



Hampden House Positive Handling Policy 2019

Adopted by the Management Committee:

Signed:

Date: June 2019

Chair of Management Committee

Review date: June 2021

Member of staff responsible for review: Headteacher

Positive Handling Policy

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Foreword:

As Pupil Referral Unit our mission is to set ambitious goals for ourselves and our students. We are confident that this is essential if we are to challenge our students to make the necessary changes in their attitudes and subsequently to their lives. We believe that this goal must be set within a framework that recognises and celebrates diversity and difference, but which also works within carefully defined and agreed rules and boundaries within which our students feel safe.

Our ultimate aim is to provide all our students with a strong framework of high quality educational provision that will meet their individual needs. Alongside this we aim to provide opportunities to grow personally, emotionally and socially. We recognise that for some students the pathway by which these aims are achieved will be different from that provided for others. However, we maintain the same aims for all our students, whatever the routes by which we achieve them.

We work within a framework of equal opportunities, stability and security, so that our students, both on our premises and where we work with them within alternative and vocational settings, are encouraged and challenged to develop academically, emotionally, personally and socially in preparation for the next stage in their education.

We aim to ensure that our services reach out to the socially disadvantaged and those who experience discrimination. In all areas of our activity we aim to reflect diversity as an employer and as a service provider.

With this document, we demonstrate how we will ensure that, where students present the most challenging and potentially dangerous behaviour, we will treat them at all times with dignity, compassion and humanity, protecting their rights and maintaining privacy and protection from the possible criticism of others. We will act professionally to keep individuals and groups safe from harm. This will apply to adults and students alike. Our training and our inclinations lead us always to proceed, in any potentially hazardous situation, with the needs of the whole child at the heart of all our actions. We will therefore use the minimum intervention compatible with maintaining the safety of individuals and the good order of the school as a whole. Following any use of positive handling we will conduct a review of events and seek to learn lessons in order, constantly, to improve our practice and our provision.

This policy draws together good practice with regard to legislation and guidance. It is informed by DfE Guidance on Pupil Behaviour and Discipline in Schools updated January 2016; DfE Guidance on the Use of Reasonable Force in Schools 2013; and DfE Guidance on Searching, Screening and Confiscation 2014 (updated January 2018). Keeping Children Safe in Education 2015 (updated September 2018) and Guidance for Safe Working Practice for the Protection of Children and Staff in Education Settings 2009 were also drawn on.

This policy should be read in conjunction with Hampden House's Behaviour and Discipline Policy and Child Protection and Safeguarding Policy.

Introduction:

Schools have a duty to promote good behaviour and discipline. The PRU Management Committee, with the support of the County Council, has the duty to ensure the health, safety and well being of everyone in school. The purpose of this policy is to help Hampden House staff understand and implement new expectations regarding school discipline and to support the

leadership of the school, including the Management Committee, to comply with legal requirements that are now placed on them and to exercise those powers within the legal framework.

For some students with Social Emotional and Mental Health needs it must be recognised that their challenging behaviour is an aspect of their developmental profile. Interventions to manage their behaviour must reflect their overall needs, should be matched to their particular circumstances and also be in the interests of the school as a whole.

It is essential that staff act appropriately in order to minimise the risk of accusation of improper conduct towards a young person.

The Education Act 1996 and the Education and Inspections Act 2006, together with national guidance, establish the responsibility of teachers and other authorised staff who have lawful control or charge of pupils with regard to the application of reasonable force in order to prevent children committing an offence, causing injury or damage, or engaging in behaviour prejudicial to the maintenance of good order and discipline.

Under the Race Relations (Amendment) Act 2000, schools have a general duty to promote race equality. This policy aims to be compatible with this duty and staff will act at all times to ensure that they do not discriminate on the grounds of race, just as they will not discriminate in any other way.

This policy has been written in the context of the Human Rights Act (1998) and the United Nations Convention on the Rights of the Child (ratified 1991). It is based on the presumption that every young person and adult is entitled to:

- Respect for his/her private life;
- 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.

Reasonable force or physical intervention is only to be used as a last resort. DfE Guidance on Pupil Behaviour and Discipline in Schools updated January 2016 clarifies the position about the use of reasonable force by authorised school staff when managing the behaviour of the most challenging students in our schools. However, the greatest caution needs to be exercised when deciding to use physical intervention that may exacerbate an already volatile situation.

