

# **WOODLANDS PRIMARY SCHOOL**



## **POSITIVE HANDLING POLICY**

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# **WOODLANDS PRIMARY SCHOOL – POSITIVE HANDLING POLICY**

## **1. The Legal Framework**

1.1 Positive Handling should be limited to emergency situations and used only in the last resort. Section 550A of the Education Act 1996 and DFEE Circular 10/98 allow teachers, and other members of staff at a school who are authorised (see Appendix 5) by the Headteacher, to use such force as is reasonable in circumstances where the pupil may need to be prevented from engaging in behaviours which are likely to cause injury to themselves, others or damage to property. The guidance extends this to maintaining good order and discipline, for both on-site and off-site activities.

Positive Handling should only be used when all other strategies which do not employ force have been tried and found unsuccessful or in an emergency situation.

There is no legal definition of reasonable force. The Criminal Law Act (1967) allows any person to use such force as is reasonable in the circumstances to prevent an offence (e.g. physical assault) being committed. Reasonable minimal force must be a matter of personal judgement. All teachers have a professional 'duty of care' within their job description which is underwritten by paragraph 58.7 of School Teachers' Pay and Conditions Document 2002. Together with the legislative framework this enables teachers and other members of staff in the school, authorised by the Headteacher (see Appendix 5), to use such force as is reasonable in the circumstances, to prevent a pupil from

- Committing an offence
- Causing personal injury to, or damage to the property of, any person (including the pupil himself)
- Engaging in any behaviour prejudicial to the maintenance of good order and discipline at the school or among its pupils, whether during a teaching session or otherwise.

(Examples of possible situations are given in Appendix 1)

### **1:2 What does it mean to restrain a child?**

Positive Handling is the positive application of force with the intention of protecting the child from harming himself or others or seriously damaging property. The proper use of Positive Handling requires skill and judgement, as well as knowledge of non-harmful methods of restraining.

The decision to use Positive Handling as restrictive physical intervention must take account of the circumstances and be based on an assessment of the risks associated with the intervention compared with the risks of not employing a restrictive intervention. It should only be used when all other de-escalation strategies have been exhausted. The physical intervention must also only employ a reasonable amount of force – that is the minimum force needed to avert injury or damage to property, or to prevent a breakdown in discipline – applied for the shortest period of time.

### **1:3 Why use restraint?**

Positive Handling should avert danger by preventing or deflecting a child's action or perhaps by removing a physical object, which could be used to harm him/herself or others. Positive Handling skillfully applied may be eased by degrees as the child calms down in response to the physical contact. It is only likely to be needed if a child appears to be unable to exercise self-control of emotions and behaviour.

## **2:1 General aims**

The staff at Woodlands Primary School recognise that the use of reasonable force is only one of the strategies available to secure pupil safety/well-being and also to maintain good order and discipline.

Our policy on the use of reasonable force is part of our overall pastoral care procedures and closely related to our school policies on managing pupil behaviour in the Behaviour for Learning Policy and our own Safeguarding Policy which adheres to the Local Authority Safeguarding guidance.

## **2:2 The aims**

- To protect every person in the school community from harm
- To protect all pupils against any form of physical intervention which is unnecessary, inappropriate, excessive or harmful
- To provide adequate information and training for staff so that they are clear as to what constitutes appropriate behaviour and to deal effectively with violent or potentially violent situations
- To use the minimum degree of force necessary to accomplish positive handling.
- To give full support to staff who have been assaulted or have suffered verbal abuse from pupils or others
- To maintain accurate records of incidents where Positive Handling has been employed.

## **2.3 Roles and responsibilities**

The role and responsibility of staff is detailed throughout this policy and in Appendix 5.

No staff should handle a pupil unless they have received up-to-date training (Team Teach training every 3 years). This will need to be taken into consideration when a Positive Handling Plan is being written – who may be involved with working closely with an individual pupil, who have not received recent training.

The only exception to this is in the case of serious concerns for the immediate wellbeing or safety of the individual or other pupils/ adults. Dealing with the incident should be handed over as soon as possible to a suitably experienced and trained member of staff.

We believe that it is essential that all procedures should be consistently applied and referenced by everybody who works with children in the school – for example, teachers, teaching assistants, mid-day staff and administration staff.

We expect and encourage all members of our school community to ask for help if they need it.

## **3:1 Risk Assessment**

Although the vast majority of children in Woodlands Primary School will never require any form of Positive Handling, staff may have to deal with some children who exhibit disturbed, distressed and distressing behaviour. It is therefore necessary to carry out risk assessment and it may be that individual children need an individual risk assessment that recognises the potential that there may be a need for Positive Handling. We will attempt to reduce risk by managing:

- The environment
- Body language
- The way we talk
- The way we act

### **3:2 Environmental Risk Assessment**

We seek to minimise risk in the school environment that may impact on behaviour – for example, good housekeeping, maintaining high standards and expectations of presentation, or regularly reviewing school and class values and expectations with the pupils and staff.

In individual cases, an environmental risk assessment may be carried out if required – if the need for handling is anticipated, this will be part of the Positive Handling Plan agreed between school, the pupil (if appropriate), and parents.

