

"Unlocking potential through learning"

Positive Handling/ Personal Physical Interventions Policy

New Horizons Learning Centre

Date Ratified: December 2021 Review Date: December 2023

Signed by: Donna Portingale

Position: Chair of Governors

<u>Introduction</u>

The policy has been developed in response to The Education and Inspections Act 2006 section 93, which reinforces supersedes and replaces previous guidance. It also takes cognizance of joint guidance issued by the DFE and Department of Health, and follows the guidance for 'The Use of Reasonable Force

The policy should be read in conjunction with other school policies and guidance relating to interaction between adults and pupils.

The policy has been prepared for the support of all teaching and support staff, who come into contact with pupils and for volunteers working within the school to explain the school's arrangements for care and control. Its contents are available to parents and pupils. A statement about the School's Restorative Behaviour Policy is made available to parents and carers on the school's website. It should also be read in conjunction with the school's SEND, Health and Safety and Safeguarding policies. We are committed to sharing information about our policies with the parents and carers of the students at NHLC.

Objectives

Good personal and professional relationships between staff and pupils are vital to ensure good order in our school. It is recognized that the majority of pupils in our school respond positively to the discipline and control practiced by staff. We aim to create a culture within the school where pupils behave, enjoy learning, feel safe, engage enthusiastically in activity and achieve high standards.

This ensures the well-being and safety of all pupils and staff in school. It is also acknowledged that in exceptional circumstances, staff may need to take action in situations where the use of reasonable, proportionate and necessary force may be required. New Horizons Learning Centre acknowledges that physical techniques are only a small part of a whole setting approach to behaviour management.

Every effort will be made to ensure that all staff in this school:

- (I) Clearly understand this policy and their responsibilities in the context of their duty of care in taking appropriate measures where use of force is necessary and
- (ii) Are provided with appropriate training to deal with these difficult situations.

The Education and Inspections Act 2006 stipulates that reasonable force may be used to prevent a pupil from doing, or continuing to do any of the following:

- Self-injuring
- · causing injury to others
- committing a criminal offence
- engaging in any behaviour prejudicial to maintaining good order and discipline at the school or among any of its pupils, whether the behaviour occurs in a classroom during a teaching session or

elsewhere within school (this includes authorised out-of-school activities).

As teaching and non-teaching staff work 'in loco parentis' and have a 'Duty of Care' towards their students, they could be liable for a claim of negligence, if they fail to follow the guidance within this policy. The use of Safety Intervention techniques as part of the Crisis Prevention Institute is our control methods for reducing risks presented by students' challenging behaviours.

The application of any form of physical control inevitably carries an attached risk of unintended harm and this places staff and the school at risk of potential litigation. It can only be justified according to the circumstances described in this policy. Staff, therefore, have a responsibility to follow this policy and to seek alternative strategies wherever possible in order to prevent the need for physical intervention.

This policy aims to give all members of the community clear guidance so that any physical intervention / handling that they undertake is carried out in a way that supports the values and principles described and follows the National Framework (BILD) relating to positive handing within school. In particular it aims to describe the circumstances in which physical intervention is an appropriate response and how staff at NHLC will fulfill their responsibilities in those circumstances. All staff will be responsible for ensuring that all young people, parents and carers are aware of the policy. The Executive Headteacher will ensure that all necessary training / awareness raising takes place regularly so that staff fully understand their responsibilities. NHLC has two fully trained Safety Intervention instructors whom train the whole staff team.

Staff must be aware that they are responsible for:

- assessing risks (dynamic risk assessment) related to individual circumstances which may arise in the course of their day-to-day duties and
- making judgements about when the use of force is necessary and the degree of force which may be regarded as necessary to manage a situation.

Staff need to be aware that they are required to justify their decisions in writing through the recording and reporting procedures outlined later in this document.

Underpinning Values

Everyone attending or working in this school has a right to:

- recognition of their unique identity;
- be treated with respect and dignity;
- learn and work in a safe environment:
- be protected from harm, violence, assault and acts of verbal abuse.