Many of our students use health and social care services, and many will continue to use these services when they leave education and become adults. Consistency in approach is therefore necessary, both to provide the most effective support to young people and to reduce the possibility of confusion. Our policy is therefore based on a common set of principles that underpin practice in other agencies.

Aims:

The Management Committee in partnership with the County Council has a duty to ensure the health, safety and wellbeing of everyone in the school. Positive handling is deployed when all other strategies in the Behaviour and Discipline Policy have been exhausted. Section 93 of the Education and Inspections Act 2006 establishes the responsibility of teachers and other authorised

staff who have lawful control and charge of students with regard to the application of reasonable force in order to prevent:

- Children committing an offence;
- Causing personal injury;
- Damage to property; and/or
- Engaging in behaviour prejudicial to the maintenance of good order and discipline.

The Scope of the policy:

This policy aims to support staff by providing guidance for use in situations where students may need to be prevented from harming themselves or others, or from causing damage to property, by the use of positive handling.

The use of physical intervention must always be set in the context of The Hampden House's overall behaviour management and discipline framework.

Physical intervention is an action of last resort and is not a substitute for behaviour management strategies. The emphasis of such strategies should be on managing incidents and behaviour through non-physical, non-threatening, aggression-free strategies. Physical intervention should only be considered in order to control situations involving imminent danger to students or to others.

Where de-escalation of a situation has not been possible and physical intervention is deemed necessary the minimum level of intervention should be used, for the minimum of time, ensuring the least restrictive technique necessary to make the situation safer.

The scale and nature of any physical intervention must be proportionate to both the behaviour and the individual to be controlled, and to the nature of the harm they might cause. These judgments have to be made at the time, taking due account of all the circumstances, including any known history of other events involving the individual to be controlled. The minimum necessary force should be used and the techniques deployed should be those in which the staff members involved have been trained by the Local Authority, with which they are familiar, and which they are able to use safely.

Minimising the need to use force:

Although preventative measures will not always work, the staff at Hampden House should always work together to reduce the likelihood of situations where the need to use physical intervention is required. These steps will include:

- Creating a calm orderly supportive environment;
- Avoiding situations likely to cause challenging behaviour;
- Developing effective relationships between students and staff;
- Adopting a personalised learning approach to develop social and emotional skills, meeting the needs of individual students;
- Recognising that challenging behaviours are often foreseeable, e.g. anticipate objects which may be thrown or used as weapon and remove;
- Implementing risk assessment based on the student's individual needs;

- Using observations to establish if there are triggers for inappropriate behaviour;
- Having realistic expectations;
- Removing any threat of failure for the student;
- Managing individual incidents effectively;
- Wherever practicable, warning a student that positive handling may be used before using it; and/or
- Employing a structured approach to staff development that supports staff in developing the skills of positive behaviour management, managing conflict and supporting each other during and after an incident.

Strategies may include:

- Deploying de-escalation techniques, e.g. deflection, distraction, humour, calm talking;
- Communicating calmly with the student;
- Using non-threatening verbal and body language;
- Ensuring the student can see a way out of the situation;
- Using distraction;
- Employing withdrawal techniques, e.g. going to quiet area, removing student from bystanders or removal of bystanders from the student;
- Giving clear directions / show what behaviour is expected;
- Giving early warning of change;
- Establishing a signal or visual sign to act as gentle prompt or reminder; and/or
- Support from a member of staff well known to the student.

Deciding the need to use force (physical intervention):

There is no legal definition of when to use force. Decisions on whether the precise circumstances of an incident justify the use of force will always depend on the individual case. Any physical intervention must be necessary, proportionate and deemed reasonable at the time. Such decisions have to be made quickly with staff giving consideration to the following in making the judgment:

- The seriousness of the incident, assessed by the effect of the injury, damage or ~~disorder~~ disruption which is likely to result if physical intervention is not used. The greater the potential for injury, damage or serious disorder, the more likely that using force may be justified;
- The likelihood of achieving the desired result by other means. The lower the probability of achieving the desired result by other means, the more likely that using force may be justified; and/or
- The relative risks associated with physical intervention compared with other strategies. The smaller the risks associated with physical intervention compared with other strategies, the more likely it is that using force may be justified.

