



Positive Handling Policy

Approved by:		Date:
Last reviewed on:	June 2023	
Next review due by:	June 2025	

Statement of intent

Egerton High School believes that it is important to establish a safe, secure and stable environment to enable students to grow, develop and learn. In order to achieve this, the school recognises that, in certain circumstances, managing violence through control and physical intervention may be necessary.

This policy acknowledges that situations will arise in which staff members will be required to use positive handling, and in some cases reasonable force, in order to manage conflict when other measures have failed to do so.

The aim of this policy is to ensure that actions such as positive handling and reasonable force are used in a correct and safe manner, which is in accordance with the relevant legislation and national guidance.

1. Legal framework

1.1. This policy complies with the following legislation, including, but not limited to:

- *The Education Act 2011*
- *The Children Act 1989*
- *The Equality Act 2010*

1.2. This policy will also have due regard to the following guidance:

- *DfE 'Use of reasonable force in schools' 2013*
- *DfE 'Working together to safeguard children' 2015*

1.3. The school will implement this policy in conjunction with our Safeguarding Policy, Health and Safety Policy, Behaviour Policy and Equality Policy.

1.4 The 2006 Education Act allows schools/staff to use “reasonable force” to a) prevent or stop the committing of any offence by a pupil b) prevent or stop personal injury to or damage to the property of any person (including the pupil themselves) by a pupil or c) prevent or stop a pupil prejudicing the maintenance of good order and discipline

2. What is positive handling?

2.1. For the purpose of this policy, ‘positive handling’ is the positive application of force with the intention of protecting children and limiting damage to property.

2.2. The legal framework and national guidance often refers to the ‘use of force’. For the purpose of this policy, Egerton High School shall use the term ‘positive handling’ whenever possible.

2.3. **Positive handling is used in the school in order to:**

- Help a student who has lost emotional self-control to regulate their behaviours until the situation is diffused.
- Limit or prevent the amount of harm that the student involved can do to their self or others.
- Demonstrate to students that they are within a safe environment in which adults can contain a student’s anger and other erratic emotions, ensuring theirs and others’ safety.
- Protect all students against any form of physical force from another which is unnecessary, inappropriate, excessive or harmful.

2.4. Positive handling will be limited to emergency situations and used only as a measure of last resort.

2.5. Where positive handling is required, the school will abide to the following guidance:

- Initial intervention will always be without force.
- Any physical intervention will follow other appropriate actions, as defined by the Pupil Behaviour and Discipline Policy.
- Staff will take a calm and measured approach in all situations.

2.6. Failure to positively handle a child who subsequently gets injured, or injures another child, could lead to an accusation of negligence.

2.7. Positive handling will never be invasive, humiliating or flirtatious in nature, or take a form which could be seen as punishment.

2.8. Positive handling will be applied as an act of care and control with the intention of re-establishing verbal control as soon as possible and, at the same time, allowing the child to regain self-control.

3. What is reasonable force?

3.1. There is no statutory definition of reasonable force; it will always depend on the circumstance of the case.

3.2. Reasonable force is only acceptable to use in order to control children or guide them.

3.3. 'Control' is used in regards to either passive physical contacts, such as blocking a child's path, or active physical contact via 3 identified guides: the Caring C, the Single Elbow guide, the Half Shield. The School refers to these 3 guides as the "Any Decent Human Being" policy: i.e.in any given situation, these interventions are reasonable actions of any decent human being finding themselves in such a situation.

3.4. The degree of force which is used will depend on the age, gender and understanding of the child.

3.5. Staff members will always use actions which are appropriate and in proportion to the circumstances of the incidents.

3.6. All incidents which involve the use of reasonable force will be reported to the Headteacher, Designated safeguarding Lead, will be recorded in writing (CPOMS), and will be communicated to the child's parents/carers as soon as is practicable.

3.8. The school is able to use reasonable force in situations when:

- Disruptive students must be removed from the classroom, and have previously refused to leave, or have exhausted the processes outlined in the School's Behaviour and Discipline Policy, and this is causing disruption to the effective provision of others
- Members of staff need to control disruptive students on school trips, or similar, for theirs or others' safety.
- Members of staff must prevent a student from leaving a classroom when doing so would lead to a risk to their safety.
- A student is attacking a member of staff or another student
- A student is at serious risk of harming themselves and a member of staff must intervene to prevent this.