Pupils attending this school and their parents have a right to:

- individual consideration of pupil needs by the staff who have responsibility for their care and protection;
- expect staff to undertake their duties and responsibilities in accordance with the school's policies;
- be informed about school rules, relevant policies and the expected conduct of all pupils and staff working in school;
- expect placement plans, including the positive handling plans, to be designed to achieve outcomes that reflect the best interests of the child whose behaviour is of immediate concern and others affected by the behaviour requiring intervention;
- be informed about the school's complaints procedure.

The school will ensure that pupils understand the need for and respond to clearly defined limits, which govern behaviour in the school.

Use of Physical Intervention / Positive Handling

Sometimes restraint will be necessary. Staff must have reasonable grounds for believing that restraint is necessary in order to justify its use. Staff will need to use their professional judgement in each case, assessing the risks involved and taking account of the needs and circumstances of the child or young person (as set out in relevant support plans drawn up from them).

No legal definition of reasonable force exists however for the purpose of this policy and the implementation of it at NHLC:

- Positive Handling uses the <u>minimum</u> degree of force necessary for the <u>shortest period of time</u> to prevent a pupil harming himself, herself, others or property.
- The scale and nature of any physical handling / intervention must be
 <u>proportionate</u> to both the behaviour of the individual to be controlled,
 and the nature of the harm they might cause.
- Staff would be expected to follow the pupil's Handling plan / Risk Assessment in the first instance to manage an incident/challenging behaviour
- If this was unsuccessful and the situation continues to escalate staff would then be expected to employ other Safety Intervention techniques that they have been trained.
- Only if all of the above have been tried and are unsuccessful should staff even consider any other form of physical intervention. The overriding consideration should still be the reasonableness and proportionality of the force used.

All the techniques used take account of a young person's;

- age
- gender
- level of physical, emotional and intellectual development
- special needs
- · social context

They also provide a gradual, graded system of response.

Where behavioural records and/or risk assessment identifies a need for a planned approach, Positive Handling plans are written for individual children and where possible, these will be designed through multi agency collaboration and, with parental consent, shared with other agencies/services supporting the child to facilitate consistency of approach so far as is possible.

Minimising the Need to Use Force

At New Horizons Learning Centre we constantly strive to create a calm environment that minimises the risk of incidents arising that might require the use of force. In addition to this, pupils who present with persistent challenging behaviour are supporting through their placement plan and with associated behaviour targets.

Pupils who have issues relating to sensory dysfunction or other conditions that may result in increased anxiety levels, and therefore an increase in the likelihood of challenging behaviour, may have individualised support or programmes to help them to manage this.

Through the PSHE curriculum pupils learn about feelings and managing conflict, where this is appropriate to their level of development. The ethos further promotes independence, choice and inclusion; pupils are given maximum opportunity for personal growth and emotional wellbeing. All staff are trained in skills to help them to defuse situations before behaviour becomes challenging and how to de-escalate incidents should they arise. Reasonable force will only be used when the risks involved in doing so, are outweighed by the risks involved in not using force.

Prevention of unsafe behaviour will be enabled through:

- The deployment of appropriate staffing numbers;
- The deployment of appropriately trained and competent staff;
- Avoiding situations and triggers known to provoke challenging behaviour:
- Creating opportunities for choice and achievement;
- Developing staff expertise through a programme of Continuous Professional Development;
- Exploring pupils' preferences relating to the way/s in which they are managed
- Staff employ 'diffusion' techniques to avert escalation of behaviour into violence or aggression

Definitions of Positive Handling.

Positive Handling describes a broad spectrum of risk reduction strategies. Positive handling is a holistic approach involving policy, guidance, management of the environment, and deployment of staff. It also involves personal behaviour, diversion, diffusion, and de-escalation. Risk assessment

identifies positive prevention strategies and how a pupil may need to be supported in a crisis.

1. Physical Touch / support

At NHLC, physical touch can be an essential part of student / staff relationships. Adults may use touch to prompt, to give reassurance or to provide support.

It would seem reasonable that young children do require opportunities for close contact, as long as this is within public view, sensitively carried out and age/person-appropriate.

To use touch / physical support successfully, staff will adhere to the following principles:

It must be...

- a. Non abusive, with no intention to cause pain or injury
- b. Be in the best interest of the child and others
- c. Have a clear educational purpose (i.e. to access the curriculum or to improve social relationships)
- d. Take account of gender issues

The SLT are responsible for ensuring that all staff are aware of any student who finds physical touch unwelcome. Such sensitivity may arise from the student's cultural background, personal history etc.

