

‘Positive Handling’: Safe Guiding and Holding – Procedures and Policy

CMAS School Devon

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Date: 09.10.2020

Next review due by:

01.09.2021

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Overview

In this document, 'Positive Handling' is taken to include the trained use of Safe Touch and Safe Holding, Containment and Restraint

The use of Positive Handling includes the use of Safe Touch and Safe Holding and are defined as:

Safe touch (see 'Positive Handling': Safe Touch – Procedures and Policy) is appropriate if a child or young person:

- where its therapeutic use has been agreed because it addresses an identified developmental need on the part of the child or young person.
- Where Safe Touch is to be used it must be done with the full knowledge and consent of parents/carers/guardians by supervised staff in carefully monitored situations.
- Where Safe touch does not help the student to regulate and contain their emotions it may be necessary to safe guide or Safe hold to help contain their emotional state and keep themselves, other or property safe.

Safe Guiding (see 'Positive Handling': Safe guiding and holding – Procedures and Policy) is appropriate if a child or young person is:

- Able to follow instructions and be guided away from a place or people being led by a physical touch in an appropriate place such as the arm or elbow
- At risk of hurting himself/herself or others, (or is likely to hurt himself /herself and/or others) or
- damaging property,

Safe Holding is appropriate if a child or young person is:

- hurting himself/herself or others, (or is likely to hurt himself /herself and/or others) or
- damaging property, and/or
- incensed and out of control, so that all verbal attempts to engage him her have failed.

Safe Holding should only be used by staff members who have completed a recognised restrictive physical intervention course such as Mapa, Team Teach or NFPS. The exception being when the immediate risk of harm to self, others or property.

Aim

Positive handling: the use of containment, safe touch and/ or safe holding provides key opportunities for emotional learning. A child or young person who cannot regulate their emotions can be a danger to themselves and others. This in turn makes learning and the development of skills very difficult. Research shows us that fear-based disciplinary systems result in, at best, short-term retention of facts but create mid and long-term difficulties with concentration, memory and retention of learning.

At CMAS school there will be young people who, at times, can communicate by showing behaviours 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.

Staff have a responsibility to follow this policy and to seek alternative strategies wherever possible in order to prevent the need for physical intervention. **(see 'Positive Handling': Safe Touch – Procedures and Policy).**

The member of staff recognizes and acknowledges that the child or young person is as yet unable to contain their emotional state or to choose to discharge it in safe ways, so they need the containment of the adult to keep them (and others) safe.

Safe holding 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.

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/or 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.

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: -

- committing a criminal offence
- causing personal injury or damage to a property;
- 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 - Behaviour and discipline in schools: Advice for Headteachers and school staff (January 2016).

- 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.
- **Safe Guiding (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.
- **Safe Holding (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 young people 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 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.

Staff Training

- The majority of staff are trained in NFPS so that their use of physical restraint /positive handling falls 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 young people.
- Training for all staff will be made available and will be the responsibility of the Senior Member of Staff responsible for Behaviour and Positive Handling.
- CMAS school acknowledges that physical techniques are only a part of a whole setting approach to behaviour management.

Recording

- Where physical control or restraint has been used a record of the incident will be kept. If there is a serious incident involving a pupil, not involving physical intervention, it must also be recorded. This record should be made in the '**Bound and Numbered Book**'
- An incident form needs to be completed as soon as possible after the incident, prior to staff going off duty.
- Parents will be informed by telephone or face to face.
- Phone calls and or contact need to be logged using the CMAS systems
- A Health and Safety Accident/Incident Form will be completed and returned to the Authority in situations where injury has occurred to either members of staff or pupils. This will be done electronically by the office manager.
- Staff and young people 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.
- Any injuries must be recorded in the school accident book site Leads are responsible for supporting supply staff that sustain injuries. All injuries must also be recorded in the Files provided for this purpose.
- If a member of staff needs hospital or GP attention following an incident with a pupil at work appropriate paperwork will be filled in and sent to County.

Action after an Incident

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

- 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 assessments
- 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.

If a pupil complains when force is used on them

All complaints about the use of force will be investigated by the Head or the Deputy. 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 defence to any criminal prosecution or other civil or public law action. This reinforces the need for staff to fill in the Bound and numbered 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

Relationship to Other Policies

This policy should be read in conjunction with the Child Protection Policy and the

- Positive Handling Safe Touch
- Behaviour Regulation Policy.
- Complaints procedure
- Safeguarding policy
- Whistle blowing policy

Review of Policy

CMAS school will review this Positive Handling Policy at least once every two years, or as new Government advice is published.