

# St Vincent's School for Blind and Partially Sighted Children

Policy Document Title:	Positive Handling Policy
To be read in conjunction with:	DfEE Circular 10/98 The Education Act 1997 Discipline, Rewards and Sanction for Pupils Policy Safeguarding/Child Protection Policy Keeping of Records and Reporting of Incidents Policy
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St. Vincent's School Mission Statement:

*Inspired by the example of St Vincent, we work together in a safe and caring atmosphere, where a high standard of education and care are provided.*

*We encourage a sense of achievement, self worth, moral responsibility and mutual respect, honouring all faith traditions and beliefs. Each one of us in our community is special and unique. Gifts and talents are valued and nurtured through all our work.*

*We are outward looking in our approach to the wider educational and social community and we encourage all our young people to become independent and to integrate fully into society.*

## **Introduction**

This policy and guidance provides all staff charged with responsibility for the care and control of children and young people at St. Vincent's with the legal framework in which they are to operate. It also provides practical considerations of the circumstances in which we will work and strategies for successfully managing out of control behaviour.

In the foundation and implementation of this policy we formally adopt the guidance contained within DfEE circular 10/98 and subsequent guidance.

It is important to remember that the majority of our young people behave very well and conform to the expectations of the school and community. We have a responsibility to ensure that good behaviour is valued and that circumstances within the school are geared to enhancing each individual's own sense of value and worth.

It is acknowledged that the majority of behaviour that does not meet the school expectations is managed within our code of conduct, discipline, rewards and sanctions policy and they do not rely on any form of physical intervention.

The Education Act 1997 (Section 4) clarified the use of physical force by authorised staff to control or restrain pupils, achieved through the addition of section 550A to the Education Act 1996.

This policy sets out to define the circumstances in which staff may judge it necessary and appropriate to use the application of force to control and or restrain a child or young person.

### **School Ethos**

Our overriding ethos of care and respect determines the extent to which pupils will feel that they belong to the community and as a result impact on all aspects of behaviour. Our school achieves a positive, calm and facilitative environment in which children and young people can develop and learn through a wide range of measures.

A key factor in this is the provision of a broad and balanced curriculum appropriately differentiated to stimulate and engage all pupils, in conjunction with the provision of an effective personal and social education curriculum.

We widely recognise that reward based rather than a punishment orientated ethos which reinforces good behaviour and attitudes and avoids whole group sanctions brings about desired behaviour. Similarly the use of any form of force as a punishment as well as being unlawful is unlikely to induce positive attitudes and behaviour in children and young people.

The school environment is one where rewards and personal affirmation are more frequent than sanctions and disapproval. Sanctions are applied flexibly and in the

context of the individual needs of the child or young person. We expect and value high levels of pupil involvement in the life of the school and achievement is regularly celebrated.

Staff relationships with pupils are based on mutual trust and respect. They are the firm foundation for communicating expectations regarding individual learning targets as well as managing all behaviours.

The supportive ethos within the school is determined by the extent to which staff feel safe and supportive in carrying out their duties. There is a recognition that from time to time some staff may experience verbal and physical assault whilst working with our children and young people. All staff recognise that they should not expect or accept such abuse and in events when it may occur appropriate action will be taken.

### **School Responsibilities**

All staff are aware of what is expected of them, their contribution to the ethos of the school as well as their contribution to the management of pupils' behaviour.

Staff have access to guidelines on the support and training available to them to augment existing awareness, knowledge and competences relating to the management of behaviour in keeping with appropriately related school policy documentation.

### **Core Principles**

Every child and young person needs security, stable and caring relationships and a dependable and predictable environment in order to develop self-discipline and control.

Behaviour management is the educational process, which involves the use of authority to bring about change. Children and young people are guided through their participation in this process towards socially acceptable, self controlled and responsible behaviour.

When staff are sure that a pupil has the ability to understand what is required and the skills necessary to behave in a desired way, behavioural approaches are most relevant. Change and enhancing social competency is much more than developing a strategy or rewarding actions to increase motivation towards desired behaviour.

Challenging behaviour is a developmental 'right of passage' that impacts on individual children and young people at different times and with differing levels of intensity. Testing boundaries are part of this process. When this occurs each incident needs to be considered and understood in context.

Interventions or responses to behaviour should be made following serious attempts at involving the young person in the behaviour management process. St. Vincent's has a positive culture in which incidents of poor behaviour may be viewed as learning opportunities for all concerned. Sanctions will always be brief, clear and to the point. Disapproval will always be of the behaviour and not the person (see Code of Conduct, Discipline, Rewards and Sanctions for pupils Policy).