2. Physical Intervention

This may be used to divert a pupil from a destructive or disruptive action, for example guiding or leading a pupil by the arm or shoulder where the pupil is compliant.

This technique cannot be emphasised enough and in the hands of a skillful practitioner, many pupils can be deflected from a potentially volatile situation into a less confrontational situation i.e. it may be possible to "defuse" a situation by a timely intervention. However, physical intervention / positive handling will only be considered if other behavior management options have proved ineffective or are judged to be inappropriate or as a response to an emergency. Staff will need to make a dynamic risk assessment and weigh up the reasons for the intervention.

It is important to distinguish between restrictive and non-restrictive interventions.

Non-restrictive...where a student's movement is not restricted or they are held supportively but such that they will be released immediately should they so wish i.e. Low, Medium Hold.

Restrictive...where you prevent, impede or restrict movement or mobility. To use force to direct, i.e. Medium, High Hold.

Physical intervention will never be used to punish a student and will never be used to intentionally cause pain, injury or humiliation. A formal risk

assessment of each student needs to be written in their placement plan. All planned intervention strategies will be identified in that document. Staff are not expected to intervene physically against their better judgement nor are they expected to place themselves at unreasonable risk. In such circumstances, they must take steps to minimize risks. For example, by removing other students and calling for assistance.

Having used reasonable force and thereby having maintained safety, the primary objective of the staff involved is to work for the safe relaxation of the technique being used. In order to promote the conditions to allow this, the following guidance should be adhered to:

- i. Speak calmly but firmly
- ii. Only one adult should talk to the young person during the intervention (this limits the opportunities to play one adult off against the other and undermining the input)
- iii. Repeatedly inform the student what they need to do in order for the intervention to be relaxed i.e. "what you need to do is stop struggling" or "when you have stopped struggling I will be able to talk to you about...."
- iv. DO NOT enter into negotiation with the student on the conditions of removing yourself from an intervention; you need to assure yourself and no one else that this is a safe course of action.
- v. It is safe to relax from support only when you are certain that the student is no longer struggling against you; that they are no longer swearing and shouting and that they are following simple instructions. However, staff also need to be aware that this can also be a ploy to encourage you to let go so they can start again (this is why knowing the student is so important). It is essential that you observe all three of these behaviors', not just one or two before releasing the student.
- vi. If after a period of 20 minutes the staff are still engaged in a positive physical intervention with a student a joint decision should be taken re: a different course of action. This allows for knowledge of the student to be taken into account when assessing the situation)

3. Physical Control / Restraint / Restrictive Physical Intervention

This will involve the use of reasonable force when there is an immediate risk to pupils, staff or property. All such incidents must be recorded on CPOMS. If anyone is injured an accident/incident report must also be completed.

The level of compliance from the pupil determines whether or not the interaction is an intervention or a control/restraint/RPI. Restraint is defined by Safety Intervention as the positive application of force by staff, in order to overcome rigorous resistance, completely directing, deciding and controlling a person's free movement.

Types of Incident

The incidents described in The Education and Inspections Act 2006 The Use of Reasonable Force to Control and Restrain Pupils fall into three broad categories: -

- Where action is necessary in self-defense or because there is an imminent risk of injury.
- Where there is a developing risk of injury, or significant damage to property.
- Where a pupil is behaving in a way that is compromising good order or discipline.

Examples of situations which fall within one of the first two categories, are:

- A pupil attacks a member of staff, or another pupil;
- Pupils are fighting;
- A pupil is engaged in, or is on the verge of committing, deliberate damage or vandalism to property;
- A pupil is causing, or at risk of causing, injury or damage by accident, by rough play, or by misuse of dangerous materials or objects;
- A pupil is running in a corridor or on a stairway in a way which he or she might have or cause an accident likely to injure him or herself or others;
- A pupil absconds from a class or tries to leave school (NB this will only apply if a pupil could be at risk if not kept in the classroom or at school).

Examples of situations which fall into the third category are:

- A pupil persistently refuses to obey an order to leave a classroom;
- A pupil is behaving in a way that is seriously disrupting a lesson.

