

TORFIELD AND SAXON MOUNT ACADEMY TRUST

FEDERATION POSITIVE HANDLING POLICY

MAY 2019

POSITIVE HANDLING POLICY

Introduction

Recent Guidance from the Government “Use of reasonable force: Advice for headteachers, staff and governing bodies July 2013 advises that, “Schools should not have a ‘no contact’ policy. There is a real risk that such a policy might place a member of staff in breach of their duty of care towards a pupil, or prevent them taking action needed to prevent a pupil causing harm..” Therefore at Torfield and Saxon Mount we adopt safe and secure measures to safeguard the well-being of all our pupils. Measures include training all staff working with pupils in Team Teach (a course designed to give staff skills in de-escalation techniques and positive handling techniques when judged necessary).

Policy Statement:

Saxon Mount and Torfield staff are committed to promoting the protection and well-being of all pupils in the school. This includes maintaining a safe and supportive learning environment for all pupils. Staff will apply behaviour systems (see Behaviour Policy revised May 2019) consistently and fairly whilst also being mindful of the individual Special Educational Needs of each child and therefore the context of their behaviour. This policy should also be read in conjunction with the Child Protection and Safeguarding Policy, East Sussex guidance on Positive handling/Use of reasonable force April 2019 and DFE guidance Keeping Children Safe in Education September 2018.

Decision-making skills, assertiveness and the development of a positive self-image and self-esteem are essential elements affecting children’s ability to make good choices in relation to their behaviour. Practising and developing these skills with our pupils takes place in Sulp lessons and through work in Citizenship/PHSE or Talking Together lessons and in Enterprise, My Future Starts Here, Careers and Transition classes, and assemblies. Pupils have a very clear understanding of the likely consequences of engaging in different types of behaviour and these consequences are applied consistently, with consideration to circumstances and pupil context. Rewards are clearly attainable through engagement in positive behaviour, and recognition of effort in managing difficult situations is always given.

Rationale for Physical Intervention (Positive Handling)

Section 93 of the Education and Inspectors Act 2006 enables school staff to use reasonable force to prevent a pupil from :

- Committing any offence
- Causing personal injury to, or damage to property of, any person (including the person themselves)
- Prejudicing the maintenance of good order and discipline at the school or among any pupils receiving education at the school, during a teaching session or otherwise

To translate this for our school, staff will positively handle a pupil if, after consideration of the de-escalation strategies effectiveness in this situation:-

- The pupil is behaving in a way likely to put themselves or another pupil or staff member at risk
- The pupil is likely to injure themselves or another person
- The pupil is likely to damage property
- The pupil is disrupting the learning of others and is refusing to move out of the situation in an acceptable way.

Minimising the need to use Positive Handling

As part of the Team Teach training the fundamental element of de-escalation and positive choice making is the preferred method for managing any conflict situation. Therefore the schools have developed a calm, low arousal environment with visual opportunities for time out, to allow for pupils to manage their own behaviour and emotions, minimising the need for physical intervention. (See ASD Accreditation feedback relating to environment 2017 and 2016, respectively for Torfield and Saxon Mount Schools). Social skills and SEAL objectives are part of teachers' lesson planning, giving pupils the opportunity and experience to manage feelings and engage positively with others. PHSE lessons (in KS3) and Citizenship allow for planned opportunities for groups to explore emotional and social issues with staff and their peers and talk about situations that may have arisen. Information about each pupil is collated and shared with staff allowing everyone to have up-to-date relevant knowledge about each child and their individual needs. Documentation can include:-

- Pupil Profile
- Behaviour Plan if behaviour has been and is likely to be a current concern; (behaviour plan may include when to contact as necessary)
- Individual Education Plan
- Individual risk assessments
- Group risk assessments
- Activity and area risk assessments
- Individual risk assessments for pupils who may need physical intervention and represent a high risk to themselves or others.

Deciding when to use physical intervention

The decision about when to use physical intervention is based upon five elements:-

- Risk of harm or damage or disruption if physical intervention is not used
- Professional judgement of the member of staff of that situation and how the child is behaving and responding
- Prior knowledge of the pupil and their profile/behaviour plan and therefore the likely outcome of a given situation
- De-escalation techniques, talking, 'time out', different place have all been offered but the behaviour remains a risk.
- Behaviour of the pupil is having a damaging effect on the well-being or learning of other pupils

Using physical intervention

The method of physical intervention must reflect the law in that staff will use minimal force necessary to prevent the child harming others, themselves, property or the good order and well-being within the school. Good practice would indicate that wherever possible pupils should be warned of physical intervention prior to making contact. However, our duty of care to keep all pupils and adults safe must be of paramount importance. Only techniques taught through the Team Teach program should be used although a situation may arise that has not been covered through the Team Teach program and staff members will need to make professional judgements as to the appropriate response to keep everybody safe. Wherever possible, two members of staff should support positive handling either both in a contact role or one active and one as an observer. Physical intervention will only be used as necessary and stopped at the earliest safe opportunity. Physical intervention is never applied as a form of punishment. Whilst physical intervention is used, de-escalation and talking techniques should also continue although if two members of staff are supporting a pupil then only one should be talking to the pupil.

Staff training

Staff at Torfield and Saxon Mount who work directly with pupils have opportunities to participate in the Team Teach course and the qualification is renewed by the school bi-annually as recommended. All staff who work directly with pupils that have been trained in Team Teach, are required as part of their duty of care to physically intervene if necessary.

