



# Positive Handling and Physical Intervention Policy

Date of Governing Body's Approval: March 2022

Chair of Governors:

A handwritten signature in black ink, appearing to read "Judith", written over a horizontal line.

Head Teacher:

A handwritten signature in black ink that reads "Helen Key".

Recommended Review Period: 2 yearly

Date for Review: December 2023

This policy has been prepared in accordance with East Sussex County Council Positive Handling and Physical Intervention Guidance 2019 and should be read in conjunction with that document.

## PHYSICAL INTERVENTION AND RESTRAINT POLICY

At Chailey School we are committed to a behaviour policy which encourages children to make positive behaviour choices. On rare occasions circumstances may result in a situation that requires some form of physical intervention by staff. Our policy for physical intervention is based upon the following principles:

- Physical intervention should be used only as a last resort when other appropriate strategies have failed and it is required to keep all members of the community safe from potential harm
- Any physical contact should be only the minimum required
- Physical intervention must be used in ways that maintain the safety and dignity of all concerned
- Incidents must be recorded and reported to a member of SLT as soon as possible
- Parents must be informed of each incident

### 1. The Legal Framework

Section 93 of the Education and Inspections Act 2006 allows

'teachers and other persons who are authorised by the Head Teacher who have control or charge of students to use such force as is reasonable in all the circumstances to prevent a student from doing, or continuing to do, any of the following:

- causing injury to himself/herself or others
- committing an offence
- damaging property
- prejudicing the maintenance of good order and discipline'

The decision to use positive handling or physical interventions must be taken in the context of the level of risk presented by the behaviour, the seriousness of the incident, and the relative risks of the use of any physical intervention compared with any available alternative.

The use of any physical intervention must also take account of the characteristics of the student including their age, gender, special educational needs, physical needs or disability, developmental level or cultural issues.

### 2. Our Approach

At Chailey School we aim to avoid the need for physical intervention and regard this as a last resort to be used in a very small minority of situations. We always aim to deal with behaviour using a positive approach and, therefore, this policy should be read in connection with our Behaviour Policy.

It is not possible to define every circumstance in which physical restraint would be necessary or appropriate and members of staff will have to exercise their own judgement in situations which arise within the above categories. Members of staff should always act within the school's policy on behaviour and discipline, particularly in dealing with disruptive behaviour.

Members of staff should be aware that when in charge of children during the school day or during other activities, they are acting in *'loco parentis'* and have a *'duty of care'* to all children of whom they are in charge. They must, therefore, take reasonable action to ensure **all** students' safety and well-being. Members of staff are not expected to place themselves in situations where they are likely to suffer injury as a result of their intervention.

### 3. Defining Terms

3.1 This policy applies to all students whose behaviour may place themselves and/or others at risk.

3.2 Restrictive physical interventions may include:

**Bodily contact:** where the physical presence of one or more people is used to control a child or young person, for example two people holding a person so as to restrict their mobility.

**Environmental change:** applying a change within the environment for example, the use of locked doors or key pads to prevent access to or from an area.

Chailey School does not view as acceptable practice within its context mechanical restriction: the use of belts, straps or clothing that restricts the freedom of movement, for example the application of arm splints to prevent self-injurious behaviours.

Restrictive physical interventions may be assessed, in very extreme and unusual situations, as appropriate interventions within the Chailey School setting but must always be accompanied by short and long-term behaviour support strategies that will work towards a reduction in the use of physical interventions if used in a planned or proactive manner. (See section 3.3)

3.3 Emergency physical intervention is the use of physical intervention in a situation of significant risk that was unforeseeable. Planned physical intervention is the proactive use of physical intervention as part of an overall behaviour support plan aimed at reducing the level of risk presented by behaviour and accompanied by appropriate preventative strategies.