Strategies: Time-Out / Withdrawal / Planned and Emergency Physical Interventions / Recovery

Timeout

This involves restricting the child's access to positive reinforcements in a room or area *which they may freely leave*. It is a specific behaviour management technique and does not necessarily mean time spent out of the class/group, but rather refers to a withdrawal of attention and/or things they find rewarding. It could be as simple as turning away from a child who is attention-seeking, or positioning a child away from the class/group. This withdrawal of attention could also be achieved by sending a pupil to another class/group or a quiet area.

Withdrawal

Removing the child from a situation that causes anxiety or distress to a location where they can be continuously observed and supported until they are ready to resume their usual activities. This can mean removing a child from the class/group, to allow them time to calm down or to prevent a situation from escalating. They may need time away from staff and pupils (either on their own or in another class/group) in order to break the cycle/pattern of their behaviour or to reduce their level of anxiety/distress. The arrangement of "quiet time" shall be negotiated between the child and staff involved.

Planned Physical Intervention

Is described/outlined in the pupil's Positive Handling Plan / Risk Assessment. This should cover most interventions, as possible scenarios will be identified and planned when the placement plan is drawn up. These interventions may include the use of Safety Intervention techniques.

Emergency Physical Intervention

May be necessary if a situation arises that was not foreseen or is uncharacteristic of the pupil. Members of staff retain their duty of care to pupils and any response, even in an emergency, must be proportionate to the circumstances. Staff should use the minimum force necessary to prevent injury and maintain safety, consistent with the training that they have received. Following any such incident, a risk assessment will be devised (or the existing one updated) to support effective responses to any such situations which may arise in the future.

Wherever possible assistance will be sought from another member of staff. Positive Handling at NHLC (defined as the full range of strategies used to manage behaviour including where necessary physical intervention) is seen as a proactive response to meet individual pupil needs and any such measures will be most effective in the context of the overall ethos of the school, the way that staff exercise their responsibilities and the range of behaviour management strategies used.

Recovery

Pupils who may be distressed by events can be offered the following support:

- Quiet time taking part in a calming activity
- Quiet time away from the incident/trigger
- Resuming their usual routine/previous activity as soon as possible, especially for pupils with special needs
- Time with a member of staff to debrief the incident

It may be necessary to send a student for assistance. In such circumstances the student MUST be instructed to use the word urgent, so that other staff understand that they need to attend immediately.

Supply staff are not authorised to use positive handling except if they can provide evidence of a current Crisis Prevention / TEAM TEACH certificate, and ONLY if they are asked to provide support to another member of the NHLC staff.

Parents/carers, volunteers and visitors in the school are not given authorisation. Staff from the LA may have their own policies about the care and control of students, but whilst on NHLC premises must abide by the policies of the school.

Use of the Regulation Room

Overview

- The Regulation room is a resource for helping the students to have a safe space when unregulated
- On occasions, when a pupil is trying to physically hurt a member of staff/pupil or presenting other unsafe behaviours, they can be moved to the Regulation Room. Once in the RR, they should be released and the door closed, BUT NEVER LOCKED, until they are calm enough to engage in conversation. Whilst the door is closed, the staff member should be talking, calmly through the window reminding them that they can open the door when the young person is ready and showing safe behaviours.
- At NO POINT should staff be sitting outside the Regulation Room working on a computer or any other activity, when they have a pupil in the Regulation Room. Staff should be using Emotion Coaching and Zones of Regulation language to re-engage the student, resolve the incident/issue before returning them to lesson as this is a learning opportunity that needs to be followed through. It may be that a Restorative task or conversation needs to take place before returning to class.

The Regulation Room Vision

The Regulation Room is a place of safety and should be seen as an opportunity for emotional development

- staff are skilled in co-regulating with pupils and developing relationships
- pupils will begin to recognize, acknowledge and understand their emotions and triggers as well as developing the tools to support selfregulation through-difficult, uncomfortable-situations using the Zones of Regulation model.

Approach to the Regulation Room

- Pupils can go to the Regulation Room through self-referral. Staff will
 join them there to talk through how they are feeling and work through
 tools to help them manage different emotions and situations.
- If a pupil is moved to the Regulation Room, staff need to give short,
 clear instructions to the pupil that they have taken control for them and they are being moved to the Regulation Room to keep them safe and support them through this difficult situation.
- Use Red Zone script to build consistent language that all pupils and staff understand. This script is a chance for the pupil to walk themselves to the RR

[Student's name]

It's me, [your name]

You are in the red zone. Let's stay safe and go to the Regulation Room

Thank you.

