Positive Handling and Physical Intervention Policy

Approved by:	Callum Cooper and Daniel Smith	**Date created:**	1/9/23
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1. Policy Statement

a. It is recognised that the vast majority of pupils in our Provision respond positively to our behaviour expectations. The well-being, welfare and safety of all pupils and staff at RISE Alternative Provision is of paramount importance.

b. It is acknowledged that in exceptional circumstances, staff may need to take action in situations where the use of reasonable force may be required.

c. RISE Alternative Provision acknowledges that physical techniques are only part of a whole setting approach to behaviour management. Positive Handling will only be used as a last resort when all other behaviour management strategies have failed or when pupils, staff are at risk.

d. RISE Alternative Provision does not support the routine use of physical interventions.

e. All staff at RISE understand that the Provision cannot use force as a punishment; it is always unlawful to use force as a punishment.

f. Positive Handling uses the minimum degree of force necessary for the shortest period of time to prevent a pupil harming themselves or others.

g. 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 to themselves, others or property.

h. Every effort will be made to ensure that all staff in this Provision
1. clearly understand this policy and their responsibilities in the context of their duty of care in taking appropriate measures where reasonable force is necessary
2. are provided with appropriate training to deal with these difficult situations.

2. Definitions

No legal definition of "reasonable force" exists; however, for the purpose of this policy and the implementation of it in RISE Alternative Provision, the clarification provided in the DfE guidance document 'use of reasonable force' 2013, (https://www.gov.uk/government/publications/use-of-reasonable-force-in-schools), is used.

Reasonable force:

a. 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 pupils.

b. Force is usually used either to control or restrain. This can range from guiding a pupil to safety by the arm through to more extreme circumstances, such as breaking up a fight or where a student needs to be restrained to prevent violence or injury.

c. Reasonable in the circumstances means using no more force than is needed.

3. Control

As mentioned above, academies generally use force to control pupils and to restrain them. Control means:

a. either passive physical contact, such as standing between pupils or blocking a pupil's path;

b. or active physical contact such as leading a pupil by the arm out of a classroom.

4. Restraint means

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.

a. Provision staff should always try to avoid acting in a way that might cause injury.

b. It is acknowledged that in extreme cases it may not always be possible to avoid injury as an accidental consequence of the intervention.

5. Different types of physical contact with pupils

Situations in which proper physical contact occurs between staff and pupil.

Examples of where touching a pupil might be proper or necessary include**:**

a. holding the hand of a young child at the front/back of the line;

b. when comforting a distressed pupil;

c. when a pupil is being congratulated or praised;

d. to demonstrate how to use a musical instrument;

e. to demonstrate exercise or techniques during PE lessons or sports coaching;

f. to administer first aid.

Physical Intervention

This may be used to divert a pupil from a destructive or disruptive action, for example guiding or leading a pupil by the arm or shoulder where the pupil is compliant.

Physical Control/Restraint

This will involve the use of reasonable force when there is an immediate risk to pupils, staff or property.

- It is important to note that the use of "reasonable force" should be seen as a last resort.
- All such incidents must be recorded and be stored in an accessible way.

- If at all possible, more than one member of staff should be present if physical restraint is necessitated.

- The level of compliance from the pupil determines whether or not the interaction is an intervention or a control/restraint.

6. Strategies for Dealing with Challenging Behaviour and Escalating Situations

a. Staff consistently use positive strategies to encourage acceptable behaviour and good order, in line with the RISE Alternative Provision Behaviour Policy. Every effort will be made to resolve conflicts positively (see Individual Risk Assessments for pupils and Lone Worker Policy).

b. Staff should be able to justify that strategies other than force have been attempted and proved ineffective or would have been impractical. Furthermore, staff should recognise that restraint is only a small part of a wider spectrum of positive framework that may include use of space, safe environments, diversions, calm stances and postures, non-threatening facial expressions, low tone, volume and pace in communication, careful use of words, and physical reassurance and prompts.

c. Consideration of these strategies should be maintained during and after the need for physical contact. As soon as it is safe, any hold or restraint should be gradually relaxed to allow the pupil to regain self-control. The pupil should be informed about what will happen next and be offered reassurance and encouragement to remain calm. In this way the pupil will be more likely to see the restraint as an act of care.

d. All members of Provision staff have a legal power to use **reasonable force**. (Section 93, Education and Inspections Act 2006).

e. The 1996 Education Act (Section 55O A) stipulates that: A member of the staff of an Provision may use, in relation to any pupil at the Provision, such force as is reasonable in the circumstances for the purpose of preventing the pupil from doing (or continuing to do) any of the following, namely—

I. committing any offence,
II. causing personal injury to, any person (including the pupil him/herself), or

III. engaging in any behaviour prejudicial to the maintenance of good order and discipline at the Provision or among any of its pupils, whether that behaviour occurs during a teaching session or otherwise.