### 4. Risk Assessments

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

- strategies to be used prior to intervention
- ways of avoiding 'triggers' if these are known
- involvement of parents to ensure that they are clear about the specific action the school might need to take
- briefing of staff to ensure that they know exactly what action they should be taking [*This may identify a need for training or guidance*]
- identification of additional support that can be summoned if appropriate
- the school's duty of care to all students and staff

### 5. Use of Physical Restraint

**Physical restraint should be applied as an act of care and control with the intention or re-establishing verbal control as soon as possible and, at the same time, allows the student to regain self-control. It should never take a form which could be seen as punishment.**

Members of staff are only authorised to use reasonable force in applying physical restraint, although there is no absolute definition of this. What constitutes reasonable force depends upon the particular situation and the student to whom it is being applied. Teachers should apply de-escalating tactics, where possible.

In all circumstances, alternative methods should be used, as appropriate, with physical intervention or restraint, as a last resort.

When physical restraint becomes necessary:

## DO

- tell the student what you are doing and why
- use the minimum force necessary
- involve another member of staff if possible
- tell the student what she/he must do for you to remove the restraint [*This may need frequent repetition*]
- use simple and clear language
- hold limbs above a major joint if possible – e.g. above the elbow
- relax your restraint in response to the student's compliance

## DON'T

- act in temper [*involve another member of staff if you fear loss of control*]
- involve yourself in a prolonged verbal exchange with the student
- involve other students in the restraint
- touch or hold the student in a way that could be viewed as sexually inappropriate conduct
- twist or force limbs back against a joint
- bend fingers or pull hair
- hold the student in a way that will restrict blood flow or breathing – e.g. around the neck
- slap, punch, kick or trip up the student
- use physical restraint or intervention as a punishment

## 6. Prevention strategies

- 6.1 Prevention of critical incidents and appropriate support of individual children and young people are paramount. Effective individualised support of children and young people can prevent challenging behaviour and reduce the likelihood of incidents escalating. A graduated response must be adopted.
- 6.2 Chailey School will ensure that staff:
- identify personal and environmental factors, which impact on individual students
  - assess the reasons why students use particular challenging behaviours
  - ensure that we develop strategies that help prevent challenging behaviour through effective support, therapeutic input and professional input
  - ensure access to appropriate professional support for students
  - monitor and evaluate behaviour and continue to review interventions accordingly
- 6.3 Primary prevention will be achieved by:
- holding positive views of students and building on the relationships valued by the child or young person
  - developing positive relationships with children and young people based on mutual respect and shared boundaries
  - creating an environment in which students and staff feel safe and secure
  - ensuring staff have the appropriate skills to effectively support students
  - supporting students, as far as is possible, to understand their behaviour and learn alternative ways of expressing themselves or achieving their desired aim through alternative methods
  - encouraging effective and consistent support from the family unit or carers
  - involving, listening and taking account of the views held by the student in their personal plan
- 6.4 Secondary prevention should be used where primary prevention has been ineffective and is achieved by:
- ensuring staff have clear guidance and appropriate skills
  - recognising the personal indicators exhibited by individual students when they are

- having difficulty in managing their emotional state or are reaching crisis
- identifying previously successful diversion and de-escalation strategies, these must be incorporated in to the personal behaviour support plan
- identifying emerging risk indicators
- ensuring there is a written record

6.5 Staff must be mindful of the elevated levels of risk associated with:

- use of clothing or belts to restrict movement
- holding someone on the floor or forcing them to the floor
- any procedure which restricts the airways
- extending or flexing joints
- pressure on neck, chest or abdomen

The level of restraint employed must be the minimum necessary.

## **7. Emergency physical interventions**

- 7.1 On occasions it may be judged by a member of staff or team that the use of a physical intervention may be appropriate given a level of relative risk in a situation that could be described as unforeseeable. Staff will remain responsible and accountable for their actions or inaction and must still act within current legislation and guidance.
- 7.2 The use of force may be justified and staff must remain aware of section 1 of this document. It is the case that in the event a member of staff/employee uses a physical intervention in an emergency the use of force must be justified and lawful. Staff/ employees are to be mindful of criminal and civil law as well as their duty of care. In an emergency the force used and the actions taken must be reasonable in that there was no alternative course of action that would have achieved a similar outcome.