Examples of situations that call for physical intervention include:

- A student attacks a member of staff, or another student;
- Students are fighting, causing risk of injury to themselves or others;
- A student committing, or on the verge of committing, deliberate serious damage to property, such as breaking a window;
- A student is causing, or at risk of causing, injury or damage by accident, by rough play, or by misuse of dangerous materials or objects.

There are situations where staff should not normally intervene without help, unless it is an emergency. Hampden House will adopt clear systems of communication and support that enable a member of staff to summon rapid assistance when necessary. If a member of staff believes that s/he may be at risk of injury s/he should take steps to remove other students who might be at risk and summon assistance from other authorised members of staff.

The key to deciding whether to use Physical Intervention is appropriate lies in the member of staff judging whether their actions would be **reasonable, necessary and proportionate**.

Definition of 'Reasonable Force':

There is no legal definition of 'reasonable force', so it is not possible to set out comprehensively when it is reasonable to use force, or the degree of force that may reasonably be used. It will always depend on all the circumstances of the case.

There are two relevant considerations:

- The use of force can be regarded as reasonable only if the circumstances of the particular incident warrant it; therefore physical force could not be justified to prevent a student from committing a trivial misdemeanour or in a situation that clearly could be resolved without force;
- 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 force used should always be the minimum needed to achieve the desired result.

“Whether the force used is reasonable will always depend on the particular circumstances of the case. The use of force is reasonable if it is proportionate to the consequences it is intended to prevent.” DfE guidance 2013 (updated 2016)

The Race Relations Amendment Act (2000) dictates that issues of race, culture and faith also need to be taken into account. Therefore, any restrictive physical interventions should be used in a way that is sensitive to, and respects the cultural expectations of young people and their parents/carers and their attitude towards physical contact.

Any restrictive physical intervention should avoid contact that might be misinterpreted as sexual.

Suffolk County Council does not authorise the use of any techniques that involve downward facing positions or techniques that may restrict breathing.

Staff authorised to use force

The staff members to which this power applies is defined in Section 95 of the Education and Inspection Act (2006). They are any member of staff who has lawful control or charge of pupils. This includes:

- Teachers, support staff whose job normally includes supervising young people such as teaching assistants, residential child care officers, lunchtime supervisors; and
- It can also include people to whom the headteacher has given temporary authorisation to have control or charge of students whose job does not routinely require them to supervise students.

The power may be used where the student (including a student from another school) is on the premises or elsewhere in lawful control or charge of the staff member (for example on a school visit or in an off-site location).

Where there is a high or immediate risk of immediate injury any member of staff would be justified in taking necessary action (consistent with the principles of seeking to use reasonable force) in line with the common law rights of citizens.

It is the responsibility of the Management Committee to:

- Ensure that all staff employed at Hampden House are familiar with and adhere to policy;
- Ensure that all staff employed at Hampden House receive training in the safe use of physical intervention from a recognised trainer authorised by the Local Authority; and that
- Copies of the Positive Handling Policy are made available to parents/carers on request.

In the event of a serious incident doing nothing is not an option. This may include observing the situation and assessing the appropriate action, seeking help, offering support assistance, removing other young people at risk of physical or mental injury, and/or deploying a physical intervention.

All staff members have a duty of care to themselves, students and colleagues. Through staff members not taking positive action students and members of staff could be placed at risk.

It is the responsibility of all members of staff to attend training and regular updates, adhere to legal guidance and school policy and report and record all incidents on the agreed proformas.

In addition, as part of staff responsibility under the school's duty of care, individual members of staff have a duty to report to the Headteacher factors that may inhibit responses to serious breaches of discipline or serious damage to property creating a hazardous environment.

Staff training:

All staff will be offered theory training in de-escalation, legal rights and responsibilities and the use of positive handling from a recognised trainer authorised by the Local Authority. Physical de-escalation techniques should be re-accredited every two years to maintain competency.

