



# 1- Principles

## Introduction

At Ashworth Nursery School there are children with challenging behaviour that can necessitate the use of restrictive physical intervention to prevent injury to themselves, staff and pupils, damage to property, or the breakdown of a safe and enjoyable learning environment. The aim of positive handling is not punishment or control, but to support safe learning for everyone.

The policy has been written to support all staff who come into contact with pupils and for volunteers working within the school to explain the school's arrangements for positive handling.

The policy is available to parents on request and on the school website.

## Values and Principles

Ashworth Nursery School believes that everybody in the school community:

- has the right to feel safe, secure and cared for
- has the right to access to appropriate support to manage their emotions and their behaviour
- should be provided with a framework so that all staff who come into contact with pupils are clear about their roles and responsibilities within the context of positive handling
- should be provided with information and guidance to support the school's Child Protection, Safeguarding and Behaviour Policies.

Staff have a responsibility to follow this policy and to seek alternative strategies wherever possible in order to prevent the need for physical intervention. Reasonable force will only be used as a last resort when all other behaviour management/ de-escalation strategies have failed or when pupils, staff or property are at risk.

**Unless an unplanned emergency, positive handling should only be carried out by Team Teach trained staff using appropriate procedures and relating to the pupil's positive behaviour plan.**

In the case of an unplanned emergency, restrictive physical intervention may become necessary when a child or young person behaves in an unexpected way, the child or young person may not have a behaviour plan and trained staff may not be on hand. The duty of care still remains if appropriately trained staff are not on hand to assist the child or young person. The response must be reasonable, proportionate and necessary and use the minimum amount of force necessary to prevent injury and maintain safety, consistent with the circumstances and with any training the staff may have received.

## Relationship to Other Policies

This policy should be read in conjunction with the Safeguarding & Child Protection Policy and the Behaviour Policy.

## Relevant legislation

The use of all forms of physical intervention and physical contact are governed by the criminal and civil law. The unwarranted or inappropriate use of force may constitute an assault. In addition, it may infringe the human rights of a child or young person.

***Section 93 of the Education and Inspections Act 2006 enables school staff to use reasonable force to prevent a pupil from:***

***a. committing a criminal offence***

***b. causing personal injury or damage to a property***

***c. prejudicing the maintenance of good order and discipline at the school or among the pupils, whether during a teaching session or otherwise.***

As included in the DFE 2010 guidance on 'The use of force to control or restrain pupils' seclusion should only be considered in exceptional circumstances and it is an offence to lock a person in a room without a court order. Therefore, at no time should the door be locked as to do so is unlawful and can amount to the false imprisonment of a pupil.

### **Government Advice Informing This Policy**

#### ***Use of Reasonable Force: Advice for Head teachers, staff and governing bodies (July 2013)***

- 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.
- 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 where a student needs to be restrained to prevent violence or injury.
- 'Reasonable in the circumstances' means using no more force than is needed.
- Control means either passive physical contact, such as standing between pupils or blocking a pupil's path, or active physical contact such as leading a pupil by the arm out of a classroom.
- Restraint means to hold back physically or to bring a pupil under control.
- School staff should always try to avoid acting in a way that might cause injury, but in extreme cases it may not always be possible to avoid injuring the pupil.

#### **Schools can use reasonable force to:**

- remove disruptive children from the classroom where they have refused to follow an instruction to do so;
- prevent a pupil behaving in a way that disrupts a school event or a school visit;
- prevent a pupil leaving the classroom or outdoor space where allowing the pupil to leave would risk their safety or lead to behaviour that disrupts the behaviour of others;
- prevent a pupil from attacking a member of staff or another pupil
- restrain a pupil at risk of harming themselves through physical outbursts.
- stop a pupil behaving in a way that is seriously disrupting a lesson, causing distress to the pupils and/or a breakdown of order

**Schools cannot use force as a punishment – it is always unlawful to use force as a punishment.**

### **Staff Training**

- The majority of staff are trained in Team Teach so that their use of guides and escorts are used within safe and statutory guidelines.
- We also train staff in legal requirements and general advice on managing behaviour.
- Staff have a duty to inform the Senior Management team of any injuries which affect their ability to handle children.
- Training for all staff will be made available and will be the responsibility of the Senior Member of Staff responsible for Positive Handling.
- No member of staff will be expected to undertake the use of reasonable force without appropriate training.
- Ashworth Nursery School acknowledges that physical techniques are only a part of a whole setting approach to behaviour management.

### **Recording**

- Where a physical escort has been used a record of the incident will be kept on a Record of Physical Intervention form (RPI). If there is a serious incident involving a pupil, not involving physical intervention, it must also be recorded on CPOMS.
- An RPI needs to be completed as soon as possible after the incident, prior to staff going off duty.
- Parents will be informed by telephone.
- Phone calls need to be logged on CPOMS
- A Health and Safety Accident/Incident Form will be completed and returned to the Authority in situations where injury has occurred to either member of staff or pupils. This will be done electronically by the school business manager.
- Staff and children will be given basic first aid treatment for any injuries that require treatment. Where staff and pupils have been involved in an incident involving reasonable force, they should have access to emotional support. This can be provided by other members of staff or if an exceptionally serious incident occurs then a referral to Occupational Health may be necessary. Debriefing must take place as soon as possible after the incident has been dealt with.
- If a member of staff needs hospital or GP attention following an incident with a pupil at work an HSW3 form will be filled in and sent to the LA.