## **Definitions**

In considering the use of reasonable force to control and or restrain children and young people it is essential that there is clarity about the terms that are used to describe physical interventions when they occur. For the purposes of this policy and resulting guidance the following definitions will be used to describe:

- I). **Escorting:** Accompanying for protection or guidance. The level of compliance from the child or young person being escorted and the degree of physical force being used by the member(s) of staff will determine whether this act should be considered as a restraint i.e. was the child or young person being overpowered in order to be escorted.
- II). **Holding:** To assert authoritatively. The degree of force being used in relation to the level of co-operation and compliance being displayed by the child or young person that determines when holding becomes restraining. The higher the level

of force the more likely the action will be deemed restraining. Ultimately it will rest upon whether the young person was overpowered and had no choice but to remain in the hold.

- III). **Restraining:** Physical control as defined by the application of force with the intention of overpowering the child or young person to prevent them from harming themselves or others or damaging property.

The impact of section 550A on the action authorised staff at St. Vincent's to have control or charge of pupils is that they are expected to use reasonable force to prevent a child or young person from doing or continuing to do any of the following:

- ❖ Committing a criminal offence (including behaving in a way that would be an offence if the pupil were not under the age of criminal responsibility);
- ❖ Injuring themselves or others;
- ❖ Causing damage to property (including pupils own property);
- ❖ Engaging in behaviour prejudicial to maintaining good order and discipline at school or among any of its pupils, whether that behaviour occurs in a classroom during a teaching session or elsewhere.

The provision applies when authorised staff are on school premises, and when he or she has lawful control of the children and young people concerned elsewhere e.g. on a field trip or other organized out of school activity.

Section 550A does not specifically detail what action staff should take to protect him/herself from attack. However everyone has the right to defend themselves against attack provided they do not use a disproportionate degree of force to do so. The judgement about the degree of force will always be made in the context of the perceived physical threat i.e. how badly injured would the person be if they had not taken steps to defend themselves.

Where the aim of physical intervention is to maintain good order it is essential that the member of staff takes into consideration the extent to which any such action might exacerbate the situation. The age and understanding of the pupil will be taken into account. Physical intervention should not be used to replace good behavioural management.

### **Authorised Staff**

Section 550A confers the responsibility for all staff to use reasonable force to control and or restrain children and young people in the same circumstances as would to be used by teachers. All staff if they are to use physical interventions must be authorised by the Principal to do so. This group comprises of all teaching, care and LSA staff together with the Family Liaison Officer and the Health Care Co-ordinator. The Principal will explicitly inform the people concerned and ensure that they are aware of and properly understand what the authorisation entails.

### **Planning for Incidents**

There are a wide variety of incidents in which reasonable force might be appropriate, or necessary, to control or restrain a child or young person. Generally there will be three main categories:

1. Where action is necessary in self defence or because there is an imminent risk or injury for example:
  - a. a pupil attacks a member of staff, another pupils or is self harming
  - b. pupils are fighting
2. Where there is an assessment that risk of injury, or significant damage to property for example:
  - a. a pupil is engaged in, or is on the verge of committing deliberate damage to property
  - b. a pupil is causing, or at risk of causing injury or damage by accident, rough play, out of control behaviour or the misuse of objects

- c. a pupil is running in a corridor or on a stairway in a way, in which he or she might have or cause an accident likely to injure him or herself or others
  - d. a pupil tries to leave the school without permission and such an action is judged to put them at risk within the community
3. Where a pupil is behaving in a way that is compromising good order and discipline:
- a. a pupil persistently refuses to obey an instruction to leave the classroom
  - b. a pupil behaves in a way that is seriously disrupting a lesson i.e. that learning becomes impossible for other members of the class

Where the school is aware that a child or young person is likely to behave in a way that may require physical control or restraint, it will be essential to plan how to respond if and when the needs arise. Such plans need to address:

- a. Managing the pupil (strategies to de-escalate the conflict, what holds to be used, what form of words are most likely to lead to calm).
- b. The involvement of the child or young person and their parents-carers in developing the plan this ensuring all parties are clear about what action will be taken and why.
- c. Staff awareness of the plan and their part in it (this may include specific training for staff most likely to be involved with the particular behaviour, an appropriate trainer is currently in the process of being identified).
- d. Planning where appropriate how additional support can be summoned in the event of the plan being used.
- e. Ensuring that the individual needs of the child or young person are taken into account, in some instances it will be necessary to consider the physical/health needs of the young person in order to ensure that holds are safe.