This is likely to have been informed by monitoring over time of behaviour, including triggers and responses to environmental factors – this will include consideration of for example, changes in staffing, relationships with other pupils, time of the day, subject being taught etc. In addition, staff may use the ABCD charts and Home-School communication books

### **3:3 Individual Risk Assessments**

The school's respect for the rights of the individual takes into consideration the context of The Human Rights Act (1998) and The United Nations Convention on the Rights of the Child (1991). The school's ethos and the guidance in this policy is based on the presumption that every adult and child is entitled to:

- The right not to be subjected to inhuman or degrading treatment
- The right to liberty and security: and
- The right not to be discriminated against in his/her enjoyment of those rights.

If we become aware that a pupil is likely to behave in a disruptive way that may require the use of reasonable force, it is our intention to plan how to respond if the situation arises. Such planning needs to address:

- Managing the pupil (e.g. reactive strategies to de-escalate a conflict, holds to be used if necessary)
- Involving the parents to ensure that they are clear about the specific action the school might need to take
- Briefing staff to ensure they know exactly what action they should be taking (this may identify a need for training or guidance)
- Ensuring that additional support can be summoned if appropriate

- If Positive Handling is likely to be necessary the school will draw up a Positive Handling plan together with information on:
  - de-escalation strategies
  - the manner in which the pupil will be held
  - how support can be summoned if needed
  - any medical factors to be considered.

In the vast majority of cases, this will be agreed with parents/carers. More detailed examples of risk assessment and preventative steps can be found in Appendix 2

#### 4:1 Procedures

In the event of Positive Handling having been used it is important to consider the strategies used which are deemed acceptable, and the recording procedures that should be in place. The Bound and Numbered book, which is kept in the Headteacher's office, must be completed in a timely manner, by the person administering the hold/restraint. Those present should contribute to this record to ensure that an accurate record is made of the event. This must then be countersigned by the Designated Safeguarding Lead, the Deputy DSL or the Headteacher. The Safeguarding Governor will check and countersign the records on a termly basis.

#### 4:2 Action Steps:

- Tell the pupil who is misbehaving to stop and state possible consequences of failure to do so
- If possible summon another adult for support
- Continue to communicate with the pupil throughout the incident
- Make it clear that restraint will be removed as soon as it ceases to be necessary
- Appropriate follow-up action should be taken, which may include:
  - Providing medical support
  - Providing respite for those involved

A calm and measured approach to a situation is needed and staff should never give the impression that they have lost their temper or are acting out of anger or frustration when handling a problem.

#### 4:3 Actions After an Incident

Positive handling often occurs in response to highly charged emotional situations and there is a clear need for debriefing after the incident, both for the staff involved and the pupil. **A member of the leadership team should be informed of any incident as soon as possible** and will take responsibility for making arrangements for debriefing once the situation has stabilised. An appropriate member of the teaching staff should always be involved in debriefing the pupil involved and any victims of the incident should be offered support, and their parents informed.

If the behaviour is part of an ongoing pattern it may be necessary to address the situation through pastoral support, which may include an anger management programme (ELSA), de-escalation plan, positive handling plan or other strategies agreed by the SENDCO/members of SLT. Outside agencies may need to be involved.

It is also helpful to consider the circumstances precipitating the incident to explore ways in which future incidents can be avoided.

All incidents should be recorded immediately in the Bound and Numbered Book and CPOMS. All sections of this report should be completed so that in the event of any future complaint a full record is available. Reports will be signed. A member of the leadership team will contact parents as soon as possible after an incident, normally on the same day, to inform them of the actions that were taken and why, and to provide them with an opportunity to discuss it.

## **5:1 Complaints**

We all have a duty of care to the children in our school and cannot escape our legal responsibilities by avoiding taking appropriate and necessary action. Involving parents when an incident occurs with their child, together with a clear policy adhered to by the staff, should help to avoid complaints from parents. It will not prevent all complaints, however, and a dispute about the use of force by a member of staff might lead to an investigation, either under disciplinary procedures or by the LADO, Police and Social Services department under Child Protection procedures.

Staff, subjected to physical violence or assault, have the right to be supported in making a formal complaint to the governors or police.

It is our intention to inform all staff, pupils, parents and governors about these procedures and the context in which they apply.

## **6:1 Statement for Parents**

In keeping with our home/school partnership, we will inform all parents/carers of our policy on Positive Handling. The Policy will be listed on the school website. The policy is available on request from the School Office.

We endeavour for parents/carer to recognise that

- Our emphasis is on care and protection for everyone within our school community
- Our belief is that everyone has a shared responsibility to ensure the safety and wellbeing of member of our school community – including, staff, pupils, parents, carers
- Our belief is that restraint will be needed on very rare occasions
- Our endeavour is to handle situations with care, respect for the individual and responsibility
- Our procedures will ensure that appropriate follow-up action will be taken, which may include:
  - Providing medical support
  - Providing respite for those involved

This policy will be revisited on a 3 yearly basis.

