

BENTS GREEN SPECIAL SECONDARY SCHOOL



Positive Handling Policy – Use of reasonable force

Author: Sally Haslingden

Signed Hilary Hoult (Governor)

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This policy should be read in conjunction with other school policies and documents regarding:

Behaviour
Anti-bullying
Safeguarding and Child Protection

Introduction

This policy takes account of the following legislation:

- [The Education Act 2011](#)
- [SEND Code of Practice: 0 to 25 years 2014](#)
- [Use of reasonable force – advice for Head Teachers, staff and governing bodies – July 2013](#)
- [Behaviour and Discipline in Schools, Advice for Head Teachers and school staff \(DFE, January 2016\)](#)
- [Keeping Children Safe in Education \(DFE 2016\)](#)
- [Reasonable Force policy – Safeguarding Sheffield Children’s Board \(September 2016\)](#)

Purpose of the Policy

- To ensure the health, safety and welfare of children, young people and those who work with them
- To enable staff to effectively dispense their duty of care towards young people

Scope of the Policy

This policy is for all staff working for Bents Green Specialist Secondary School. All staff should be aware of the need to make reasonable adjustments for disabled children and for each student’s individual level of special educational need.

Governors and the Senior Leadership Team should ensure that all volunteers, parents and carers are aware of and adhere to the school’s behaviour policy, including the use of reasonable force.

Rationale

This policy underpins our school’s commitment to ensure that Bents Green Specialist Secondary School is a community in which everyone is respected and supported to achieve their full potential. Our curriculum and school day are designed to support students’ individual needs and strengths within a safe, caring and supportive environment.

All students have the right to:

- Have recognition of their unique identity together with individual consideration of their needs and appropriate support / provision / adaptation
- Be treated with respect and dignity and feel valued members of the learning community
- Learn in a safe environment
- Be protected from harm, violence, assault and acts of verbal abuse

To enable a secure and sustainable future for our students when they leave our school community, our curriculum focuses on a blend of academic achievement, independence, social communication and emotional regulation.

What is reasonable force?

The term 'reasonable force' covers the broad range of actions used by staff that involves a degree of physical contact with students.

- **'Force'** is used to either control or restrain; e.g. breaking up a fight, or restraint to prevent violence or injury to self or others
- **'Reasonable in the circumstances'** means using no more force than is needed
- **'Control'** is either passive, e.g. standing between pupils, or active, e.g. leading a student out of a learning environment .
- **'Restraint'** means to hold back physically or to bring a student under control.

Minimising the need to use force

Bents Green Specialist Secondary School recognises that behaviour is a form of communication. Students are supported to develop effective strategies for communicating their needs and for managing their emotional regulation. This may be self-regulation (being able to use strategies to self-calm) or mutual regulation (accepting support and strategies from another person to regulate your emotions)

We constantly strive to create a calm and appropriate environment and curriculum (see behaviour policy) which minimises the risk of incidents that might require the use of reasonable force.

In addition to this all students have personal profiles which promote consistent and personalised approaches for supporting their individual needs. Students who present challenging behaviour also have Individual Support Plans which detail strategies and best approaches for de-escalating and supporting their behaviour. These plans are designed in consultation with parents, students and where appropriate, multi-agency collaboration. These are shared with other agencies and parents to facilitate a consistent and effective approach.

All staff are TEAM TEACH trained, providing them with both the skills to help defuse situations before behaviour becomes challenging and the ability to de-escalate and safely manage incidents should they arise.

Who can use reasonable force?

All staff have a duty of care towards the students and can use reasonable force to keep themselves and others safe. All permanent staff receive TEAM TEACH training to enable them to promote de-escalation skills and to ensure that where positive handling is needed it is done so in a safe and effective manner. Wherever possible only TEAM TEACH trained staff will carry out any necessary physical intervention. Supply staff and new staff, who have not yet had TEAM TEACH training, still have a duty of care to keep students safe and can use physical intervention to do so in an emergency situation. They can also use reasonable force if necessary to keep themselves and others safe if needed. However, it is best practice to enable TEAM TEACH trained staff to support students in crisis whenever possible. Untrained staff should be replaced by TEAM TEACH trained staff as quickly and safely as is possible

The use of TEAM TEACH techniques reduces the risks of unintended harm to staff and students. All staff should follow the guidance within this policy and their TEAM TEACH training in order to minimise the risks of any potential litigation.

