consent for items banned in the school rules, force cannot be used to search for these items
42. Pupils with SEND should have details of their positive handling needs within their pupil support plan (PSP), education and health care plan (EHCP) or their individual learning plan (ILP).
- 43. Staff must not use physical intervention as a punishment under any circumstances.**

## Reporting

44. All serious incidents involving positive handling will be recorded and reported to parents/carers.
45. In deciding what constitutes a serious incident, staff should use their professional judgement and consider the:
- pupil's behaviour and level of risk presented at the time of the incident
  - degree of physical intervention used
  - effect on the pupil or member of staff
  - the pupil's age
46. An initial record should be made of an incident within 24 hours within the Team Teach bound and numbered book or other school-based recording system including:
- the name of the pupil
  - details of the pupil's behaviour leading to the use of the measure
  - the date, time and location of the use of the measure
  - a description of the measure and its duration
  - details of any methods used, or steps taken, to avoid the need to use the measure



- the name of the person who used the measure and of any other person present when the measure was used
  - the effectiveness and any consequences of the use of the measure
  - and a description of any injury to the pupil or any other person, and any medical treatment administered, as a result of the measure
47. Within 48 hours, a responsible person should have spoken to the staff member and signed the record to confirm it is accurate.
48. Within 5 days, the responsible person should have spoken to the pupil and added their views to the record.
49. Records should be kept for 75 years after the date of birth of the pupil.

## Investigating complaints

50. All complaints about use of force will be investigated under the trust's complaints policy. Where a member of staff has acted within the law – that is, they have used physical intervention 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.
51. If a decision is taken to suspend a member of staff, the school will ensure that the member of staff has access to a named contact that can provide support.
52. The trust HR team will consider whether a member of staff has acted within the law when reaching a decision on whether or not to take disciplinary action.
53. As an employer, Star Academies has a duty of care towards its employees. Appropriate pastoral care will be provided to any member of staff who is subject to a formal allegation following a use of physical intervention incident. Support offered will be in line with that outlined in the school's safeguarding (child protection) policy.

## Other physical contact with pupils

54. There are occasions when physical contact with a pupil, other than when using physical intervention, is proper and necessary. There are many examples, and the following is by no means an exhaustive list:
- when comforting a distressed pupil
  - when a pupil is being congratulated or praised
  - to demonstrate how to use certain equipment e.g. a musical instrument
  - to demonstrate exercises or techniques during PE lessons or sports coaching
  - when administering first aid



**Appendix 1: Positive handling plan**

Pupil name	DOB	Form	Date completed	Review date
Additional information e.g medical conditions				

Trigger behaviours	De-escalation strategies	Preferred positive handling techniques. (to be used as a last resort)



--	--	--

Repair and rebuild post intervention	Evaluation and plan to reduce (complete during review)
Do you wish to be informed upon each occasion that a physical intervention is used? (delete as appropriate)	YES/NO
Staff trained in Team Teach are authorised to use the following techniques if deemed reasonable, proportionate and necessary at the time of any incidents	

Signed		Date
Principal		
Parent/carer		

