

St Mary's School and College

POSITIVE HANDLING POLICY

MAY 2019

POSITIVE HANDLING POLICY

Introduction

Most recent Guidance from the Government “Use of reasonable force: Advice for headteachers, staff and governing bodies July 2013 advises that, “Schools should not have a ‘no contact’ policy. There is a real risk that such a policy might place a member of staff in breach of their duty of care towards a pupil, or prevent them taking action needed to prevent a pupil causing harm.” At St Mary’s School and College, we adopt safe and secure measures to safeguard the wellbeing of all our pupils. Measures include training all staff working with pupils in Team Teach (Team Teach has been historically accredited (2006, 2009, 2012) by the British Institute of Learning Disabilities and currently by, The Institute of Conflict Management (2015 and 2018)) designed to give staff skills in de-escalation techniques and positive handling techniques when judged necessary.

Policy Statement:

St Mary’s staff are committed to promoting the protection and wellbeing of all pupils in the school. This includes maintaining a safe and supportive learning environment for all pupils. Staff will apply behaviour systems (see also Promoting Positive Behaviour Policy) consistently and fairly whilst being mindful of the individual Special Educational Needs of each child and therefore the context of their behaviour. This policy should also be read in conjunction with the Child Protection and Safeguarding Policy, East Sussex guidance on Positive handling/Use of reasonable force spring 2019 and DFE guidance Keeping Children Safe in Education September 2018.

Decision-making skills, assertiveness and the development of a positive self-image and self-esteem are essential elements affecting children’s ability to make good choices in relation to their behaviour. Practicing and developing these skills with our pupils takes place in PSHE lessons, social communication skills groups and assemblies. Pupils have a very clear understanding of the likely consequences of engaging in different types of behaviour and these consequences are applied consistently, with consideration to circumstances and pupil context. Rewards are clearly attainable through engagement in positive behaviour, and recognition of effort in managing difficult situations is always given.

Rationale for Physical Intervention (Positive Handling)

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

Committing any offence

Causing personal injury to, or damage to property of, any person (including the person themselves)

Prejudicing the maintenance of good order and discipline at the school or among any pupils receiving education at the school, during a teaching session or otherwise

To translate this for our school, staff will positively handle a pupil if, after consideration of the de-escalation strategies effectiveness in this situation: -

The pupil is behaving in a way likely to put themselves or another pupil or staff member at risk

The pupil is likely to injure themselves or another person

The pupil is likely to damage property

The pupil is disrupting the learning of others and is refusing to move out of the situation in an acceptable way.

Minimising the need to use Positive Handling

As part of the Team Teach training the fundamental element of de-escalation and positive choice making is the preferred method for managing any conflict situation. Therefore, the school and college is working to develop a calm, low arousal environment

with opportunities for time out, to allow pupils to manage their own behaviour and emotions, minimising the need for physical intervention. Planned opportunities are provided through Social skills groups and social skills objectives particularly in PSHE are part of teachers' lesson planning, giving pupils the opportunity and experience to manage feelings and engage positively with others. Information about each pupil is collated and shared with staff allowing everyone to have up-to-date relevant knowledge about each child and their individual needs. Documentation can include-

- Communication Passport
- Emotional and Behaviour support Plan if behaviour has been and is likely to be a current concern; (behaviour plan may include when to contact as necessary)
- Individual risk assessments
- Activity and area risk assessments
- Individual risk assessments for pupils who may need physical intervention and represent a high risk to themselves or others.

Deciding when to use physical intervention

The decision about when to use physical intervention is based upon five elements: -

1. Risk of harm or damage to self, others of property or disruption if physical intervention is not used;
2. Professional judgement of the member of staff of that situation and how the child is behaving and responding;
3. Prior knowledge of the pupil and their profile/emotional and behavior support plan and therefore the likely outcome of a given situation;
4. De-escalation techniques, talking, 'time out', different place have all been offered but the behaviour remains a risk.
5. Behaviour of the pupil is having a damaging effect on the well-being or learning of other pupils

Using physical intervention

The method of physical intervention must reflect the law in that staff will use minimal, reasonable force necessary to prevent the child harming others, themselves, property or the good order and well-being within the school. Good practice would indicate that wherever possible pupils should be warned of physical intervention prior to making contact. However, our duty of care to keep all pupils and adults safe must be of paramount importance and this will not always be possible in every circumstance. Only techniques taught through the Team Teach program should be used although a situation may arise that has not been covered through the Team Teach program and staff members will need to make professional judgements as to the appropriate response to keep everybody safe. Wherever possible, two members of staff should support physical intervention either both in a contact role or one active and one as an observer. Physical intervention will only be used as necessary and stopped at the earliest safe opportunity to do so. Physical intervention is never applied as a form of punishment. Whilst physical intervention is used, de-escalation and talking techniques should also continue although if two members of staff are supporting a pupil then only one should be talking to the pupil.

