



LPW Independent School
Policy on the Use of Positive Handling to Manage Safety
and Challenging Behaviour - (Reasonable Use of Force)

To be read in conjunction with the school's Relationships & Behaviour policy.

Author/Contact:	K Baynham
Document Path & Filename:	
Document Reference:	PH1
Version:	1.4
Status:	
Publication Date:	Sept 2021
Related Policies:	
Review Date:	August 2023
Approved/Ratified by:	D Carter
Distribution:	All teaching staff, governors

INTRODUCTION

LPW Independent School has adopted a policy that sets out the legal framework for the use of positive handling and reasonable force, and it provides definitions of terms and sets out the principles that should guide schools when interpreting the policy in their own setting.

This LPW Independent School Policy on Managing Challenging Behaviour should be read in conjunction with the Bristol City Council Children Services Policy on Positive Handling and the Use of Reasonable Force and other school policies and guidance relating to interactions between adults and learners.

This policy has been prepared for the information of all teaching and learning support staff who come into contact with learners, and for volunteers working within the school, to explain the school's arrangements for managing challenging behaviour. Its contents are available to parents and learners. A statement about the School's Behaviour Policy is made to parents and includes information on the use of reasonable force to control or restrain learners.

UNDERPINNING VALUES

Good relationships between staff and learners are vital to ensure good order in our school. These ensure the well-being and safety of all learners and staff in school. It is acknowledged that in certain circumstances, staff may need to take action in situations where the use of reasonable, proportionate and necessary force may be required. LPW Independent School acknowledges that physical techniques are only a small part of a whole school approach to behaviour management.

At LPW Independent School, we believe that everyone attending or working in the school has a right to be safe and to be protected from violence, assault and acts of verbal abuse.

Positive Handling, defined as the full range of strategies used to manage behaviour including, where necessary, Restrictive Physical Intervention, is seen as a proactive response to meet individual learner needs. 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.

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.

MINIMISING THE NEED TO USE FORCE

We strive to create a calm environment within school which minimises the risk of incidents arising that might require the use of Positive Handling or Restrictive Physical Intervention. In addition to this, all learners are subject to a risk assessment, which informs their individual Positive Handling Plan if needed. Both risk assessments and Positive Handling Plans are regularly reviewed and updated.

All school staff are trained in skills to help them to defuse situations before behaviour becomes challenging and in 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.

IMPLICATIONS OF THE POLICY

As teaching and learning support staff work 'in loco parentis' and have a 'Duty of Care' towards their learners, they could be liable for a claim of negligence if they fail to follow the guidance within this policy. The use of Team Teach techniques is one of our control methods for reducing risks presented by children's challenging behaviour. The Positive Handling element of learners' risk assessments are Safe Systems of Work under Health and Safety Regulations. As such it is imperative that these plans are followed and implemented by all members of staff.

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. Staff need to be aware that they are responsible for:

- Assessing risks (dynamic risk assessment) related to individual circumstances that 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 school's recording and reporting procedures, which are outlined later in this document.

STAFF TRAINING

LPW Independent School are committed to using Team Teach. Team Teach Ltd is a training provider that is accredited through the British Institute of Learning Difficulties (BILD) and adheres to their Code of Practice on physical intervention. LPW Independent School acknowledges that physical techniques are only a part of a whole school approach to behaviour management and Team Teach emphasises the importance of diversion, de-fusion and de-escalation. It provides a gradual, graded system of response.

All permanent staff who are in regular contact with learners receive training and regular updates in Team Teach and the very clear protocols which accompany it. Team Teach training is provided as part of the induction for staff and it is then the responsibility of the Head Teacher to ensure this training is kept up to date. Supply staff and volunteers are unlikely to have this accreditation and therefore should not positively handle or restrain children. If a staff member has not yet had the Team Teach training they should not handle learners.