IV. This applies where a member of staff is on the Provision premises and elsewhere at a time when, as a member of Provision staff, that adult has lawful control of the children concerned, for example, on a trip.

f. The decision on whether to physically intervene is down to the professional judgement of the adult concerned. Whether the force used is reasonable will always depend on the particular circumstances of the case. The use of force is reasonable if it is proportionate to the consequences it is intended to prevent.

This means the degree of force used should be no more than is needed to achieve the desired result. (DfE guidance document 'use of reasonable force', 2013)

g. Individual members of staff cannot be required to use physical restraint. However, as teaching and support staff work in 'loco parentis' and should always operate with an appropriate 'Duty of Care', It might be argued that failing to take action (including a failure to use reasonable force) may in some circumstances breach that duty. (DfE guidance document 'use of reasonable force', 2013)

i. A panel of experts (Physical Control in care Medical Panel 2008) identified that certain restraint techniques presented **an unacceptable risk** when used on children and young people. The techniques in question are:

- the 'seated double embrace' which involves two members of staff forcing a person into a sitting position and leaning them forward, while a third monitors breathing;
- the 'double basket-hold' which involves holding a person's arms across their chest;
- the 'nose distraction technique' which involves a sharp upward jab under the nose.

7. Authorised staff

Section 550A of the Education Act 1996 permits adults who have lawful charge or control of children to use reasonable force to control or restrain them. These include:

a. tutors

b. family support workers

c. mentors

d. representatives from outside agencies

e. other adults who may be working with children either on Provision premises or accompanying them on out of Provision activities, e.g. during field trips or on journeys.

Wherever possible, Physical Restraint should only be used by those with appropriate training. However, it is acknowledged this may not always be possible and physical restraint may be used as an emergency measure by someone without appropriate training to ensure the safety of children in their care. Any physical intervention should be conducted making reasonable adjustment for students with SEN or disabilities. The child's Plan will take this into account. In this instance, someone with appropriate training should be called for immediately.

8. Recording

a. RISE Alternative Provision keeps a record of all incidents where physical intervention involving the use of force against resistance from a child has been necessary (see Appendix 3). The record should be completed by the end of the working day on which the incident took place.

b. A member of the SLT will be told at the earliest possible time after an incident.

c. Parent/carers will be informed. The adult involved may seek guidance from a senior colleague and/or their trade union representative before filling in their report.

d. A member of the SLT will discuss the incident with any children or staff who were present using the Recording Use of Physical Force form. In line with our commitment to working with parents, we aim to maintain an open discussion during any relevant procedure which may follow an incident.

e. RISE Alternative Provision will regularly review the number and type of incidents in which physical intervention and/or restraint has been necessary. This will be used to ensure that there is adherence to this policy and to identify improvement needed in other policies and procedures of individual academies.

9.Sharing of information

All members of the provision should know of the existence of this policy. In principle, as few people as possible should know of any specific incident and staff should maintain confidentiality to the greatest possible extent. This is to enable SLT and staff involved in any consequence or complaint to do so without having acquired hearsay knowledge.

10. Monitoring Incidents Where Physical Restraint Is Used

The Principal will monitor records of any incidents in order to:

1. Report all incidents to the DSL and SLT

2. Identify any patterns of behaviour resulting in the use of physical intervention.

3. Review the levels of staff awareness of and compliance with the provision policy.

4. Inform staff training needs.

5. Explore the relationship between the use of physical intervention and behaviour in provision.

6. SLT will monitor incidents where physical restraint is used.

11. Action after an Incident

A member of SLT will ensure that each incident is reviewed, investigated and recorded as stated above.

If further action is required, this will be pursued through the appropriate procedures which may include:

a) Safeguarding & Child Protection Policy
b) Managing Allegations against Staff Policy
c) Behaviour Policy

12. Complaints

The availability of a clear policy about reasonable force and early involvement of parents should reduce the likelihood of complaints but may not eliminate them.

