

Positive Handling Policy

Date: September 2016
Renewal Date: September 2017

Positive Handling Policy

Introduction

This policy should be read in conjunction with our whole Academy behaviour policy. At Da Vinci Academy, we constantly strive to create a calm environment that minimizes the risk of incidents arising which might require the use of force. However, the following points should be noted.

Da Vinci Academy retains the right to use force without parental consent. All staff use a range of de-escalation strategies as a preventative measure to physical intervention. Physical intervention will be used as a last resort.

Force is used either to control or restrain. This can range from guiding a student to safety by the arm to more extreme circumstances such as breaking up a fight or where a student needs to be restrained to prevent violence or injury. Reasonable adjustments will be made for children with disabilities and children with SEND.

Control means either passive physical contact, such as standing between students or blocking a student's path, or active physical contact such as leading a student by the arm out of a classroom. Restraint means to hold back physically or to bring a student under control. It is typically used in more extreme circumstances, for example when two students are fighting and refuse to separate without physical intervention.

Relevant Da Vinci Academy staff have completed training in de-escalation and physical intervention techniques which have been risk assessed and are subject to ongoing review. Whilst some physical injury potential can be reduced, there always remains some risk that injury may occur when two or more people engage and force is used to protect, release or restrain.

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 student remains safe.

Staff must be aware that the use of force cannot be used as a punishment. The decision on whether to physically intervene is down to the professional judgment of the staff member concerned and should always depend on the individual circumstances.

The Head Teacher authorises all Academy staff to use reasonable force provided staff have made the judgement that they are acting in the student's best interests and it is reasonable and proportionate. 'Reasonable in the circumstances' means using no more force than is needed.

Reasonable force can be used in the following circumstances:

- Remove disruptive children from the classroom where they have refused to follow an instruction to do so.
- Prevent a learner behaving in a way that disrupts an Academy event or an Academy trip or visit.
- Prevent a learner leaving the classroom where allowing the student to leave would risk their safety or lead to behaviour that disrupts the behaviour of others.
- Prevent a student from attacking a member of staff or another student, or to stop a fight.
- Restrain a student at risk of harming themselves.
- Any behaviour prejudicial to the maintenance of good order and discipline within the Academy or among any of its students.

Other forms of appropriate physical contact:

It is not illegal to touch a student. There are occasions when physical contact other than reasonable force, with a student is proper and necessary. For example:

- Holding the hand of a child where appropriate
- Comforting a distressed student
- When a student is being congratulated or praised
- To demonstrate a technique e.g. how to use a musical instrument

- To demonstrate exercises or techniques during PE lessons or sports coaching
- To administer first aid

In addition, reasonable force can be used to conduct searches for the following prohibited items:

- Knives and weapons
- Alcohol
- Illegal drugs
- Stolen items
- Tobacco and cigarette papers
- Fireworks
- Pornographic images
- Any article that has been or is likely to be used to commit an offence, cause personal injury or damage to property.

These circumstances are likely to cause resistance and a more appropriate action may be to contact the police.

All incidents during which restraint is used must be recorded as soon as possible. Written statements will be taken from all parties involved. The information recorded should be brief but factual. Parents/carers will be informed.

When deciding what amounts to a serious incident, staff should use their professional judgement and consider the following:

- The student's behaviour and level of risk presented at the time of the incident
- The degree of force used
- The effect on the student or member of staff
- The child's age

The following information (as a minimum) should be detailed in the statements of witnesses:

- Name of students involved
- The time of the incident
- The place where the incident occurred and all the de-escalation techniques applied by the staff involved prior to any physical intervention

Where the incident has been prolonged or where considerable force has been used, the following details should also be recorded:

- Names of all witnesses, students and adults
- Signed witness statements
- A description of the way in which the incident developed; including de-escalation techniques
- The student's response
- The reason for force being used
- Details of the outcomes of the incident including injuries and damage

Students will be given the opportunity to debrief after every incident at an appropriate time. This time consideration will vary from individual to individual. The aim of this over time will be to increase the student's emotional awareness and lead to them being more able to identify causes of anxiety before there is an incident, therefore enabling them to choose a calming strategy or enabling staff to remove the anxiety for them.