(DfE (2013) 'Use of reasonable force in schools', p.5)

3.9. Physical intervention will never be used as a substitute for good behavioural management, as detailed in the School's Behaviour and Discipline Policy.

4. Use of positive handling and reasonable force

4.1. All members of staff are allowed to use positive handling where they believe it to be appropriate, as long as the necessary precautions are taken.

4.2. The power to positively handle students also applies to any individual whom the Head teacher has identified as temporarily in charge, such as supply staff.

4.3. The decision to physically intervene during a situation is down to the professional judgement of the member of staff and always depends on the circumstances.

4.4. Staff will always calmly communicate the reasons for their actions to the student and explain why it was necessary in a non-threatening manner.

4.5. Staff will never give the impression that they are acting out of anger or are punishing the student.

4.6. All teachers will develop strategies and techniques for dealing with difficult students and situations, which they will use to diffuse and calm a situation.

4.7. In non-urgent situations, staff will always try and deal with a situation through other strategies before using force: these are outlined in the School's Behaviour and Discipline Policy.

4.8. Staff members will always avoid acting in a way that could cause injury; however, dependent on the circumstances, the School recognizes that this may not always be possible.

4.9. Where a member of staff believes that they are at risk, such as where an injury is likely to occur, they will not intervene in an incident without help and assistance of another staff member.

4.10. Emergency intervention is necessary when there is a high risk of students being injured. If emergency intervention is required, a member of staff will use other methods of defusing the situation, without physically intervening, until assistance arrives.

4.11. Following the event, the student involved may be subject to separate disciplinary procedures, in which strategies should be formed to help avoid reoccurrence of such incidents.

4.12. Where necessary, external agencies, such as the Local Authority or the Police, if a crime has been committed, will be informed of the incident.

4.13. Positive handling techniques which present an **unacceptable risk** and are therefore in question include:

The 'seated double embrace' where two staff members force a pupil into a sitting position and lean them forward whilst a third staff member monitors their breathing.

The 'double basket-hold' in which a pupil's arms are held across their chest.

The 'nose distraction technique' which involves a sharp upward jab under the pupil's nose.

5. Reporting incidents

5.1. A detailed written report will be kept of any incidents where force is used on the School's database (CPOMS)

5.2. Immediately following an incident, the member(s) of staff involved will verbally report the incident to the Headteacher and the Designated Safeguarding Lead, and provide a comprehensive written record of the situation as soon as possible (CPOMS).

5.3. The written report of the incident must be thorough, including as much detail as possible as to what had happened before, during and after the incident, and describing any injuries incurred due to the event.

5.4. The member of staff or the child's TA/teacher/Nurture Lead will inform the student's parents/carers of the details of the incident as soon as is practicable.

5.5. If a member of staff witnesses or suspects the use of inappropriate positive handling or reasonable force, where another member of staff is actively involved in physical intervention, they will report this to the Care Team Lead and the DSL

5.6. Any allegations against staff will be dealt with as a matter of urgency, and in accordance with the procedures outlined in the school's Allegations Against Staff Policy.

5.7. The Headteacher and DSL will be responsible for conducting a thorough investigation to find out the correct details of what occurred; this will normally include talking to other children about the incident, talking to staff about the event, consulting CPOMS accounts, consulting CCTV footage.

5.8 The Headteacher will contact the Link Governor for Safeguarding if necessary.

6.0 Reflections Rooms

1. Our community recognises that there are times when we need to use Reflections facilities to keep children and others safe: when we place a student in Reflections we are exercising our duty of care towards them
2. The key question for us is always: what is in the best interests of the child and/or those around them in view of the risks represented?
3. We know our young people's EHCPs: as a result, in some cases, we anticipate violent and aggressive behaviour and therefore use strategies such as break out, divide and rule, and Reflections throughout the day (these are not the same thing): Reflections only occurs when the relationship has broken down (i.e. there are reasonable grounds for its use), and for as long as is needed.
4. We never lock a child in the room on their own (i.e. with us not present) - as a result Reflections is not "isolation"; we never use the term "isolation" to refer to what we do.
5. The whole situation is covered by common law: staff have a right to protect themselves from anyone behaving in a violent manner towards them.
6. A student is rarely "taken" to Reflections, they usually go themselves – this is not a restraint
7. We don't always lock the door whilst in Reflections but may do this for several reasons: to keep the child safe from others or protect their dignity/stop others coming in, or to keep others safe from them
8. Reflections is much more than simply excluding a child from class or isolating them: it is:
 - a. a chance for a child to reboot/to stop a downwards spiral of behaviour - preventing their actions escalating into a crime involving Police