Complaints following a dispute about the use of physical intervention by an adult should be pursued in accordance with the Complaints Policy.

13. Related policies/documents

This policy should be read alongside the following documents:

- Safeguarding & Child Protection Policy,
- Health and Safety Policy,
- Behaviour Policy,
- Equality & Diversity Policy,
- Complaints Policy,
- Whistle Blowing Policy,
- Data Protection/ GDPR Policy,
- Managing Allegations Against Staff.

Appendix 1

Advice for staff

1. At RISE Alternative Provision, we believe that physical intervention and/or restraint should be the last resort. In the majority of cases de-escalation and diffusion are the appropriate methods of dealing with situations that might result in a threat to the health and safety of any individuals. On extremely rare occasions it may be appropriate for staff to intervene physically with or between pupils. These include:

    - Injury, or risk of injury, to another pupil
    - Injury, or risk of injury, to a member of staff
    - Serious damage to property that would result in harm to a person.

2. Any intervention should be a last resort and be **proportionate, reasonable** and **appropriate,** and be done with the aim to **reduce** not **provoke.**

3. All staff owe a **duty of care** to pupils. To take no action, where the outcome is that a pupil injures him/herself, or another, including staff, could be seen as negligence.

4. Members of staff facing confrontational situations with pupils are reminded that the following behaviours can either reduce or inflame incidents, and that a brief moment of risk assessment may allow the time to decide on the appropriate action necessary.

5. **Staff are strongly advised not to physically stop pupils from leaving their room if the member of staff considered that there would be a risk of physical harm to themselves.**

6. **Remaining calm –** the ability to try and remain calm and appear relaxed is less likely to provoke. A relaxed posture and a non-threatening (CALM) stance, i.e. not toe-to-toe, are recommended.

7. **Awareness of Space –** try to be aware of the space around you and avoid stepping into another individual's personal/intimate space. Try to take a step back outside the circle of danger.

8. **Pacing and Chasing –** angry people often pace around in tense situations and staff should try to avoid the temptation to follow as they attempt to help them calm down. This can be counter-productive as it may trigger an animal chase response and drive the other person away. Where possible it is preferable for the staff member to stand still, speaking calmly, clearly and confidently – or even sit down.

9. **Intonation -** when people are anxious or angry they tend to talk faster, higher and more loudly. In a potential crisis situation staff need to deliberately speak slower, lower and more quietly

10. **Help Script**

I. Connect by using pupil's name
II. Recognise the feelings
III. Tell the pupil you're there to help
IV. You talk and I will listen
V. Give direction

11. **Diffusing body language responses**

- Social distance
- Sideways stance, step back
- Intermittent eye contact
- Relaxed body posture
- Palms open

12. **Calm Stance**

Think of the values of stepping back from a situation, both physically and emotionally:

- Allows a more considered response
- Time to make a 'dynamic' risk assessment and seek assistance
- Allows other person 'take up' time to make their own choices

13. **Application of Force (DfES advice 10/98)**

Staff should **NOT** act in a way that might reasonably be expected to cause injury. This includes: -

- Slapping, punching, kicking or tripping a pupil
- Twisting or forcing limbs against joints
- Indecently touching, holding or pulling a pupil by the hair or ear
- Other than in the most extreme circumstances that are exceptional, using reasonable force to hold a pupil face down on the ground **(*This can result in death*)**

14. **In the event of a serious incident** e.g. a fight, staff should:

- Make their presence felt – "stop fighting, stop fighting"
- Send for assistance
- Spell out sanctions
- Remove the 'fuel' by clearing the 'audience' away
- Be a witness
- Intervene physically if confident and having assessed the degree of risk
- **But** should not ignore or walk away.