THE TEAM TEACH APPROACH

Team Teach describes a broad range of risk reduction strategies. It is a holistic approach involving policy, guidance, management of the environment, and deployment of staff. It also involves personal behaviour, diversion, de-fusion and de-escalation.

Through Team Teach, the school identifies different levels of contact with learners:

PHYSICAL CONTACT

Situations in which proper physical contact occurs between staff and learners, e.g., in the care of learners and in order to support their access to a broad and balanced curriculum. It would seem reasonable that young children do require opportunities for close contact and as long as this is within public view, sensitively carried out and age/person-appropriate the School Governance Committee would fully support this approach.

POSITIVE HANDLING

These are interventions, including contingent touch, which may be used to divert a learner from a destructive or disruptive action, for example guiding or leading a learner by the arm or shoulder

where the learner is compliant or supportively holding a learner to keep them or others safe until they have regained control of themselves or can be guided to an area to calm down.

This technique cannot be emphasised enough and in the hands of a skilful practitioner many learners 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.

All such incidents must be recorded on an incident form and for record on SIMS. Records of incidents must be given to Dan Carter or Kate Baynham as soon as possible, and within 24 hours at the latest.

RESTRICTIVE PHYSICAL INTERVENTION/RESTRAINT

This will involve the use of reasonable force when there is an immediate risk to learners, staff, property or good order/discipline in the school. All such incidents must be recorded on an incident form and recorded on SIMS. If anyone is injured, the appropriate accident form must also be completed. Records of incidents must be given to Dan Carter or Kate Baynham as soon as possible, and within 24 hours at the latest.

The level of compliance from the learner determines whether or not the interaction is a Positive Handling incident or a Restrictive Physical Intervention/Restraint. Restraint is defined by Team Teach as the positive application of force by staff, in order to overcome rigorous resistance, completely directing, deciding and controlling a person’s free movement.

POSITIVE HANDLING PLANS

A Positive Handling Plan is a plan for the positive management of learners’ challenging behaviour and identifies positive prevention strategies and how a learner may need to be supported in a crisis. For each child, the likely risks are identified in a risk assessment and appropriate interventions are suggested. These risk assessments are available in the learners’ records.

Where there is clear documented evidence, such as a risk assessment, which particular sequences of behaviour escalate rapidly into violence, the use of a Restrictive Physical Intervention at an early stage in the sequence may be justified and will be included.

PLANNED AND EMERGENCY PHYSICAL INTERVENTIONS

A planned intervention is one that is described/outlined in the learner’s risk assessment. This should cover most interventions and may include the use of Team Teach techniques.

An emergency physical intervention may be necessary if a situation arises that was not foreseen or is uncharacteristic of the learner. Members of staff retain their duty of care to learners 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.

DECIDING WHETHER TO USE RESTRICTIVE PHYSICAL INTERVENTIONS

Every effort is made to resolve conflicts positively using a gradual, graded system of response. The school’s Behaviour Policy describes a range of strategies which may be employed to de-escalate a situation and may include ‘time out’. Learners are encouraged to use these strategies

with minimal support from staff. When a situation continues to escalate, it may be necessary to employ Positive Handling or Restrictive Physical Interventions or use of a quieter area. In each case the decision will have been made:

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

It is recognised that challenging behaviour and Restrictive Physical Interventions can both involve a risk to staff and learners and therefore in these circumstances staff will consider

- Is this intervention in the best interests of the child?
- Is it necessary?
- Is it reasonable and proportionate?

External agencies may have their own policies for the care and control of learners. When working within LPW Independent School it is Dan Carter's responsibility to ensure that colleagues from support services are aware of school policy and practice, and comply with this.

AFTER AN INCIDENT

Physical techniques are not used in isolation and the school is committed to ensuring that in all instances, Restrictive Physical Intervention uses the minimum degree of force necessary for the shortest period of time to prevent a learner harming himself, herself, others or property. Wherever possible assistance will be sought from another member of staff.

