



25a. Positive Handling and Use of Reasonable Force Policy

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See EOTAS policy control document (held by the Business Manager) for status, notes and actions pertaining to this policy



Positive Handling and Use of Reasonable Force Policy

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1.0	Adopted	December 2018	Headteacher	Adoption of 25a. Positive Handling and Use of Reasonable Force Policy
2.0	Reviewed	December 2020		Review of Policy
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Introduction

This Swindon EOTAS Policy on Positive Handling and The Use of Reasonable Force should be read in conjunction with the Swindon Borough 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 pupils.

This policy has been prepared for the information of all teaching and support staff who come into contact with pupils, and for volunteers working within the school, to explain the school's arrangements for managing challenging behaviour.

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

At EOTAS SWINDON 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 pupil needs. Any such measures will be most effective in the context of the overall ethos of the **centre**, 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 **service**:

- Clearly understand this policy and their responsibilities in the context of the duty of care in taking appropriate measures where the use of force is necessary and
- Are provided with appropriate training to deal with these difficult situations
- All **EOTAS SWINDON** staff are trained in skills to help them defuse situations before behaviour becomes challenging and in how to de-escalate incidents should they arise.

As teaching and non-teaching staff work 'in loco parentis' and have a 'Duty of Care' towards their pupils, 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. All students have a pupil passport and risk assessment where required, these plans must be followed and implemented by all members of staff.

Staff, therefore, have a responsibility to follow this policy and to seek alternative strategies wherever possible providing a gradual, graded system of response 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 which 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 Training

EOTAS SWINDON is committed to using Team Teach **techniques**, including using de-escalation strategies.

All permanent staff in regular contact with pupils receive training and updates in Team Teach techniques and the very clear protocols accompanying it. Team Teach training is provided as part of the induction for staff and it is then the responsibility of the Heads of College to ensure this training is kept up to date.

Team Teach is a tool to support staff, it is not a legal requirement as all members of school staff have the legal power to use reasonable force. This power applies to any member of staff at the school. This power should only be used 'in loco parentis' with a 'Duty of Care' towards the pupils in their care.

At EOTAS SWINDON it is expected that staff will support one another to the best of their ability in all situations around the colleges and in particular with regard to situations that require positive physical intervention.

Quotes from Team Teach:

A breach of duty of care may involve [.....] failing to take reasonable action (acts of omission). Where risk is foreseeable there is no excuse for waiting until damage or injury occurs. A responsible approach is to anticipate what could go wrong and look at what steps can be taken to prevent it

Employees also have a duty to take all reasonably practicable steps to ensure that they do not take any action, or make any omission, that creates a risk, or increases an existing risk, to the health or safety of themselves, or other persons

Staff are also trained to understand that when a colleague is involved in an incident in which the pupil is being aggressive, a change in staff involved is an



effective strategy for de-escalating the situation. Therefore, staff are expected to offer help to colleagues to avoid a situation escalating. This is often referred to as a 'change of face'.

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, diffusion and de-escalation. Non Physical Intervention; changes to the physical environment, use of space and an understanding of personal space, body language, facial expressions, volume, tone, pace and pitch of voice, choice of words and sticking to the script.

1. Physical Contact

Situations in which proper physical contact occurs between staff and pupils, e.g., in the care of pupils 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 IEB would fully support this approach.

2. Positive Handling

These are interventions, including contingent touch, which may be used to divert a pupil from a destructive or disruptive action, for example guiding or leading a pupil by the arm or shoulder where the pupil is compliant or supportively holding a pupil 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 emphasized enough and in the hands of a skillful practitioner many pupils 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.

3. Restrictive Physical Intervention/Restraint

This will involve the use of reasonable force when there is an immediate risk to pupils, staff, property or good order/discipline in the school. **All such incidents must be recorded (within 24 hours) on CPOMs.** If anyone is injured the appropriate accident form(s) (available in the reception office) must also be completed. Records of incidents must be given to the H&S Officer as soon as possible, and within 24 hours at the latest.

Restraint/Restrictive Physical Interventions; to hold back physically or to bring a pupil under control, typically used in more extreme circumstances. The level of compliance from the pupil 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.

Planned and emergency physical interventions

A planned intervention is one that is described/outlined as a result of the latest pupil passport or risk assessment. This should cover all de-escalations, 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 pupil. Members of staff retain their duty of care to pupils 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.

When Restrictive Physical Intervention is Necessary:

- Where the 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 property damage.
- where a pupil is behaving in a way that is compromising good order or discipline.

In all instances, Restrictive Physical Intervention should use the minimum degree of force necessary for the shortest period of time to prevent a pupil from 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 pupil, but it is possible that this may occur, a regrettable and infrequent side effect of ensuring that the pupil remains safe. Any such injury will be reported using the appropriate accident form and recorded on CPOMs.

Support Following Incidents

Any member of staff or pupil at the EOTAS SWINDON 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.

A debrief of the incident should be carried out to seek an understanding of the incident and any lessons that can be learned. It also allows the young person involved to talk through the incident when they have had time to calm

Recording, reporting and monitoring incidents



Where Positive Handling or Restrictive Physical Intervention has been used, a record of the incident will be kept. This record should be made and written up by the member of staff who initiated the Intervention on CPOMs.

Appropriate documentation will be completed as soon as possible after the incident, and certainly within 24 hours. An accident form will be completed in situations where injury has occurred to either member of staff or pupils.

All incidents are recorded on SIMS and on CPOMs and will be reported to parents.

Heads of College and DSL (Designated safeguarding lead) will review reports of incidents termly to ensure that staff are following the procedures and to be alert to any pupil(s) whose risk assessment may require amending.

This will be reported to the Headteacher as part of the behaviour and attendance report for the IEB, and a member of the IEB will be involved in reviewing behaviour trends and responses.

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, EOTAS SWINDON will follow the LSCB protocol, as explained in the section 'Allegations against Staff' in the South West 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. See relevant policies for complaints and disciplinary

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 pupils includes the requirement to report any such matters which cause them concern in relation to pupil management and welfare. Any such concerns should be raised with the Headteacher or with the Chair of EOTAS SWINDON IEB in order to allow concerns to be addressed and practice improved.

Reference documents

DCSF, The Use of Force to Control or Restrain Pupils – supersedes Circular 10/98 - <http://www.teachernet.gov.uk/doc/12187/ACFD89B.pdf>



Guidance on the Use of Restrictive Physical Interventions for Pupils with Severe Behavioural Difficulties, Joint Guidance DfES and DoH, 2003 – www.teachernet.gov.uk/wholeschool/sen/piguide

The Children's Act 1989

http://www.opsi.gov.uk/acts/acts1989/Ukpga_19890041_en_1.htm

Children Services, Schools & Learning Policy on Positive Handling and the Use of Reasonable Force 2008 <http://www.swindon.gov.uk/>

Use of reasonable force Advice for head teachers, staff and governing bodies 4/12 <http://www.education.gov.uk/schools/pupilsupport/behaviour>