Appendix 2

SOME NON- PHYSICAL CRISES INTERVENTION TECHNIQUES

Do	**Don't**
appear calm and relaxed	appear afraid and unsure of yourself; appear bossy, arrogant; assume an "I don't give a damn about you" attitude
keep the pitch and volume of your voice down	raise your voice
feel comfortable with the fact that you are in control (if you control yourself, you control the situation); project a calm assured feeling that you will see the situation through to peaceful end no matter what happens	appear to expect an attack (or you will have one)
talk with the pupil	give commands; make demands
be very matter of fact if the pupil becomes agitated; be sensitive and flexible; be flexible yet consistent; be aware of body language; monitor breathing (chest movements) which can telegraph aggressive responses	make threats (especially any that you are not absolutely sure that you can carry through!); maintain continuous eye contact; gesticulate (this may provoke confrontation)
stay close to the pupil and attend to him/her	turn your back or leave; invade the pupil's personal space
be patient; if a pupil's agitation increases to the verge of attack: Acknowledge his/her feelings; Continue with a matter of fact attitude; Always leave the pupil an avenue of escape	display emotion; argue; corner the pupil physically or psychologically
where possible, remain seated as long as the pupil does; avoid crowding	get up and move towards the pupil
stay near him/her, about one arm's length away; stand to one side; give the pupil more space if appropriate	give up
seek to relax your muscles and keep them under control.	tense your muscles

Appendix 3

REPORT FOR RECORDING INCIDENTS OF PHYSICAL INTERVENTION

Part 1 A

Name of establishment:	
Child's name:	
Time of incident:	
Staff involved:	
Other Children involved:	
Witnesses to incident	
If appropriate, please attach any witness statements.	
Day and date of incident:	Location of incident:

Events leading to incident	
(What was happening for the Child before the incident, what seemed to trigger the behaviour, who else was involved or present.)	

Behaviour of Child	
(What behaviour alerted you that the Child was struggling to cope?)	

REPORT FOR RECORDING INCIDENTS OF PHYSICAL INTERVENTION

Response from Staff	
(Which techniques did you use to de-escalate the situation? Before restraining the Child what was the response from them and others?)	

Reason for the restraint	
(What was the specific risk to the welfare of the Child or others?) Remember: Physical Intervention and Restraint must be 1) Necessary (or believed to be Necessary) to prevent harm and must be 2) Proportionate to the degree of harm which may be caused if there was no intervention made.	

REPORT FOR RECORDING INCIDENTS OF PHYSICAL INTERVENTION

Description of restraint	
(What method or type of hold did you use and were there any complications that arose during the re-straint?)	
How long did the re-straint last?	

Conclusion of restraint	
(How did the restraint come to an end, and what help and support did you offer to the Child?)	

Staff signature:	Date:
Interviewer signature:	Date:

REPORT FOR RECORDING INCIDENTS OF PHYSICAL INTERVENTION

Part 1 B

(A member of staff not involved in the incident must complete this form.)

Injuries

Was the Child injured?	**Yes**	**No**	If 'Yes', what were the injuries?
Was a member of staff injured?	**Yes**	**No**	If 'Yes', what were the injuries?
Did someone get medical help?	**Yes**	**No**	
Was first aid given?	**Yes**	**No**	
Was an accident form filled in?	**Yes**	**No**	
Were the police involved?	**Yes**	**No**	If 'Yes', please note why, who called and when, and the outcome of their involvement.

Who was told about the restraint?

	Name of person told	Date	Time	Initials of Informing Staff
Appropriate manager				
Relative				
Social worker				
Witness to the incident				
Other				

Staff signature:

Date:

Part 2
Positive Behaviour Support Plan

Was this action in line with the part of the Child's plan that deals with violent or otherwise dangerous behaviour?	Yes	No	If 'No', please explain.
Does the care plan need to be changed?	Yes	No	If 'Yes', please explain.
Is a review needed?	Yes	No	
If 'Yes', has a date been made?	Yes	No	

Signatures

	Print name	Signature	Date
Staff involved			
Child			
Establishment managers			
Other manager			

REPORT FOR RECORDING INCIDENTS OF PHYSICAL INTERVENTION

DYNAMIS POSITIVE HANDLING TRAINING - CORE PHYSICAL TECHNIQUE GLOSSARY

☐ Managing Space Moving Away to Safety	
☐ Approaching Towards and Positioning	
☐ Prompting and Escorting - Front	
☐ Prompting and Escorting - Back	
☐ Humerus Contact & Control Principle	
☐ Cupped Fist Hold	

REPORT FOR RECORDING INCIDENTS OF PHYSICAL INTERVENTION

☐ Double Wrist Hold	
☐ Seated Positions	
☐ Kneeling Positions	
☐ Momentary Control / Self-Protection	
☐ Overarm Wrap with Frame	

NOTE THAT NOT ALL OF THESE TACTICS ARE EMPHASIZED OR TAUGHT ON ALL COURSES.