

St Mary's Catholic Primary School Axminster

Positive Handling Policy



Due for Review every 2 years
Reviewed by Teaching and Learning Committee
Last reviewed April 2016

Living, Loving and Learning with God

STATEMENT OF SAFEGUARDING CHILDREN

At St Mary's Catholic Primary School, our school community has a duty to safeguard and promote the welfare of children who are our pupils. This means that we have a Safeguarding Children and Child Protection Policy and Procedures in place which we refer to in our prospectus. All staff including our volunteers and supply staff must ensure that they are aware of our procedures. Parents and carers are welcome to read these on request.

Sometimes we may need to share information and work in partnership with other agencies when there are concerns about a child's welfare. We will always ensure that our concerns about our pupils are discussed with their parents/carers first unless we have reason to believe that this is not in the child's best interests.

Our Designated Child Protection Officer is: Mrs. Angela Herrera, our Headteacher. Our Designated Child Protection Governor is Mrs. Shelagh Fearnley.

Positive Handling Policy

This policy sets out the framework for the use of reasonable force or positive handling, but it must be clearly understood that this should always be set within the school's overall behaviour management framework and is only used as a last resort under-pinned by sound risk assessment. Providing successful inclusion may necessitate physical restraint but only as one of the responses available for the management of challenging behaviour. This does not replace the Behaviour policy and is only used as a last resort in the best interests of the child.

Guidance that came into force in April 2010 continued from that of 1.9.98 (Section 550 of the Education Act 1996) together with national guidance (DfES Circular 10/98), establishing the power of teachers and other staff to use reasonable force if required. This applies to all occasions when that member of staff is in charge of children both on and off school premises. There is no legal definition of reasonable force; this would depend on the individual circumstances of each case. Only a court may judge what is reasonable in terms of the amount of force used in physical handling and obviously does so retrospectively.

This policy needs to be read in conjunction with DCSF "Guidance for schools in England- The use of force to control or restrain pupils. www.teachernet.gov.uk/wholeschool/familyandcommunity/childprotection/usefulinformation/useofforceguidance/

N.B. It may be appropriate for an adult in charge of children to intervene in the event of the following types of incident.

- ☐ **Action due to imminent risk of injury**
- ☐ **Action due to imminent risk of significant damage to property**
- ☐ **Action where a pupil is compromising good order and discipline**

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The third type of incident is unlikely to be cause for restraint in a primary school setting as it is usually possible to remove the rest of the children from the scene and allow the child concerned to calm down safely.

Reasonable force would include those methods taught and practised in TeamTeach training. The degree of force employed must be in proportion to the circumstances of the incident and the seriousness of the behaviour or the consequences it is intended to prevent. Any force should always be the minimum needed to achieve the desired result.

Staff must take into account if the child has an **individual risk assessment** or is listed on the **medical needs register** kept in the Staff Room and follows any guidelines mentioned. Individual staff risk assessments must be considered (see **Appendix 2, Staff Risk Assessments**).

A second adult should be called for assistance to calm the situation. This would also reduce the risk of the child or member of staff suffering bodily **harm**.

While intervening, the member of staff must:-

- ☐ employ minimum physical force necessary for the minimum period needed
- ☐ wherever possible keep talking to the child and give choices as to how they could behave in a manner that would end the need for restraint

After the incident, it is vital that a full report is completed by all concerned (see **Appendix 3, Incident Form and De-briefing**) and the agreed de-briefing procedures adhered to in order to support the child, the members of staff involved, any other children involved and the parents.

In the event of an incident when physical restraint is required, an incident form will be completed within 24 hours. If possible, all staff and children involved will undertake a de-briefing meeting with the Headteacher within 24 hours. The school will inform parents as soon as possible. The parents/guardians or carers should meet with the Headteacher as soon after the incident as possible. Copies of the form will be kept in the office and in the Behaviour Records Book and copies added to special educational needs files and sent to all concerned in the incident including parents. If an injury has been incurred to anyone involved, the usual procedures regarding this will be followed.