We have a number of trained TEAM TEACH tutors on staff who deliver regular training and training updates to ensure that staff are skilled in the necessary techniques for safely supporting the students with whom they are working. These tutors will also support staff to identify appropriate techniques and support strategies to use with individuals and to detail in Individual Support Plans.

Staff should follow student's Individual Support Plans when deciding whether to use physical intervention. They should make a dynamic risk assessment related to the individual circumstances which may arise during their work, to make judgements about when the use of force is necessary to manage a situation.

When can reasonable force be used?

Reasonable force can be used in the following circumstances:

- ‘1. Preventing a child or young person causing harm to themselves***
- 2. Preventing a child or young person causing harm to another person***
- 3. Preventing the child or young person committing a criminal offence***
- 4. Preventing any behaviour which is prejudicial to the maintenance of good order and discipline.’***

Examples include:

- **Removing** disruptive students if they have refused an instruction to leave the learning environment
- **Preventing** students from: disrupting a lesson, event, trip or visit / leaving the learning or social environment where this would risk their safety or hurting someone
- **Restraining** a student at risk of harming themselves or others through physical outbursts or self-harm
- **Stopping** a fight

Staff will be expected to follow a student's Individual Support Plan, in the first instance, to effectively manage an incident / challenging behaviour.

The use of physical intervention should always be in the **best interests of the child** and be **'reasonable, proportionate and necessary'**.

Positive handling should use the **minimum** degree of force necessary for the **shortest period of time** to prevent a student harming themselves, others or property.

The TEAM TEACH techniques that are 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.

All staff should refer to their TEAM TEACH training manuals and / or the TEAM TEACH website for reminders about the different techniques and levels of intervention. They should seek advice and support from the TEAM TEACH tutors in school as needed.

FORCE CAN NEVER BE USED AS A PUNISHMENT – THIS IS ALWAYS UNLAWFUL

Recording and Reporting the use of reasonable force

All incidents requiring any use of force should be recorded on the Bents Green significant incidents forms, which are numbered and signed out from the administrative office. These forms include details of the types of and length of any physical intervention used. Training will be provided on how to complete significant incident forms appropriately and each completed form will be reviewed by the schools Higher Level Teaching Assistants (who are also trained as TEAM TEACH tutors) before being finalised. Where incidents are very frequent, lead to exclusion or involve bullying they will be reviewed by the senior leader responsible for behaviour.

When compiling and reviewing significant incident forms staff should reflect on how situations / incidents may be avoided / minimised in future. This may lead to the need to make adaptations to student individual support plans. Records should be kept factual and detailed. They may need to be referred to in any future litigation so procedures should be followed with care. Staff should seek advice from one of the TEAM TEACH tutors in school if they require advice on how to write up an incident.

Significant incidents will be recorded on SIMs (the school information management system) and will be analysed at regular intervals. Data will be provided to governors and class teams on a termly basis to ensure appropriate steps are taken to reduce significant incidents.

Parents / carers should, wherever possible, be made aware of incidents in which positive handling has been used and of any consequences / punishments issued for inappropriate behaviours. Staff will make every effort to contact parents / carers by telephone (or alternative preferred contact method) on the day of the incident.

Details of internal and fixed term exclusions will be recorded on the significant incident forms and input into SIMS by the year team support admin staff.

Any incidents which result in injury will also be reported to the Senior Leadership Team (SLT) and the relevant accident / injury form or RIDOOR (reporting of injuries, diseases and dangerous occurrences regulations) will be completed and submitted to the HSE (Health and safety executive) through the online form found on www.hse.gov.uk

Dealing with concerns / complaints

All complaints about the use of force will be thoroughly, speedily and appropriately investigated. Where a member of staff has acted within the law, that is they have used reasonable force to prevent injury, damage to property or disorder, this will provide a defence to any criminal prosecution. Bents Green Specialist Secondary School will follow Local Authority procedures for dealing with complaints and will seek advice from the LADO (Local Authority Designated Officer) and from Human Resources regarding any necessary decisions.

Power to search students without consent

The Head Teacher can authorise staff to use reasonable force in order to conduct a search for the following 'prohibited items':

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

Force cannot be used to search for items banned under the school rules (e.g. mobile phones).