### **Action after an Incident**

The Headteacher will ensure that each incident is reviewed and investigated further as required. It is the role of the school leadership team to support staff who work with pupils with challenging behaviour. If further action is required in relation to a member of staff or a pupil, this will be pursued through the appropriate procedures:

- Review of Positive Behaviour Plan
- Child Protection Procedure (this may involve investigations by Police and/or Social Services)
- Staff or Pupil Disciplinary Procedures
- School Behaviour Policy
- Exclusions Procedure in the case of violence or assault against a member of staff
- Risk assessment if necessary
- The member of staff will be kept informed of any action taken.
- In the case of any action concerning a member of staff, he/she will be advised to seek advice from his/her professional association/union.

All complaints about the use of force will be investigated by the Headteacher (possible support from a member of the Governing Body).

Where a member of staff has acted within the law – that is, they have used reasonable force in order to prevent injury, damage to property or disorder – this will provide a defense to any criminal prosecution or other civil or public law action. This reinforces the need for staff to fill in the red Bound Book on the day of the Incident.

Any complaints about staff will be investigated through the School's Complaints Policy.

If necessary, the complaint will be dealt with by the Staff Disciplinary Procedures and/or Child Protection Procedures

Appendix

Record of Use of reasonable Force (Team Teach escorts)

Name of pupil:	Year group:
Date of incident:	Place/s incident occurred:
Reporting staff:	Other staff involved:
Other witnesses (staff & pupils):	
Start time (please use 24 hour clock):	End time (please use 24 hour clock):
<b>How did the incident begin?</b> <i>What led to the incident/triggered the behaviour?</i>	
<b>What behaviour was observed?</b> <i>State actual behaviour observed, e.g. hitting rather than aggressive</i>	
<b>What techniques were used to de-fuse/de-escalate the situation?</b> <i>Ignoring, PBP followed, distraction, space given</i>	
<b>Was the pupils PBP followed?</b> <i>Please highlight</i> <ul style="list-style-type: none"> <li>- No, there is no PBP in place</li> <li>- Yes, and was adequate to manage the incident</li> <li>- Yes, but additional measures were needed and/or behaviour had not been experienced before.  <i>(If this is the case the PBP will need reviewing as a result of the incident)</i></li> </ul>	
<b>Reasons why reasonable force was thought necessary</b> <i>Please highlight</i> <ul style="list-style-type: none"> <li>- The pupil was at immediate risk of injury</li> <li>- The pupil was placing others pupils at risk of injury</li> <li>- The pupil was placing staff or others present at risk of injury</li> <li>- Property was about to be/or being damage</li> <li>- Other – please explain: _____</li> <li>_____</li> <li>_____</li> <li>_____</li> <li>_____</li> <li>_____</li> <li>_____</li> <li>_____</li> </ul>	
<b>Description of physical intervention used</b> <i>Team Teach strategy used – please highlight</i> <ul style="list-style-type: none"> <li>- Arm Waltz</li> <li>- Half shield</li> <li>- Elbow guide out of headlock</li> <li>- Two person turn gather guide</li> <li>- Single elbow</li> <li>- Double elbow</li> <li>- Helping hug</li> <li>- Caring c's</li> </ul>	
<b>Post incident support</b> <i>How was the pupil supported to calm after the incident? Quiet time allowed, distraction, safe space, dark tent...</i> _____ _____ _____ _____	

<b>Parents informed?</b> <i>Yes/No How and by who?</i> _____
<b>Any injuries sustained or damage to property?</b> _____ _____ _____ _____ _____ _____

Signed: \_\_\_\_\_ Date: \_\_\_\_\_ Time: \_\_\_\_\_

Report passed to: \_\_\_\_\_ Designation: \_\_\_\_\_

POSITIVE BEHAVIOUR PLAN PUPIL NAME:                      CLASS:                      TERM:	
<b>Date of birth:</b>  <b>Date plan starts:</b>  <b>Date of next review:</b>	<b>Medical conditions/additional needs:</b>  <b>Staff working with the pupil:</b>
<b>Challenging behaviours</b> <i>What does it look like?</i> <i>What triggers it?</i>	<b>Targets</b> <i>What are we working towards?</i> <i>How do we get there?</i>
<b>Strategies for positive behaviour</b> <i>How do we maintain positive behavior?</i> <ul style="list-style-type: none"> <li>• <i>Phrases to use</i></li> <li>• <i>Rewards, motivators</i></li> </ul>	<b>Early warning signs</b> <i>How do we prevent an incident?</i> <ul style="list-style-type: none"> <li>• <i>What to look out for</i></li> <li>• <i>How to respond (reminders, alternative environment)</i></li> </ul>
<b>Reactive strategies</b> <i>How do we diffuse the situation?</i> <ul style="list-style-type: none"> <li>• <i>What to do and what not to do</i></li> <li>• <i>Phrases to use</i></li> <li>• <i>Calming techniques</i></li> </ul> <i>At what stage should another member of staff be informed? Who should this be?</i>	<b>Support after an incident</b> <i>How do we help the pupil reflect and learn from the incident?</i> <i>Is there anything that staff can learn about working with this pupil?</i>
<b>Review date:</b>	
<b>Agreement</b> Parent name:  Parent signature:  Date:	<b>Agreement</b> Staff name:  Staff signature:  Date:

Appendix b