New members of staff, as part of their induction, will be offered relevant training authorised by the Local Authority, e.g. schoolSAFE or BehaviourSafe

Responsibilities:

Management Committee

Managers, through the Headteacher, are responsible for:

- Ensuring that all those working at Hampden House are familiar with and follow this policy;
- Ensuring that all staff working at Hampden House receive training in the safe use of positive handling from schoolSAFE or BehaviourSafe as part of their induction and that their training is regularly updated;
- Making a copy of the policy available to parents/carers on request
- Reviewing the policy, its application and effectiveness; and
- Ensuring that risk assessments are regularly reviewed and updated.

Headteacher

The Headteacher will:

- Ensure the policy is applied;
- Maintain an up to date list of those members of staff whom he selects as authorised to use reasonable force and ensure that staff know who they are;
- Ensure those authorised staff are appropriately trained and regularly up-dated;
- Ensure that all new staff receive guidance on the use of positive handling as part of their induction programme and that they are provided with a full schoolSAFE / BehaviourSafe training programme at the earliest opportunity thereafter;
- Provide guidance for staff dealing with difficult and dangerous behaviour;
- Oversee reporting and recording systems;
- Monitor and review incidents; and
- Ensure that arrangements are in place for reviewing the policy.

Authorised Staff

All teachers are authorised to use reasonable force or positive handling to control or restrain students.

All Teaching Assistants, Residential Child Care Officers and the Caretaker are also authorised to use reasonable force or physical intervention to control or restrain students.

The Headteacher does not authorise any other staff to use force to control or restrain pupils. In some circumstances staff members will have received training but will not be given the Headteacher's authorisation to use reasonable force to control or restrain pupils. Examples of such staff might include office staff, premises staff or temporary staff.

The authorisation is provided in writing. It is permanent for all staff, subject to satisfactory completion of schoolSAFE / BehaviourSafe training as soon as possible after induction and the subsequent satisfactory completion of update training when it is arranged by the school.

The Headteacher maintains a register of all authorised staff members who have been trained and are therefore empowered to use reasonable force or to apply positive handling in accordance with this policy.

All Staff

It is the duty of everyone to consider their own safety and that of others at all times.

In the event of circumstances arising that might result in an incident, staff should:

- Begin early de-escalation using preventative, non-confrontational methods;
- Consider all options available to them, including withdrawal of themselves or others;
- Seek support where possible;
- If authorised, consider the use of reasonable force to make the situation safe; and
- Report, record and review.

Should an incident occur, an authorised member of staff will;

- Determine whether the criteria from DfE Guidance 2013 apply;

- Employ preventative, non-confrontational strategies; and
- As a last resort, use a form of physical intervention employing a recognised and agreed schoolSAFE / BehaviourSafe technique.

Risk management:

Risk management is a proactive approach to minimising difficult and dangerous behaviour, and is set against the background of policies and procedures at Hampden House. It includes general risk assessment of the environment and individual risk assessment of student support needs. Every student has a personal Risk Assessment which is drawn up prior to admission, based on information from the sending school(s) and other agencies, which is updated at least termly. (See the Risk Assessment Policy.)

The risk assessment process will commence prior to admission and be part of the referral process to determine:

- Appropriateness of placement;
- Level of support to promote successful inclusion; and
- Level of support to maintain the safety of all members of the PRU community.

Risk management strategies, including the use of physical intervention, must exclude any intervention which involves:

- impeding the process of breathing;
- the deliberate use of pain for control purposes;
- contact with vulnerable parts of the body e.g. neck and sexual areas;
- hypertension, hyper flexion and pressure on or across joints; or
- Any other potentially dangerous position.

Among the main risks to young people are that physical intervention could:

- Be used unnecessarily, that is when other less intrusive methods could have achieved the desired outcome;
- Cause injury;
- Cause pain, distress or psychological trauma;
- Become routine, rather than an exceptional method of management;
- Increase the risk of abuse;
- Undermine the dignity of staff or students or otherwise degrade or humiliate those involved; or
- Create distrust and undermine personal relationships.

The main risks to staff include the following:

- As a result of applying physical intervention they may suffer injury;
- They may experience distress or psychological trauma;
- The legal justification for the use of physical intervention is challenged in the courts; and/or

- Disciplinary action.