## Reasonable Force

There is no legal definition of reasonable force however consideration of what constitutes reasonable force will always depend on all circumstances in the case. In determining what constitutes reasonable force the following factors need to be taken into account:

- a. the use of force can be regarded as reasonable only if the circumstances of the particular incident warrant it. The use of any degree of force is unlawful if this is not the case. Therefore the use of force to prevent a pupil from committing a trivial misdemeanour or where resolution of the issue could be achieved without the use of force cannot be justified.
- b. 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 use of force will always be the minimum required to achieve the desired result.
- c. where force is applied it will be done in a manner that attempts to reduce rather than provoke a further aggressive reaction.
- d. the number of staff involved should be the minimum necessary to control/restrain the child or young person, whilst minimising the risk of injury to all parties.
- e. where the use of force is in self-defence if a person had done only what he or she honestly and instinctively thought was necessary, that would be the most potent evidence that only reasonable force was used.

Positive handling by staff can take several different forms. It might involve staff in any of the following:

- ❖ breaking up a fight
- ❖ blocking a pupils exit
- ❖ holding, pushing or pulling
- ❖ escorting the pupil by the hand or arm
- ❖ restraining a pupil

Every physical intervention should be planned and conducted within the context of recognised strategies for the use of reasonable force. Only in exceptional circumstances, where there is an immediate risk of serious injury should a member of staff act/take any necessary action that is consistent with the concept of reasonable force.

Staff will not act in a way that might reasonably be expected to cause injury, for example by:

- ❖ holding a pupil around the neck, by the collar, or in any other way that might restrict airways and circulation
- ❖ slapping, punching or kicking
- ❖ twisting or forcing limbs against a joint
- ❖ tripping a child or young person
- ❖ holding a child or young person by the hair or ear
- ❖ holding a pupil face down on the ground (except in exceptional circumstances)

During the course of any physical intervention use of the voice is likely to be the most effective tool available to staff in seeking to de-escalate the situation. Holds and restraints should be chosen with this in mind and staff should attempt to communicate with the child or young person at all times. More than one member of staff should be present at all times to minimise potential injury.

The use of supine and prone restraint should only be used in extreme circumstances and when all other techniques have either been tried or the judgement of staff is that it is the only way to safely control extreme aggressive and challenging behaviour. Should either of these techniques be used then the following will apply:

- a. the technique will only be used by staff specifically trained for the purpose
- b. the incident will be recorded in detail as prescribed in this policy and that information will be used to plan for the future the emphasis will be on how to avoid

- the situation arising again. The content of the plan will be shared with the pupil, parents and carers as well as colleagues from other agencies where appropriate
- c. the use of the technique will be carefully monitored by someone not involved in the restraint. Careful attention should be paid to the amount of time that the restraint is applied. It may be necessary to call other agencies to the scene if the pupil is failing to calm and there is concern about the safety of extending the use of the technique beyond 4 to 5 minutes
  - d. regular checks to ensure breathing and airways are clear are imperative during the use of the technique
  - e. all such incidents will be reported to the Principal within two working days. A full copy of the written record will be sent in addition to any plan that was in place at the time of the incident.

### **Recording, Reporting and Repair**

A written record of any occasion when the use of force has been made is required and established. The records include:

- ❖ the name(s) of the pupils involved
- ❖ the name(s) of all staff involved including witnesses
- ❖ when and where the incident occurred
- ❖ the reason that force was used and the nature of the force used, degree and type of hold
- ❖ the antecedents, detail of incident including what was said, duration
- ❖ pupils response and outcome of incident
- ❖ details of any injuries including marks to the skin
- ❖ details of damage to property

The report is to be kept securely within the school office and individual staff should retain a copy for their own use.

The record should be used to assist all concerned with planning to avoid repetition of the incident that caused the use of force. Similarly the record should be used to analyse what worked well and how it might be replicated as part of a planned response to out of control behaviour in the future. The outcome of all such planning should be captured in a written plan that is shared with the child/young person and their parents or carers.

Staff involved in an incident should be provided with support. They may need time to reflect upon their involvement in the incident and calm themselves before continuing with their duties. Similarly pupils involved in an incident will need time to calm down and reflect upon their part in it. It is only when pupils are provided with the opportunity to consider alternatives to the behaviour that caused the incident that any learning will take place.

### **Frequency of serious incidents requiring physical intervention**

Such incidents are rare in the extreme at St. Vincent's and as such pose a question with the respect to value for money and best and most efficient use of resources in respect of budget expenditure. Training in physical intervention has been undertaken by all staff. Further training is to be sought in safe movement techniques.

Whilst an appropriate trainer is to be identified it should be recognised that due to the nature of the pupil's special need we are accustomed to physical guiding through our mobility programme. The good principles established through mobility training are a sound foundation upon which positive physical intervention is being developed.