The Head Teacher should always be consulted before a search is made. She will decide whether it is necessary, who should perform the search or what other action should be made (e.g. contact with parents / police). In her absence this responsibility is delegated to the Deputy Head Teacher.

Only members of SLT and / or TEAM TEACH Tutors will conduct any searches requiring 'force'.

Staff responsibilities – all staff

- To provide an environment which supports the individual needs of all students in school
- To implement advice provided within Personal Profiles, Individual Support Plans and any other multi-agency guidance
- To read, be aware of and implement the schools behaviour and reward policy in addition to this positive handling policy
- To develop and maintain an understanding of the TEAM TEACH techniques, taking responsibility for seeking support from a TEAM TEACH tutor for any area of weakness
- To carry out all techniques in line with TEAM TEACH advice and the training provided
- To carry out risk assessments for students in class to ensure that risks are identified and appropriate strategies / plans are put in place
- To support all colleagues in dealing with challenging behaviour, following TEAM TEACH scripts and offering / accepting help as needed
- To support colleagues by providing appropriate feedback to ensure that techniques used are safe and effective
- To support colleagues by ensuring that any errors in techniques are reported to the TEAM TEACH tutors so that updates can be provided
- To seek advice from TEAM TEACH Tutors in school where needed to enable safe and effective practice is upheld at all times.
- To follow whistle blowing procedures where unsafe / inappropriate practice is seen
- To inform parents / carers of all incidents requiring physical intervention
- To follow schools recording systems for all significant incidents
- To follow the schools behaviour policy to reflect on and analyse student behaviour in order to inform future planning
- To support in reviewing relevant policies at Bents Green Specialist Secondary School as requested.
- To report any concerns regarding prohibited items to the Senior Leadership Team immediately on suspicion.

Role of TEAM TEACH Tutors

A range of staff in school are qualified TEAM TEACH tutors. Currently these consist of the Deputy Head and three HLTA's (Higher Level Teaching Assistants)

- To carry out duties associated with all staff in school as listed above.
- To provide advice and support to class teams in developing strategies for managing students challenging behaviour
- To ensure staff across school are correctly using TEAM TEACH techniques, providing support and training as needed
- To provide planned and ongoing training and support across all school staff
- To support the Senior Leadership Team in reviewing policies and recording and reporting systems at school
- To review all significant incidents with class teams to ensure correct recording and reporting takes place to minimise the risks of litigation

Role of the Senior Leadership Team (SLT)

- To ensure that staff receive TEAM TEACH training as needed across school within the schools Continual Professional Development (CPD) programme
- To lead on the development and review of all relevant policies and recording systems
- To report to the rest of SLT and to the governors data and information relating to behaviour and significant incidents
- To report to LADO (Local Authority Designated Officer) any claims of inappropriate use of physical intervention / force
- To maintain current knowledge of guidance and legislation and ensure it is reflected in policy and practice
- To liaise with other agencies as needed to meet the holistic needs of all students and staff in school
- To ensure that all staff are made aware of the relevant policies and of any changes made
- The Head Teacher will be responsible for making decisions regarding the need to use reasonable force to search for prohibited items

Role of Governors

- To support the development of relevant policy and practice at Bents Green Specialist Secondary School
- To ensure that all policies are ratified
- To ensure that all staff are made aware of relevant policies and that they are appropriately implemented across school
- To perform a range of monitoring activities to ensure that systems are effective across school, to include; regular meetings with the Senior Leadership Team / TEAM TEACH tutors / observations within school / discussions with staff and students / scrutiny of data and records.

Role of Administrative Staff

- To input data into SIMS (school's information management system)
- To run reports for SLT as requested
- To support pastoral staff in arranging meetings, making telephone calls and sending out letters.

Other staff / volunteers in School

The Head Teacher can authorise external support services in school to use physical intervention where necessary.

Volunteers in school **will not be** authorised to use reasonable force.

Where staff from support services are working with students in school it is the Head Teacher's responsibility to make sure that these staff are aware of school policy and practice and that they comply with this.

Other physical contact with students

There are occasions where physical contact with students is proper and necessary, for example;

- Providing comfort, praise or congratulations
- Demonstrating how to use a musical instrument or an exercise / technique during PE lessons
- Administering first aid
- Holding the hand of a child moving around school or during off-site activities where it is appropriate to effectively support their individual needs or keep them safe.