The main risks of not intervening include:

- Staff may be in breach of their duty of care;
- Young people, staff or other persons may be injured or abused;
- Serious damage to property will occur; and/or
- The possibility of litigation in respect of these matters.

Some students with Special Educational Needs alongside their behavioural difficulties, particularly in a Pupil Referral Unit, may need to be restrained regularly. Where this is the case, we will ensure that the situations and methods used will be the subject of a student-specific risk assessment and outlined in the student's Positive Handling Plan and therefore known to all staff and to parents. Any positive handling applied outside that written within the Plan must be recorded and reported to parents.

The Headteacher will always discuss with parents/carers prior to a student entering Hampden House:

- The general principles of risk management in respect of challenging behaviour;
- The possibility of the use of positive handling;
- The training received by staff;
- The specific needs of the individual young person in question; and
- Positive Handling Plan

When the behaviour exhibited presents a foreseeable risk, a risk assessment will be completed. The risk assessment is a proactive response to minimising challenging behaviour. It is set against observed behaviours.

The personalised risk assessment should identify the known behaviours and de-escalation strategies to match the individual needs of the student to minimise the risk of challenging behaviour and in turn minimise the use of force. When all strategies have been exhausted the risk assessment also identifies an appropriate technique / techniques if positive handling is required. The risk assessment needs to identify any disability, impairment or condition that may be exacerbated by positive handling.

Risk assessments are working documents which should be updated and reviewed on a regular basis. All members of staff supporting a student should be involved in the process. This information and the strategies to be deployed will be shared with all members of staff that are likely to come into contact with the student.

The leadership team will assess the frequency and severity of incidents requiring the use of force that are likely to occur in their school. Analysis of data relating to positive handling incidents will help inform decisions regarding staff training, supporting students and future practice.

Prevention:

The use of positive handling at Hampden House will be minimised by the adoption of primary and secondary preventative strategies taught to all staff through schoolSAFE/BehaviourSafe. Primary prevention is achieved by:

- Ensuring adequate trained staff are deployed and that their level of competence corresponds to the needs of the young people with whom we work and the likelihood that physical interventions will be needed. Staff will not knowingly be left in vulnerable positions;
- Helping young people to avoid situations which are known to provoke violent or aggressive behaviour, including providing adequate opportunities for individual work and activity;
- Individual risk assessments and behaviour support or individual behaviour plans which are responsive to individual needs and include current information on assessed needs;
- Creating opportunities for young people to engage in meaningful activities which include opportunities for choice and a sense of achievement;
- Developing staff expertise in working with young people who present challenging behaviours; and
- Talking to young people, their families and advocates about the way in which they prefer to be managed when they pose a significant risk to themselves and others. Some students prefer withdrawal to a quiet area to an intervention that includes bodily contact. A quiet area is available on the Hampden House site for these cases.

Secondary prevention involves recognising, in the early stages of a behavioural sequence that it is likely to develop into violence or aggression and employing defusing techniques to avert any further escalation.

Where there is clear evidence that particular sequences of behaviour rapidly escalate into violence, the use of physical intervention at an early stage may, potentially, be justified if it is clear that:

- Primary prevention has not been effective, and
- The risks associated with **not** using positive handling are greater than the risks of using physical intervention; and
- Other appropriate methods, which do not involve positive handling, have been tried without success.

Preventative strategies, including defusing techniques, in use at Hampden House are outlined in the Behaviour Management and Discipline Policy.

All prevention strategies should be carefully selected and reviewed to ensure they do not constrain opportunities or have an adverse effect on the welfare or the quality of life of young people (including those in close proximity to the incident). In some cases it will be necessary to make a judgement about the relative risks and potential benefits arising from activities which might provoke challenging behaviours compared with the impact on the person's overall quality of life if such activities are proscribed. This will require a detailed risk assessment.

Pro-active use of positive handling:

In most circumstances, positive handling will be used reactively. Occasionally, it may be considered in the best interests of the student to accept the possible use of positive handling as part of an educational strategy. For example this may be considered as a way of helping a young

person to exit a potentially difficult situation very rapidly and thereby preventing greater harm. Where this type of intervention might be useful it must have been discussed by staff in advance and be incorporated into a student's individual risk assessment and Positive Handling Plan. Parents/carers must be informed. Planning for this type of intervention will be the exception and will always be approved by the Headteacher in advance.