A pupil in the red zone will most likely be presenting behaviours that are showing a loss of control- if this is the case and staff move the pupil using CPI then staff need to make it clear they are going to take control and go to the Regulation Room to keep safe.

[Student's name] I am going to take control for you and support you by taking you to the Regulation Room.

We can be safe there.

(When you arrive at the RR)

You are safe

At the Regulation Room

The Regulation Room is divided into 4 zones:

Red zone Yellow Zone

Zones of Regulation

Green Zone Blue Zone

The zones are there for pupils in the Regulation Room to indicate what Zone they are in. If they choose to place themselves in the Zone which best reflects their behaviour, at this time, then staff can support them by emotion coaching using feelings which will occur in the chosen Zone - with the aim to help the pupil get into the green zone before leaving the Regulation Room and moving on to the next task in their day.

Sometimes a pupil may not be able to recognize what Zone they are in. It is key that staff co-regulate with the pupil to help them identify which

- Zone they are in
- Emotions they may be experiencing
- Tools to help them move through the zones back to the Green Zone

For example-A pupil has placed themselves in the green Zone. However the pupil is screaming, shouting and swearing, the behaviours the pupil is presenting do not demonstrate that they are content and in the green zone but, shows a loss of control which is more indicative of them being in the red zone.

"I can see you have placed yourself in the green zone (child's name) However, because you are shouting and swearing, I wonder if you're feeling (angry,terrified,furious)

This means you are in the red zone, this is ok!
Go and place yourself in the red zone let's try (state known tool)

Below are some of the emotions and behaviours our pupils will present when going through the different Zones

The Red Zone is used to describe extremely heightened states of alertness or very intense feelings. A person may be experiencing anger, rage, explosive behaviour, panic, terror, or elation when in the Red Zone. Being in the Red Zone can best be explained by not being in control of one's body.

The Yellow Zone is also used to describe a heightened state of alertness; however, a person has some control when in the Yellow Zone. A person may be experiencing stress, frustration, anxiety, excitement, silliness, nervousness, confusion, and many more slightly elevated emotions and states when in the Yellow Zone (such as wiggly, squirmy, or sensory seeking). The Yellow Zone is starting to lose some control.

The Green Zone is used to describe a regulated state of alertness. A person may be described as calm, happy, focused, or content when in the Green Zone. This is the zone students generally need to be in for schoolwork and for being social. Being in the Green Zone shows control.

The Blue Zone is used to describe low states of alertness, such as when one feels sad, tired, sick, or bored. This is when one's body and/or brain is moving slowly or sluggishly.

Leaving the Regulation Room

When leaving the Regulation Room it is important to see the process out fully. There will be lots of different situations and reasons why a young person may be in the Regulation Room.

Restorative conversations, tasks or other appropriate processes should be carried out as soon as possible after leaving the Regulation Room –with

Zones language, again to support through the learning process of the situation that has occurred. Use of the Regulation Room should be recorded on CPOMS with actions surrounding the situation

Injury to the Child

Whilst the physical techniques are intended to reduce risk, there is always risk when two or more people engage to use force to protect, release or restrain. Safety Intervention techniques seek to avoid injury to the child, but 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 child remains safe. Any such injury will be reported using CPOMS. Any injuries to pupils as a result of incidents involving restraint will be reported to the Headteacher / Deputy Headteacher / Strategic Lead for Primary, behaviour, Safeguarding and Pastoral Care / parents and carers.

Staff who are trained in First Aid. Any may be called upon to implement First Aid or seek further guidance in the event of an injury or physical distress arising as a result of a physical intervention.

Staff: Authorised Staff / Health and Safety / Training Support

Authorised Staff

All teachers, support staff and the Headteacher are authorised to have control or charge of pupils automatically, they have the statutory power to use reasonable force within the context of The Education and Inspections Act 2006 and the subsequent guidance 'The Use of Reasonable Force to Control and Restrain Pupils'.

