

THE DEANES



POSITIVE HANDLING POLICY



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Statement of intent

The Deanes 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 Deanes recognises that, in certain circumstances, managing violence through control and restraint 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.

This policy will be published on The Deanes' website and can be made available in hard copy upon request.

1. Legal framework

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

- The Education Act 2011
- The Education and Inspections Act 2006
- The European Convention on Human Rights 1950
- The Children Act 1989
- The Equality Act 2010

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

- The Department for Education's 'Keeping Children Safe in Education', September 2022
- The Department for Education's 'Use of reasonable force in schools', July 2013
- The Department for Education's 'Working together to safeguard children' July 2018

1.2. The Deanes will implement this policy in conjunction with our Child Protection and Safeguarding Policy, Health and Safety Policy, Behaviour Policy and Equality Policy.

2. What is positive handling?

2.1. There are many proper and necessary reasons which may necessitate physical contact with a pupil during the course of the normal school day. For the purpose of this policy, 'positive handling' is the positive application of force with the intention of protecting students 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 The Deanes shall use the term 'positive handling' whenever possible.

2.3. Positive handling is used in The Deanes in order to:

- Limit 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 students' anger and other erratic emotions.
- Protect all students against any form of physical intervention 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. The decision to deploy positive handling is down to the professional judgement of the staff member concerned and should always depend on the individual circumstances.

2.6. Where positive handling is required, The Deanes will abide to the following guidance:

- Initial intervention will always be without force.

- Any physical intervention will follow other appropriate actions.
 - Staff will take a calm and measured approach in all situations.
- 2.7. Failure to positively handle a student who subsequently gets injured, or injures another student, could lead to an accusation of negligence.
- 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 student to regain self-control.
- 2.9. Staff will adopt positive handling techniques for which they have been appropriately trained.

3. What is reasonable force?

- 3.1. There may be the rare occasion in which a member of staff needs to use force in order to carry out a search on a student. The amount of force used must be:
- Reasonable in the circumstances, meaning that no more force is used than is needed;
 - Carried out in a way which avoids causing injury to the pupil.
- 3.2. Reasonable force is only acceptable to use in order to control students or restrain them.
- 3.3. 'Control' is in regards to either passive physical contacts, such as blocking a student's path, or active physical contact such as leading a student by the arm.
- 3.4. Restraint refers to physically bringing a student under control, such as holding them back. This is typically used in more extreme circumstances, such as to separate two students fighting.
- 3.5. The degree of force which is used will depend on the age, special educational needs, gender and understanding of the student.
- 3.6. Staff members will always use actions which are appropriate and in proportion to the circumstances of the incidents.
- 3.7. The Deanes is able to use reasonable force in situations when:
- Disruptive children must be removed from the classroom, and have previously refused to leave.
 - Members of staff need to control disruptive students on school trips, or similar.
 - 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 or to stop a fight in the playground.

- A student is at serious risk of harming themselves through physical outbursts and a member of staff must intervene to prevent this.¹
- 3.8. Physical intervention will never be used as a substitute for good behavioural management in accordance with The Deanes' Behavioural Policy.
- 3.9. When using positive handling staff will consider if the pupil has special educational needs or disability and if any modifications or adjustment to the type of intervention they are deploying.

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 all necessary precautions are taken.
- 4.2. The Deanes does not require parental consent to use reasonable force on a pupil.
- 4.3. If possible, given the urgency of any particular situation, positive handling will be conducted by a member of staff who is appropriately trained.
- 4.4. 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.
- 4.5. Staff will always calmly communicate the reasons for their actions to the student and explain why it was necessary in a non-threatening manner.
- 4.6. Staff will never give the impression that they are acting out of anger or are punishing the child.
- 4.7. All teachers will develop strategies and techniques for dealing with difficult students and situations, which they will use to diffuse and calm a situation.
- 4.8. In non-urgent situations, staff will always try and deal with a situation through other strategies before using reasonable force.
- 4.9. Staff members will always avoid acting in a way that could cause injury; however, dependant on the circumstances, this may not always be possible.
- 4.10. 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.
- Emergency intervention is necessary when there is a high risk of students being injured or property being damaged.
 - 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 line with the behaviour policy, in which strategies should be formed to help avoid reoccurrence of such incidents.
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4.12. Where necessary, external agencies, such as the LA or the police if a crime has been committed, will be informed of the incident.

5. Reporting incidents

- 5.1. A detailed written report will be kept of any incidents where force is used.
- 5.2. Immediately following an incident, the member(s) of staff involved will verbally report the incident to the headteacher and provide a comprehensive written record of the situation as soon as possible.
- 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 Headteacher will make the decision as to whether it is appropriate to inform the student's parents/carers of the details of an incident.
 - Parents/carers will be informed in writing and a copy of this report will be given to the member(s) of staff involved in the incident.
 - The report will inform parents/carers of their right to complain via the published complaints procedure about the use of positive handling and reasonable force.
- 5.5. If a member of staff witnesses or suspects the use of positive handling or reasonable force, where another member of staff is actively involved in physical intervention, they will report this to the headteacher immediately. The allegation will be dealt with in line with the procedure outlined below if the member of staff subject to the allegations has not reported the incident in accordance with clause 5.2.
 - a. Any allegations against staff will be dealt with as a matter of urgency, and in accordance with the procedures outlined in the The Deanes Staff Code of Conduct Policy.
 - b. The headteacher will be responsible for conducting a thorough investigation to find out the correct details of what occurred; this may include talking to other students about the incident, for instance those who witnessed the event.

6. Complaints

- 6.1. Complaints about the use of positive handling will be dealt with through the South East Essex Academy Trust's [complaints policy](#) which is available from the school website.
- 6.2. Members of staff accused of using excessive force and subject to a complaint, 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 trustees 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 Deanes will ensure that the staff member has access to a named contact that can provide support and guidance.
- The Deanes will provide pastoral care to any member of staff who is subject to a formal allegation.

7. Staff training

- 7.1. All staff will be regularly reminded of the positive handling techniques employed by The Deanes.
- 7.2. Staff will be made aware of subsequent risks of their actions and fully understand when it is appropriate and necessary to use such actions.

8. Monitoring and review

- 8.1. The Designated Safeguarding Lead will review records of the use of positive handling and reasonable force on a termly basis, in order to analyse the frequency of occurrence and determine what further measures could be taken to prevent these situations from reoccurring. The outcomes of such reviews will be reported to the headteacher
- 8.2. This policy will be reviewed every 2 years by the headteacher and governing board, who will consider any necessary changes and communicate the findings of the review to all members of staff.
- 8.3. The date of the next review is November 2024.