If physical restraint is necessary to manage the behaviour of an individual, it would be appropriate to instigate a **Positive Handling Plan** (PHP) during de-briefing meetings. In the event of physical restraint being necessary on more than one occasion, it would be referred to in the child's **Individual Education Plan** (IEP). It is also necessary to compile an **individual risk assessment** in discussion with all staff, parents and any relevant outside agencies. In the case of a child with a **statement** of educational needs, there will be opportunities to address issues of challenging behaviour at annual review meetings and an interim review organised in exceptional circumstances. **Looked-After Children** will have a **Personal Education Plan** which features planning and strategies to address challenging behaviour, where appropriate.

The Headteacher, Leadership Team and Governors need to ensure that all authorised teachers and other authorised staff are appropriately trained and updated by approved trainers and accept the responsibility of their role by being aware of the guidelines in this policy. Records are to be kept of any physical restraint or incident involving physical contact. These are to be clear, comprehensive and prompt. Parents must be informed and consulted each time a form is completed. These records will be part of an ongoing review procedure that examines practice and informs future planning. In addition a named Governor, Mrs. Shelagh Fearnley, Safeguarding governor, will support the Headteacher, and the SENCO, in monitoring and reviewing.

When physical restraint takes place, the school will always endeavour to protect children and adults from physical harm, however, there may be cases in which some discomfort and/or bruising may occur, to both staff and children, as a result of the restraint taking place.

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The Headteacher, Leadership Team and Governors need to ensure that, as far as possible, preparation and planning has taken place to identify areas where physical restraint might be used. However, the school may also have to intervene in circumstances where preparation and planning have not been possible. When physical restraint takes place, the school will always endeavour to protect children and adults from physical harm, however, there may be cases in which some discomfort and/or bruising may occur, to both staff and children, as a result of the restraint taking place.

If, after receiving the report of an incident where physical intervention has occurred, the Headteacher considers the school's guidelines have been seriously breached and that further investigation is warranted, the incident should not be pursued, but action in accordance with Child Protection procedures must be taken. In these circumstances, any school internal investigations must cease and no further statements should be taken. If the school's guidelines have been breached, the Headteacher will contact the LA Personnel Division and advise the staff member to consult his/her professional association.

Disability Equality

At St Marys Catholic Primary School, we are committed to offering an inclusive curriculum to ensure the best possible progress for all of our pupils whatever their needs or abilities.

Pupils have Special Educational Needs if they have a learning difficulty which calls for special educational provision to be made for them. Pupils with a disability have special educational needs if they have any difficulty in accessing education and if they need any special educational provision to be made for them, which is anything that is additional to or different from what is normally available in schools in the area.

At St Mary's, we undertake the duties, including in relation to **this policy**:

- ☐ Not to treat disabled pupils less favourably for a reason which relates to their disability
- ☐ To take reasonable steps to avoid putting disabled pupils at a substantial disadvantage
- ☐ To do our best by all disabled members of our school community in relation to the requirements of this particular policy

Gender Equality

St Marys' Catholic Primary School fully recognises its duty to comply with equality and diversity legislation, and its Gender Equality Scheme sets out the school's aims in relation to equality and what it will do to ensure that equality is fully embedded in practice. The school fully acknowledges its responsibilities in terms of equality issues in relation to gender, age, race, disability, religion or belief, sexual orientation and gender reassignment, including in relation to **this policy**. St Mary's is firmly committed to equality and diversity, and when carrying out our functions, we shall have due regard to the need: to eliminate unlawful discrimination and harassment; to promote equality of opportunity between men and women.

Date of approval & adoption: April 2016

Date of next review: April 2018

This Policy should be read in conjunction with St Mary's Catholic Primary School's Policies for:

- ☐ **Positive Behaviour and Discipline Policy**
- ☐ **Safeguarding Children and Child Protection**
- ☐ **Equality**
- ☐ **Health and Safety**
- ☐ **Anti- Bullying**
- ☐ **Attendance**
- ☐ **Positive Handling**
- ☐ **Code of Conduct Policy**