Supply staff must ensure that they are familiar with this school's policy. Appropriate guidance will be given if they have not undertaken Safety Intervention training.

Authorisation is not given to volunteers, students on placement, visitors or parents/carers as they will not have control of pupils who may present with challenging behaviour, but will be supervised at all times.

Health and Safety of Staff

Under the Health and Safety at Work Act, employees have a responsibility to report any circumstances which give rise to an increased risk to their Health and Safety.

Staff who have, or acquire, permanently or temporarily, any medical condition that may impact on their ability to carry out pupils' plans have a duty to report these to the Headteacher / Deputy Headteacher / Strategic Lead for Primary,

behaviour, Safeguarding and Pastoral Care immediately, as there may be an impact on their own safety and that of colleagues and/or pupils. This information will be shared on the staff notice board, if appropriate i.e. back injury / temporary disability due to operation.

Through the provision of Safety Intervention training, the risk of harm towards staff is reduced but it is possible for some injury to be received. All such occurrences should be treated and subsequently recorded, on CPOMS.

Staff Training

It is the responsibility of the Headteacher to ensure that Crisis Intervention training in the use of positive handling is available to staff and is kept up to date. New Horizons Learning Centre has two trained Safety Intervention instructors. The school provides training for all authorised staff and the Headteacher / Strategic Lead for Primary, behaviour, Safeguarding and Pastoral Care holds a list of all those staff trained. The list is reviewed on an annual basis.

No member of staff will be expected to use MAPA techniques without appropriate training. Prior to the provision of training, guidance will be given on action to be taken. Arrangements will be made clear as part of the induction of staff and training will be provided as part of on-going staff development.

All school staff working directly with pupils receive the 12-hour MAPA Course.

Staff Support Following Incidents

Any member of staff or pupil at the school involved in or witnessing a serious incident involving the use of physical hold, may require additional support following the incident. Staff should ensure that they are fully recovered from an incident before resuming their duties and colleagues are encouraged to seek and offer support where it is deemed necessary.

Recording and Monitoring Incidents

Recording

Where physical intervention / positive handling has been used, a record of the incident will be kept. This record should be logged onto CPOMS.

Appropriate documentation will be completed as soon as possible after the incident, prior to staff going off duty.

After the review of the incident, a copy of the details will be placed on the pupil's file as part of their educational record (this is stored on SLEUTH).

Monitoring

Monitoring of incidents will help to ensure that staff are following the correct procedures and will alert the Headteacher to the needs of any pupil(s) whose behaviour may require the use of reasonable force.

Monitoring of incidents will take place on a regular basis (at least termly) by the Strategic Lead for Primary, behaviour, Safeguarding and Pastoral Care and the results used to inform planning to meet individual pupil and school needs.

The Headteacher / Strategic Lead for Primary, behaviour, Safeguarding and Pastoral Care will present an annual summary of incidents that have involved the use of force to the Governing Body.

The Headteacher will ensure that each incident is reviewed and investigated further as required. If further action is required in relation to a member of staff or a pupil, this will be pursued through the appropriate procedure

Whistle Blowing

Whilst the training in Crisis Prevention is provided to all staff, encourages the use of help protocols and reflective practice, it is acknowledged that under some circumstances, physical intervention can be misapplied. Staff are reminded that part of their duty of care to pupils includes the requirement to report any such matters which cause them concern in relation to pupil management and welfare. Any such concerns should be raised with the Headteacher, another member of the Senior Leadership Team or with the Chair of Governors, in order to allow concerns to be addressed and practice improved.

- Child Protection Procedure (this may involve investigations by Police and/or Social Services)
- Staff or Pupil Disciplinary Procedure
- School Restorative Behaviour Policy
- Exclusions Procedure; in the case of violence or assault against a member of staff this may be considered
- 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.

Complaints

The availability of a clear policy about reasonable force and early involvement of parents should reduce the likelihood of complaints but may not eliminate them.

Where the nature of any complaint made by a pupil, parent or other person in relation to the use of physical hold within the school indicates that an allegation of mishandling by a member staff, the school's complaints policy will be followed.

In such circumstances the investigation of the complaint/allegation and any resulting action in respect of child protection, disciplinary or other procedures will be carried out in accordance with the guidance received from the LA.