- b. to explore the underlying reasons for their behaviours (for example, a number of important disclosures have been made by students in Reflections that would have never been made in class)
- c. it shows our commitment to helping them improve by giving them 1-1 support
- d. it allows the formulation of restorative measures
- e. it allows for discussion and the writing down of outcomes (very important in human psychology/development of their personal and social selves)
- f. to allow an opportunity to escape the need to engage in masquerading behaviours
- g. to allow the pupil to access 1-1 support, and provide an opportunity for a deep conversation
- h. to allow thinking time for the creation of meaningful restorative measures
- i. to allow opportunities for mindfulness exercises to impact

7.0 Additional notes:

7.1 EHS has employed the same Physical Intervention policy for a minimum of 10 years. In the Autumn Term 2019 the School amended its Physical Intervention Policy, following a rigorous debate as to the effectiveness of the policy.

7.2 As of 28.10.19, EHS no longer uses Team Teach Physical ground or seated restraints when a student is in crisis. Staff will continue to use all the usual de-escalation methods, but ultimately will not enter into physical restriction on the ground or on a seat; instead staff will allow students their personal freedom within a Reflections room or other suitable space within the School until they are able to regain control of their emotions and conduct themselves appropriately. If a student pushes themselves to the floor, staff will immediately abandon the 'guide' (see below). Supervising staff will manage the student using the NCP, especially the repeated affirmations of the School's values, and repeated assurances to the student that they are in absolutely no danger.

7.3 In the interests of common decency, care and compassion, EHS staff will intervene with a 'guide' if a student is threatening or violent towards another student, is compromising their own health or wellbeing, or is behaving in a threatening or violent manner towards a member of staff: EHS staff will, when necessary, and as a last resort, use the following 'Guides' by holding onto a student's arms in order to prevent the situation escalating to a position where a student commits a crime or criminal damage for which the consequences would be much worse for the student: Caring 'C's Guide, Single Elbow Guide, Half Shield Guide. No other 'Guides' are permitted under this Policy.

7.4 EHS staff may use one or more of the aforementioned 'Guides' to safely escort a student to a position of safety or to protect their dignity

8. Complaints

8.1. All members of staff will be made fully aware of the consequences and legal retributions that can occur following the use of positive handling and force.

8.2. All complaints regarding the use of positive handling or force will be investigated in a thorough and speedy manner: the School's Complaints Procedure will be utilized.

8.3. The person making the complaint is responsible to prove that their allegations are true, and therefore, it is not for the member of staff to prove that their actions were made reasonably.

8.4. In extreme circumstances, parents/carers may take civil action or pursue a criminal prosecution.

8.5. In the case where a member of staff has acted within the law, this will provide a defence to any civil or criminal prosecution.

8.6. Members of staff accused of using excessive force will not be automatically suspended as a response to the allegations.

- Careful consideration will be given to whether the case warrants a person being suspended until the allegation is resolved.
- The governing body will always take into account whether a staff member has acted within the law when considering whether or not to take disciplinary action against a staff member involved in an incident.
- Where a member of staff is suspended, the school will ensure that the staff member has access to a named contact that can provide support and guidance.
- The school will provide pastoral care to any member of staff who is subject to a formal allegation.

8. Staff training

8.1. Designated Safeguarding Lead along with The Care Team Lead, will conduct yearly safeguarding training for all members of staff which focusses on the most effective positive handling strategies and use of the 3 reasonable force techniques. Staff joining the school during the course of the year will be given training as part of their induction programme.

8.2. All staff will be regularly reminded of the positive handling techniques employed by Egerton High School, and will communicate these to the students they are in contact with.

8.3. Only techniques and strategies which have been previously discussed with the Care Team Lead and DSL and safely demonstrated will be used.

8.4. Staff will be made aware of subsequent risks of their actions and fully understand when it is appropriate and necessary to use such actions.