Recording and reporting Incidents

All physical interventions are recorded as soon after the incident as is practicable on a Team Teach incident form. The reports are then recorded in the logbook and filed together, with administration staff maintaining an accurate record of incidents per term. Staff involved in physical intervention inform the Assistant Headteacher responsible for pupil well-being or SLT that an intervention has taken place. After an incident requiring physical intervention, the parents will be informed and follow up action with the pupil via the behaviour system may be required.

Post incident support

Pupils requiring physical intervention will be given 'time out', time in the Blue Room (Saxon Mount), or in the case of Torfield, time in the classroom or another suitable calm area. Parental involvement may be necessary depending on the seriousness of the incident. At the conclusion of an incident, staff will work with pupils to identify what happened and how they could have responded differently. This may lead to an updated behaviour plan or risk assessment depending on the likelihood and severity of a situation occurring again. Staff involved in physical intervention will be supported by their colleagues and line managers as required. This may include discussion of the incident at the end of the day and an evaluation of the success of the response in supporting the pupil with their behaviour. New information may be shared with year teams / class teams to update the behaviour plan if necessary.

Complaints and Allegations

1. Complaints Procedure

If a person wishes to complain about Torfield and Saxon Mount Academy Trust Schools, their complaint should be managed using our complaints policy / procedure, which is briefly summarised below:

- a) All complaints however they are received (for example in person, by telephone, post, e-mail or fax) will be managed promptly, politely and respectfully.
- c) Initially, the complaint should be made to the class teacher/form tutor
- b) If this does not resolve the matter, then the complainant should be directed to the Head of School and / or Executive Head and ultimately the school governors.
- c) All complaints should be logged and how the situation was resolved should be recorded.
- d) The school will use ESCC guidance on complaints.

2. Allegations

It is essential that any allegation made against a teacher or other member of staff or volunteer at Torfield and Saxon Mount Academies Trust Schools is dealt with fairly, quickly, and consistently, in a way that provides effective protection for the child and at the same time supports the person who is the subject of the allegation.

The framework for managing cases of allegations of abuse against people who work with children is set out in 'Keeping Children Safe in Education Statutory Guidance for schools and colleges' (DfE, September 2018), which states that all schools should use this guidance to review and, where appropriate, modify their practice and procedures for dealing with allegations of abuse made against teachers and any other staff in their school.

This document outlines what should happen if you have concerns that any member of staff has behaved towards a child or children in a way that indicates they may be unsuitable to work with children.

You may have concerns that an adult has behaved in a way that has harmed or may harm a child, or possibly committed a criminal offence against, or related to, a child.

It is acknowledged that having to make a disclosure against a fellow colleague is both sensitive and potentially distressing. However it is very important that you do proceed.

What is the procedure?

If a child or adult makes an allegation towards a member of staff about their conduct then the following procedure takes place.

- Pupil or member of staff reports concerns to a member of SLT, usually the Designated Safeguarding Lead
- DSL investigates incident and takes individual accounts from all those present, both adults and children
- All witness statements are treated in confidence. They are collated and findings discussed with the Head of School and the Executive Headteacher.
- Parents are contacted to inform them that an allegation has been made and that an investigation will take place.
- In situations where allegations are proved unfounded, all witness statements are stored in a pupil file marked confidential.
- In situations where the allegations are more serious in nature or are supported through witness testimony then the case is referred to the Executive Headteacher (in the case of the Executive Headteacher, to the Chair of the Board of Directors) and the Local Area Designated Officer
- The school may consult with the LADO during any part of the procedure

The possible actions following this might be

Referral to SPOA

A Children's Services assessment

A police investigation

Possible disciplinary action by the school

Supporting those involved

Parents and carers

Parents and carers should always be informed as soon as possible, about the progress and outcome of the case. In some circumstances in which the police or social care may need to be involved, the local authority officer should consult those colleagues about how best to inform parents/carers.

What support is put in place for staff?

The school should also keep the person subject of the allegations informed of the progress of the case and consider what other support is appropriate for the individual.

That may include support via the local authority occupational health or employee welfare arrangements. If the person is suspended, the school should also keep the individual informed about developments at school. There is not a requirement to automatically suspend a member of staff where an allegation has been made unless their continued presence is considered to be a risk.

Personnel who are subject to an accusation should get in touch with their union as soon as possible.

Personnel who have made a complaint may also wish to seek support. This can be done through their union or the LA services available.

Monitoring and review

Policies are monitored as part of the whole school cycle of policy evaluation. However, nationally directed changes to procedure will also be reflected when updating the policy. Practice is monitored at each incident discussion stage and any need for additional training, adjustments in provision or updates to behaviour plans or risk assessments are actioned immediately by the SLT.

Governors and Parents:

The Governors and parents are informed of the law in relation to the 'duty of care' of the school and its staff towards the pupils. There is a statement in the school Information for Parents document which explains the school's legal responsibility and how it would translate into practice. Prospective parents are informed about this as part of their initial visit to the school. The Academy Advisory Board monitor the number of physical interventions and discuss these with senior staff.

This policy is monitored on a day-to-day basis by the Heads of School, who report to the Executive Headteacher and the Board of Directors about the effectiveness of the policy on request.

DATE: May 2019

Chair of Governors.....

Date.....

Headteacher.....

Date.....

DATE FOR REVIEW:.....May 2021.....