Staff training

Staff at St Mary's School and College who work directly with pupils have opportunities to participate in the Team Teach course and the qualification is renewed by the school bi-annually as recommended. All staff who work directly with pupils and who have been trained in Team Teach, are required as part of their duty of care to physically intervene if necessary. Other staff not yet trained may still need to intervene in exceptional circumstances in order to fulfil a duty of care.

Recording and reporting Incidents

All physical interventions are recorded within 24 hours after the incident on My concern. Staff involved in physical intervention inform a member of the Senior Leadership Team that an intervention has taken place. After an incident requiring physical intervention, the parents will be informed and follow up action with the pupil via the behaviour system may be required.

Post incident support

Pupils involved in physical intervention will be given time in a calm, safe area of the school or residential area, to reflect and regulate their thoughts and feelings. Parental involvement may be necessary depending on the seriousness of the incident. At the conclusion of an incident, staff will work with pupils to identify what happened and how they could have responded differently. This may lead to an updated emotional and behavior support plan or risk assessment depending on the likelihood and severity of a situation occurring again. Which is shared with the pupils, staff and parents. Staff involved in physical intervention will be supported by their colleagues and line manager following the debrief protocol.

Complaints and Allegations

1. Complaints Procedure

If a person wishes to complain about St Mary's School and College their complaint will be managed using our complaints policy / procedure, which is available on the school website, but briefly summarised below:

- a) All complaints however they are received (for example in person, by telephone, post, e-mail or fax) will be managed promptly, politely and respectfully.
- c) Initially, the complaint should be made to the class teacher/form tutor
- b) If this does not resolve the matter, then the complaint should be directed to the Headteacher and if the complaint continues to be unresolved to the school governors.
- c) All complaints should be logged and how the situation was resolved should be recorded

2. Allegations

It is essential that any allegation made against a member of staff or volunteer at St Mary's School and College is dealt with fairly, quickly, and consistently, in a way that provides effective protection for the child and at the same time supports the person who is the subject of the allegation.

The framework for managing cases of allegations of abuse against people who work with children is set out in 'Keeping Children Safe in Education Statutory Guidance for schools and colleges' (DfE, September 2018), which states that all schools should use this guidance to review and, where appropriate, modify their practice and procedures for dealing with allegations of abuse made against teachers and any other staff in their school.

This document outlines what should happen if you have concerns that any member of staff has behaved towards a child or children in a way that indicates they may be unsuitable to work with children.

You may have concerns that an adult has behaved in a way that has harmed or may harm a child, or possibly committed a criminal offence against, or related to, a child.

It is acknowledged that having to make a disclosure against a fellow colleague is both sensitive and potentially distressing. However, it is very important that you do proceed.

What is the procedure?

If a child or adult makes an allegation towards a member of staff about their conduct, then the following procedure takes place.

- Pupil or member of staff reports concerns to a member of SLT, usually the Designated Safeguarding Lead
- DSL investigates incident and takes individual accounts from all those present, both adults and children
- All witness statements are treated in confidence. They are collated and findings discussed with the Principal / Acting Head.
- Parents are contacted to inform them that an allegation has been made and that an investigation will take place.
- In situations where allegations are proved unfounded, all witness statements are stored in a pupil file marked confidential.
- In situations where the allegations are more serious in nature or are supported through witness testimony then the case is referred directly to the Principal or Acting Head (in the case of the Executive Headteacher, to the Chair of the Board of Directors) and the Local Area Designated Officer
- The school may consult with the LADO during any part of the procedure

The possible actions following this might be:

Referral to SPOA
A Children's Services assessment
A police investigation
Possible disciplinary action by the school

Supporting those involved:

Parents and carers

Parents and carers should always be informed as soon as possible, about the progress and outcome of the case. In some circumstances in which the police or social care may need to be involved, the local authority officer should consult those colleagues about how best to inform parents/carers.

What support is put in place for staff?

The school should also keep the person subject of the allegations informed of the progress of the case and consider what other support is appropriate for the individual. That may include support via the occupational health provider or employee welfare arrangements. If the person is suspended, the school should also keep the individual informed about developments at school. There is not a requirement to automatically suspend a member of staff where an allegation has been made unless their continued presence is considered to be a risk.

Monitoring and review

Policies are monitored as part of the whole school cycle of policy evaluation. However, nationally directed changes to procedure will also be reflected when updating the policy. Practice is monitored at each incident discussion stage and any need for additional training, adjustments in provision or updates to emotional and behaviour support plans or risk assessments are actioned immediately by the SLT.

Governors and Parents:

The Governors and parents are informed of the law in relation to the 'duty of care' of the school and its staff towards the pupils. There is a statement in the school Information for Parents document, which explains the school's legal responsibility and how it would translate into practice. Prospective parents are informed about this as part of their initial visit to the school. The governing body will monitor the number of physical interventions and discuss these with senior staff.

This policy is monitored on a day-to-day basis by the acting Head / Principal, who report to the Advisory Headteacher / IEB about the effectiveness of the policy on request.

DATE: May 2019

Chair of Trustees.....

Date.....

DATE FOR REVIEW:.....May 2021.....