Staff involved in the incident should be given time to reflect on the incident in a calm atmosphere. They may also like to discuss the incident with a senior member of staff or colleague. All staff should have the opportunity to suggest alternative strategies that may be considered in future incidents and consideration should also be given to a positive handling risk assessment for that student.

All incidents of physical intervention will be reported to parents/carers via letter and/or telephone call home. If the Academy feels that passing the information onto parents might lead to more harm to the student concerned the Academy will follow local/Academy safeguarding procedures.

Recommended review and monitoring practice

Following the detailed recording of a serious incident, good practice dictates that the Head Teacher, Deputy Head teacher or senior member of staff should:

- Read all accounts of the incident
- Interview all staff (both teaching and support) and students who witnessed the incident
- Discuss the incident with the student or students who were directly involved. It is important that students be provided with the opportunity of giving their own version of events, particularly in cases of divergent opinion or fact, and they should be encouraged, and if necessary helped, to prepare a written statement
- Ensure that parents/carers or other persons with parental responsibility (such as social workers) have been informed of all relevant facts
- Ensure that the Local Authority and the Chair of Governors have had the incident drawn to their attention
- Ensure that all concerned are aware of their rights of complaint
- Review Academy policies and consider whether alternative policies or change to the existing policy need to be considered

Allegations against staff

Allegations will always be taken seriously, and we will ensure that allegations are dealt with quickly in a fair and consistent way that provides effective protection for the child and supports the person who is the subject of the allegation. However, sanctions may be taken against students who are found to have made malicious accusations against Academy staff. When a complaint is made, the onus is on the person making the complaint to prove that his/her allegations are true - it is not for the member of staff to show that he/she has acted reasonably. Suspension must not be an automatic response when a member of staff has been accused of using excessive force. If a decision is taken to suspend a teacher, the Academy should ensure that the teacher has access to a named contact who can provide support.

Complaints procedures

After an incident in an Academy, there is always the possibility of formal complaint. Any of these persons can lodge a complaint and expect it to be investigated diligently and fairly. Please refer to Da Vinci Academy complaints policy for further information/details.

Key Points all staff should know from this Policy:

- We acknowledge that there are times when appropriate physical contact is required
- The best way of managing students' behaviour is through skilled de-escalation interventions
- In managing students' behaviour, physical intervention should be a last resort
- Reasonable force may be used if acting in the students' best interest
- Whilst searches are permissible, in most circumstances detailed searches are best carried out by the Police.

References

Education Act 1996

Education and Inspections Act 2006.

Behaviour and Discipline inclusive of use of reasonable force in Schools - Sept 2012 Use of Reasonable Force - Advice for head teachers, staff and governing bodies July 2013

POSITIVE HANDLING RISK ASSESSMENT

Name of child:	DOB:	Year Group :
Staff completing Risk Assessment:		

Identification of Risk		
Outline foreseeable risks:	•	Known / Potential
	•	Known / Potential

Assessment of risk	
In which situations does the risk usually occur?	•
How likely is it that the risk will occur? (unlikely, possible, probable, likely)	•
If the risk arises, who is likely to be injured or hurt?	•
What kinds of injuries or harm are likely to occur?	•
How serious are the potential adverse outcomes? (severe, substantial, minor, minimal)	•

Risk Reduction Plan (graduated response)	
Planned actions to reduce risk	
De-escalation actions to minimise risk	
Positive Handling actions to prevent injury or harm	

	Signature	Print name	Date
Academy staff 1			
Head Teacher			
Parent/ Carer			

Review of Positive Handling Risk Assessment Following		
Date of review:	Reason for review:	Risk Assessment updated?