## **8. Proactive use of physical intervention**

- 8.1 If physical interventions are used in a planned manner the individual child or young person and/ or their parents and carers should wherever possible be involved in the plan.
- 8.2 The plan should follow a gradient approach and it is an expectation that staff should
- ensure there is an appropriate assessment of the target behaviour(s) and the function of the behaviour has been identified so far as is possible
  - identify actions which will reduce the anxiety levels which lead to the behaviour being exhibited
  - identify the primary prevention strategies and link to a behavioural risk assessment
  - clearly inform staff of the secondary preventative strategies or action
  - be specific in identifying the target behaviours which are of concern and behavioural indicators
  - be specific in terms of long term and short term behaviour target, and
  - identify when it may be necessary to use a physical intervention and if possible identify which physical intervention technique is assessed as being the most appropriate.
  - Review the plan at least every six months

## **9. Reporting and recording**

- 9.1 A systematic reporting and recording process, which meets statutory obligations and is approved by East Sussex County Council, should be used.

In the event of the use of restrictive physical intervention it will be important to record the following:

- personal information relating to the student
- the context of the incident, time of day, location, environmental issues
- who was present including other students, staff, members of the public or family members
- type of incident and relative risk
- antecedent factors, what happened before the incident
- what alternative actions had been tried to prevent the escalation of the incident
- the reason that physical intervention was used and identify the technique
- what occurred following the incident, de-brief, support and the care of the student, or adult including others present,
- information shared with others including the student and their parents/carers and other professionals.

To be retained in the student file:

- A description of the behaviour(s) which led up to the use of a physical intervention.
- What alternative strategies had been tried and why they failed to be effective.
- A description of the technique which was used, the length of time it was used and the outcome
- Who used the physical intervention
- Who was present.
- Any injuries that occurred throughout the incident to student/Staff/other people
- De-brief notes and comments of the student
- De-brief notes of any witnesses and their comments
- De-brief notes of the staff members involved and their comments

9.2 Any injuries that occur to students or staff during a physical intervention must be reported and recorded in line with the Reporting and investigation of incidents policy.

## 10. Actions after an Incident

Physical restraint often occurs in response to highly charged emotional situations and there is a clear need for debriefing after the incident, both for the member/s of staff involved and the student. **A member of SLT 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 student involved and any victims of the incident should be offered support – and their parents informed.

If the behaviour is part of an on-going pattern, it may be necessary to address the situation through the development of a behaviour plan which may include an ESBAS intervention, or other strategies agreed by the Inclusion Manager.

All incidents should be recorded immediately on the Student Restraint Report Form *[attached]*. All sections of this report should be completed so that any patterns of behaviour can be identified and addressed. In the event of any future complaint or allegation this record will provide essential and accurate information.

A copy should be filed in the child's appropriate file and in a central school file in order to inform individual and school risk assessments.

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.

## **11. Training**

The Headteacher must identify ongoing training needs for their staff to ensure they have the necessary skills to respond to pupils and also to make arrangements for such advice training and support to be made available to their staff.

Risk Assessments (including the completion of paperwork) is included in MAPA training. MAPA (Management of Actual or Potential Aggression) Training is available to school staff.

For more information please contact: [esbas.training@eastsussex.gov.uk](mailto:esbas.training@eastsussex.gov.uk)

The British Institute of Learning Disabilities (BILD) recommend that the MAPA training is refreshed annually

## **12. Complaints and Allegations**

A clear restraint policy, adhered to by all members of staff and shared with parents should help to avoid complaints from parents. It is unlikely to prevent all complaints, however, and a dispute about the use of force by a member of staff might lead to an investigation.

# RECORD OF PHYSICAL INTERVENTION OR RESTRAINT

**Date of Incident:** ..... **Time of Incident:** .....

**Name of Student:** .....  
*[Block Capitals Please]*

**Date of Birth:** .....

**Member/s of Staff Involved:** .....

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**Adult Witnesses to Restraint:** .....

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**Student Witnesses to Restraint:** .....

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**Outline of Event Leading to Restraint**

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**Outline of Incident of Restraint [Including restraint method used]**

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