## **Appendix 1**

### **When might it be appropriate to use reasonable force?**

If a pupil is:

- Committing an offence
- Causing personal injury to, or damage to the property of, any person in our school (including the pupil himself)
- Engaging in any behaviour prejudicial to the maintenance of good order and discipline at the school or amongst its pupils, whether during a teaching session or otherwise

Examples of situations that fall into one of the first two categories are

- A pupil attacks a member of staff, or another pupil
- Pupils fighting
- A pupil is causing, or at risk of causing, injury or damage by accident, by rough play, or by misuse of dangerous materials, substances or objects
- A pupil is running in a corridor or on a stairway in a way in which he/she might have or cause an accident likely to injure her/himself 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 that fall into the third category are:

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

## **Appendix 2**

### **Strategies**

All teachers need to be aware of strategies and techniques for dealing with difficult pupils and steps, which they can take to defuse and calm a situation

- Move calmly and confidently
- Make simple, clear statements
- Intervene early
- Try to maintain eye contact
- If necessary, summon help before the problem escalates
- Remove audience from the immediate location.

There are situations where staff should not intervene without help: Assistance should be sought when dealing with:

- A physically large pupil
- More than one pupil
- When the teacher believes that s/he may be at risk of injury.

In those circumstances where the member of staff has decided that it is not appropriate to restrain the pupil without help they should:

- Remove other pupils who might be at risk
- Summon assistance from colleagues
- Inform the pupil(s) that help will be arriving
- Until assistance arrives, the member of staff should continue to attempt to defuse the situation orally, and try to prevent the incident from escalating.

The method of restraint employed must use the minimum force for the minimum time and must observe the following requirements:

Restraint must NOT

- Involve hitting the pupil
- Involve deliberately inflicting pain on the pupil
- Restrict the pupil's breathing
- Involve contact with sexually sensitive areas.



During any incident the restrainer should:

- Offer verbal reassurance to the pupil
- Cause the minimum level of restriction of movement
- Reduce the danger of any accidental injury

Physical intervention can take several forms. It might involve staff:

- Physically interposing between pupils
- Blocking a pupil's path
- Holding
- Pushing
- Pulling
- Leading a pupil by the hand or arm
- Shepherding a pupil away by placing a hand in the centre of the back; or in extreme circumstances) using more restrictive holds.

### **Some Dos and Don'ts**

#### **DO**

- Be aware of any feelings of anger
- Summon help
- Continue to talk to the pupil in a calm way
- Provide a soft surface if possible
- Be aware of any accessories worn by you or the pupil
- Hold the pupil's arms by his/her sides

#### **DON'T**

- Try to manage on your own
- Stop talking even if the pupil does not reply
- Straddle the pupil
- Push arms up the back
- Touch the pupil near the throat or head

- Put pressure on joints

### **Appendix 3**

#### **Reporting and Recording Proforma to include:**

- Date of incident
- Time of incident
- Pupil Name: D.o.B
- Member(s) of staff involved
- Adult witnesses to restraint
- Pupil witnesses to restraint
- Outline of event leading to restraint – including other strategies tried and reasons for using Positive Handling rather than another strategy
- Outline of incident of restraint (including restraint method used):
- Outcome of restraint
- Description of any injury(ies) sustained by injured pupil and any subsequent treatment
- Date and time parent/carer informed of incident: By whom informed:
- Outline of parent/carer response
- Signature of staff completing report
- Brief description of any subsequent inquiry/complaint or action if necessary

## **Appendix 4**

### **Training**

It is the responsibility of the Headteacher to ensure that staff are fully informed of the school policy and understand what authorisation entails.

It is the responsibility of the Headteacher to arrange training or guidance to staff, possibly through a senior member of staff.

An up-to-date list of ,authorised staff should be maintained within school and teachers should know who they are.

There are no government approved training techniques for Positive Handling. It may wish to consult with the Local Education Authority if any particular course of training is to be embarked upon. Woodlands Primary School have accessed the Positive Handling programme provided through Donna Davies (Behaviour Consultant)

Additional advice and support on managing behaviour can be provided through the Educational Psychology Service or Behaviour Support Service.

## **Appendix 5**

Authorised Staff From section 550A of The Education Act 1996: 9. The Act allows all teachers at a school to use reasonable force to control or restrain pupils. It also allows other people to do so, in the same way as teachers, provided they have been authorised by the Headteacher to have control or charge of pupils. Those might include classroom assistants, care workers, midday supervisors, specialist support assistants, education welfare officers, escorts, caretakers, or voluntary helpers including people accompanying pupils on visits, exchanges or holidays organised by the school.

Headteachers should identify people, other than teachers, whom they wish to authorise to have control or charge of pupils and therefore be able to use force if necessary. Authorisation may be on a permanent or long term basis because of the nature of the person's job, or short term for a specific event such as a school trip. The Head should explicitly inform the people concerned, and ensure that they are aware of and properly understand what the authorisation entails. To ensure that, Heads may find it helpful to arrange for a senior member of the teaching staff to provide training or guidance. They should keep an up-to-date list of authorised people and teachers know who they are.