



Policy Name: Positive Handling
Written by: Jennifer Parry

Date written	Date implemented	Review Date	Coordinator	Proprietors Nominated Person
23rd June 2016	23rd June 2016	23rd June 2024	Jennifer Parry Gareth Brenton	Declan Tuer

Mission Statement:

We aspire to prepare young people for the future by providing a sustainable outstanding educational experience where all students realise, pursue and achieve their full potential, enabling them to thrive as adults.

This policy relates to the following legislation:

- Education and Inspections Act 2006
- Equality Act 2010
- Special Educational Needs and Disability (Detained Persons) Regulations 2015

The following documentation is also related to this policy:

- Equality Act 2010: Advice for Schools (DfE)
- Safe and effective intervention – use of reasonable force and searching for weapons
- The Additional Learning Needs Code for Wales 2021
- The Use of Force to Control or Restrain Pupils, the powers of which are contained in Section 93 of the Education and Inspections Act 2006, which replaced Section 550A of the Education Act 1996.
- Use of Reasonable force in Schools: a summary for Head teachers and Staff (DfE)

Rationale:

Greenfields School promotes good behaviour and discipline to ensure the health, safety and well-being of everyone in school. The purpose of this policy is to help Greenfields School staff understand and implement new expectations regarding school discipline and to support the leadership of the school, to comply with legal requirements that are now placed on them and to exercise those powers within the legal framework.

For some students with the most significant needs it must be recognised that their challenging behaviour is an aspect of their developmental profile. Interventions to manage their behaviour must reflect their overall needs, should be matched to their particular circumstances and also be in the interests of the school as a whole.

It is essential that staff act appropriately in order to minimise the risk of accusation of improper conduct towards a young person. Restricted Physical Intervention (RPI) is used only as a last resort, for the shortest possible time and on a strict basis – mainly to prevent or minimise harm to self or others.

The Equality Act 2010 states, schools have a general duty to promote equality. This policy was constructed in

order to be compatible with this duty and staff will act at all times to ensure that they do not discriminate in any way.

Revised guidance on the use of force to control or restrain pupils. This is more comprehensive guidance replacing that currently contained in Welsh Office Circular 37/98. However, the greatest caution needs to be exercised when deciding to use physical restraint that may exacerbate an already volatile situation.

Definition of 'Reasonable Force':

There is no legal definition of 'reasonable force' so it is not possible to set out comprehensively when it is reasonable to use force, or the degree of force that may reasonably be used. It will always depend on all the circumstances of the case.

There are two relevant considerations:

- The use of force can be regarded as reasonable only if the circumstances of the particular incident warrant it; therefore physical force could not be justified to prevent a student from committing a trivial misdemeanor or in a situation that clearly could be resolved without force;
- The degree of force employed must be in proportion to the circumstances of the incident and the seriousness of the behaviour or the consequences it is intended to prevent. Any force used should always be the minimum needed to achieve the desired result.

Whether it is reasonable to use force, and the degree of force that could reasonably be employed, will also depend on the age, understanding and sex of the student. (DCSF Circular 10/98)

The Equalities Act 2010 dictates that issues of race, culture and faith also need to be taken into account. Therefore, any restrictive physical interventions should be used in a way that is sensitive to, and respects the cultural expectations of children, young people and their parents/carers and their attitude towards physical contact. As an example, it would be inappropriate for a male member of staff to restrain a Muslim girl. Within the scope of our definitions of reasonable force we judge that:

- Students should where possible be restrained when at least one member of same sex staff involved in the restraint.
- When this is not possible the student is restrained, then the restraint must be supervised by the Headteacher or a Senior Staff Member;
- In the unlikely event of a student being restrained by two opposite sex staff members, this should be for the minimum time possible compatible with safety, the staff should be replaced as soon as it is safe to do so and the restraint will be supervised.

Reasonable force will only be used for:

- Remove disruptive learner from the classroom where they have refused and to not intervene would significantly disrupt the learning of the learning of others.
- Preventing a child from unsafe actions on a school event or visit.
- A child risking their safety.
- Significant damage to school site/vehicles.
- Prevent a student from attacking a member of staff or another student
- Stopping a student at risk of harming themselves or others through significant dysregulation.

All diffusion/de-escalation strategies must be used prior to Maybo techniques being used - Restricted Physical Intervention (RPI) is used only as a last resort, for the shortest possible time and on a strict basis – mainly to prevent or minimise harm to self or others.

This policy has been written in the context of the Human Rights Act (1998) and the United Nations Convention on the Rights of the Child. It is based on the presumption that every child, young person and adult is entitled to:

- Respect for his/her private life;
- The right not to be subjected to inhuman or degrading treatment;
- The right to liberty and security; and
- The right not to be discriminated against in his/her enjoyment of those rights.

The Scope of the Policy

This policy aims to support staff by providing guidance for use in situations where students may need to be prevented from harming themselves or others, or from causing damage to property, by the use of restraint.

The use of physical restraint must always be set in the context of Greenfields School overall behaviour management framework.

Restraint is an action of last resort and is not a substitute for behaviour management strategies. The emphasis of such strategies should be on managing incidents and behaviour through non-physical, non-threatening aggression-free strategies. Physical intervention should only be considered in order to control situations involving imminent danger to students or to others.

Where de-escalation of a situation has not been possible and restraint is deemed necessary the minimum of physical force should be used, for the minimum of time, ensuring the least restrictive intervention necessary to make the situation safer.