The physical techniques are intended to reduce risk and Team Teach techniques always seek to avoid injury to the service user, 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 service user remains safe. Any such injury will be reported using the appropriate accident form.

In some circumstances, following the use of more restrictive holds, it is acknowledged that learners may encounter some minimal discomfort when appropriate release techniques are used. However, this is very brief and transient and poses less of a risk than the behaviour they are employed in response to.

ALTERNATIVES TO RESTRICTIVE PHYSICAL INTERVENTIONS

Sometimes, when faced with extreme behaviour, the judgement may be that by becoming physically involved the member of staff will increase the risk of somebody getting hurt. In this case the correct decision is to hold back but this does not mean that staff can choose to do nothing. They must decide on the most appropriate course of action, which might be to make the environment safer, give clear directions to children, remove the audience, take vulnerable children to a safer place, ensure that colleagues know what is happening or get help. The chosen actions should always be designed to reduce the risk to others and to yourself.

STAFF FROM EXTERNAL AGENCIES WORKING WITHIN THE SCHOOL

As a result of incidents, learning opportunities are created for children that allow them to 'own' and take responsibility for their behaviour at a level appropriate to their stage of development.

SUPPORT FOLLOWING INCIDENTS

Any member of staff or learner at the school involved in or witnessing a serious incident involving the use of Restrictive Physical Intervention 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, such as through talking to a senior manager or from the Employee Assistance Programme.

Learners 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.
- Time with a member of staff to listen to the 'what happened before, during and after the incident'.

RECORDING INCIDENTS

Where Positive Handling or Restrictive Physical Intervention has been used, a record of the incident will be kept. This record should be made by the member of staff who initiated the form and logged on SIMS. This should be shared with Dan Carter or Kate Baynham who will review the log to ensure the incident is correctly recorded.

Appropriate documentation will be completed as soon as possible after the incident, and certainly within 24 hours. The report will be placed on file. An accident form will be completed and passed to the person responsible for Health & Safety in situations where injury has occurred to either members of staff or learners.

REPORTING INCIDENTS

All incidents recorded on an incident form and reported to parents. This may be by telephone or letter, depending on the nature of the incident and the procedure agreed with parents.

MONITORING INCIDENTS

Whenever a member of staff has occasion to use reasonable force, this will always be recorded and documented following agreed procedures. Monitoring of incidents will help to ensure that staff are following the correct procedures and will alert the Head Teacher and Deputy Head Teacher to the needs of any learner(s) whose risk assessment may require amending.

Monitoring of incidents will take place on a regular basis and the results used to inform planning to meet individual learner and school needs. To support the Head Teacher & school and ensure objectivity, a school governor responsible for safeguarding will be involved in the monitoring process. In the case of LPW, this is referred to the Board.

COMPLAINTS

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

complaint or allegation is made, the school will follow the Local Authority protocol, as explained in the section 'Allegations Against Staff' in the Local Authority Child Protection Procedures.

The matter will be reported to the Local Authority Designated Officer (LADO) in accordance with Local Authority procedures.

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 Local Authority.

Parents have a right to be informed about the school's complaints policy, which is on the school website.

WHISTLE BLOWING

Whilst the training in Team Teach, 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 learners includes the requirement to report any such matters that cause them concern in relation to learner management and welfare. Any such concerns should be raised with the Head Teacher or with the Chair of the School Advisory Board in order to allow concerns to be addressed and practice improved.

REFERENCE DOCUMENTS

DfE: The Use of Force to Control or Restrain Learners – 07/2013

DoH: Positive and Proactive Care: Reducing the need for Restrictive Interventions

The Children's Act 1989 http://www.opsi.gov.uk/acts/acts1989/Ukpga_19890041_en_1.htm

Date when policy was reviewed: May 2016

Date when policy was reviewed: August 2016

Date when policy was reviewed: September 2019

Date when policy was reviewed: September 2021

Date next review is due: September 2023

Print name: Dan Carter

Position/Role at school: Head Teacher