The scale and nature of any physical intervention must be proportionate to both the behaviour and the individual to be controlled, and to the nature of the harm they might cause. These judgments have to be made at the time, taking due account of all the circumstances, including any known history of other events involving the individual to be controlled. The minimum necessary force should be used and the techniques deployed should be those in which the staff members involved have been trained, are familiar with and able to use safely

Minimising the need to use force

We have the following in place in order to reduce the likelihood of any member of staff using force:

- A calm, orderly and supportive school climate.
- Strong and effective relationships between students and staff.
- A whole school approach to developing social and emotional skills by using the SEAL programme (Social and Emotional Aspects of Learning).
- An effective staff development programme that develops the skills of positive behaviour management.
- Identifying when an incident is going to happen.
- Using effective strategies to manage all incidents that occur.
- Informing a disruptive student that force may be used before using it.

School Personnel authorised to use force

All school personnel whose job involves supervising students who are MAYBO may use force to restrain a student but only in extreme circumstances.

All staff will receive MAYBO training in student restraint (unless they have a medical condition which restricts this training)

Deciding whether to use force

We believe that the use of force and what force to use must always depend on the circumstances of each incident.

We acknowledge that when faced with an incident there is very little time for school personnel to think before making a quick but effective decision.

However, school personnel must be aware of and consider the following:

- Assessing the seriousness of the incident that if force is not used then it could result in injury, damage.
- Being aware & adhering to the learners individual risk management plan.
- After considering alternatives for dealing with the situation, force is the only justifiable way of achieving a positive result.
- Assessing the number of risks connected with using force compared with using other strategies.

Types of Incidents

School personnel will have to make decisions when dealing with any of the following incidents:

- **Fighting** - students fighting.
- **Attack** - a student attacks an adult or another student.
- **Damage to property** – a student causing significant damage to school site or property/vehicles
- **Injury** – a student causing significant injury.
- **Disruption of lessons** – when a student’s behaviour seriously disrupts a lesson.
- **Danger to student** – risk of danger to themselves or others.

Using Force

When faced with an incident and before force is used, school staff must:

- act in a calm and measured manner;
- show no anger or frustration;
- reassure the student and provide alternate solutions to the issue.

School staff may use the following types of force:

- **passive physical contact** by standing between students or create space between learners;
- **active physical contact** by using Maybo restrictive holds trained in.

Risk Management:

Risk management is a proactive approach to minimising difficult and dangerous behaviour, and is set against the background of policies and procedures at Greenfields School. It includes general risk assessment of the environment and individual risk assessment of student support needs in their risk management plans.

Among the main risks to children and young people are that a physical restraint could:

- Be used unnecessarily, that is when other less intrusive methods could have not resolved the issue;
- Cause injury;
- Cause pain, distress or psychological trauma;
- Become routine, rather than an exceptional method of management;
- Increase the risk of abuse;
- Undermine the dignity of staff or students or otherwise degrade or humiliate those involved; or
- Create distrust and undermine personal relationships;

The main risks to staff include the following;

- As a result of applying physical intervention they may suffer injury;
- They may experience distress or psychological trauma;
- They may experience physical trauma;
- The legal justification for the use of physical intervention is challenged in the courts; and/or Disciplinary action.

The main risks of not intervening include:

- Staff may be in breach of their duty of care;
- Children and young people, staff or other persons may be injured;
- Serious damage to property will occur; and/or
- The possibility of litigation in respect of these matters.

Some students with Additional Learning Needs and/or behavioural difficulties, particularly in a specialist provision, may need to be regularly restrained. Where this is the case, we will ensure that the situations and methods used will be the subject of a student-specific risk assessment and outlined in the student's IEP or IBP and therefore known to parents/carers. Any restraint applied outside that written within the IEP or IBP must be recorded and reported to parents.

School Training

School staff will be trained by an accredited trainer in the techniques of restraint every three years.

All school personnel have equal chances of training, career development and promotion

- receive training on induction which specifically covers:
 - All aspects of this policy
 - Safeguarding and Child Protection
 - Human Rights
 - De-escalation strategies
 - Health and Safety
 - Supervision of Students
 - ALN
 - Equal opportunities
 - Inclusion
- receive periodic training so that they are kept up to date with new information
- receive equal opportunities training on induction in order to improve their understanding of the Equality Act 2010 and its implications.

Recording Incidents

Records will be kept of all incidents RPI's will be kept on BehaviourWatch system and monitored by Senior Management team & data reported half termly.

Reporting Incidents

All incidents will be recorded and reported to the Head teacher who will inform parents/carers by telephone and then by letter of the incident. Local Authority Education Officers linked to individual students need to be sent incident forms:

Newport: Kate Lesniewski - kate.lesniewski@newport.gov.uk & Jon Airdrie - jon.airdrie@newport.gov.uk

Monmouth: Claire Young - claireyoung@monmouthshire.gov.uk

Torfaen: Tracy Tucker - tracy.tucker@torfaen.gov.uk

Post-incident Support

After an incident has occurred the following procedure will take place:

- First aid if necessary
- Medical help if necessary
- Emotional support to students and school staff through a debrief
- Discussions with parents/carers

Complaints and Allegations

All complaints will be dealt thoroughly, speedily and will be appropriately investigated by using the procedures as stated in the school Complaints Policy.

Raising Awareness of this Policy

We will raise awareness of this policy via:

- the School Handbook/Prospectus

- the school website
- the Staff Handbook
- meetings with parents such as introductory, transition, parent-teacher consultations and periodic curriculum workshops
- school events
- meetings with school personnel
- communications with home such as newsletters and of end of half term newsletters
- reports such annual report to parents and Head teacher reports to the board
- information displays in the main school entrance

Head teacher:	Jennifer Parry	Date:	23 rd June 2023
Head Of Service	Declan Tuer	Date:	23 rd June 2023