Emergency use of positive handling:

Emergency use of physical intervention may be required when students behave in ways that have not been foreseen by a risk assessment or prevented by defusing techniques. Research evidence demonstrates that injuries are more likely to occur when physical intervention is used to manage unforeseen events. For this reason, great care will be taken to avoid situations where the unplanned use of restraints might be needed.

Effective risk assessment procedures together with well planned preventative strategies will help to keep the emergency use of positive handling to an absolute minimum. Daily debriefing meetings are particularly valuable in this process. Staff should be aware that, in an emergency, the use of force can be justified if it is reasonable to use it to prevent injury or serious damage to property and to prevent students engaging in behaviour prejudicial to the maintenance of good order and discipline.

Even in an emergency the use of force must be reasonable. It should be commensurate with the desired outcome and the specific circumstances in terms of intensity and duration. In using a restrictive physical intervention in an emergency, the member of staff concerned should be confident that the possible adverse outcomes will be less severe than those which might have occurred without the use of positive handling.

Medication:

In certain circumstances, the use of medication will be indicated as a method of managing extreme behaviour. Medication will only be administered as prescribed by a qualified medical practitioner and with the express written consent and permission of the parents/carers. Under their duty of care staff should not give medication to young people without the knowledge and agreement of the Headteacher who will ensure the agreed procedures have been put in place. All medicines administered to students must be stored in medical room and recorded in writing in the medicines log book kept in the medical room.

Reporting and recording:

A detailed, contemporaneous written report will always be made in respect of any incidents where positive handling is used by the member of staff concerned.

Hampden House's internal recording and reporting procedure should be followed: All uses of physical intervention must be recorded accurately on the Sleuth system; all physical interventions that fall into the category of restraint must also be recorded by hand in the paper Physical Intervention Log, which is kept securely in the Headteacher's office; staff are further expected to record in the Physical Intervention Log any uses of non-restraint physical interventions (for example, blocking, guiding or a Support Hold) which could result in allegation, complaint or injury.

Additionally, an Incident Report Form must be completed as soon as is reasonably practicable in respect of any incident defined within the Suffolk County Council Policy and Guidance document,

'Recording and Reporting Incidents in Schools and Other Education Premises', and brought to the attention of the Headteacher.

The Headteacher or a designated senior member of staff will ensure that parents/carers are informed, as soon as is reasonably practicable, of an incident where physical intervention has been used. Where an agreed method of positive handling has been included in a Positive Handling Plan, the use of physical intervention will be reviewed regularly but only reported to parents where the restraint applied is outside that set out in the Plan.

Where a complaint about the use of restraint is made by a young person or parent/carer, this will be reported to the Local Authority Designated Officer (LADO) in accordance with the Complaints and Safeguarding Policies. In the event of such a complaint being made it is important that no investigation of the circumstances in which positive handling was used is undertaken by the school unless the LADO determines that this is the most appropriate course of action.

The purpose of recording is to ensure policy guidelines are followed, to inform parents/carers, to inform future practice and to provide a record for future enquiry.

Post-incident support for staff and students:

Serious incidents that require positive handling can be upsetting to all concerned and may result in injuries to students or to staff. Immediate action should be taken to provide First Aid and to access medical help for injuries that go beyond First Aid.

Hampden House has ensured arrangements are in place to provide emotional support for staff following situations where they have been actively involved in the positive handling of a student or have been involved in an incident which has been successfully de-escalated but the staff member concerned has requested or been offered time to recover. Appropriate support will also be offered to students. The support is likely to be in respect of:

- Physical consequences;
- Support in dealing with any emotional stress or loss of confidence; or
- Opportunity to analyse and/or reflect on strategies to prevent such crisis points in the future.

In the case of support for students, Hampden House will consider where multi-agency partners may need to be involved. After restraint a member of staff who was not involved in the restraint should review the physical intervention with the student, together completing a "Supporting Young People after a Physical Intervention" form, which is then submitted to the Headteacher.

De-briefings should always be held with both the staff and student(s) involved in any incident and outcomes are reviewed to inform future practice in order to minimise the risk of similar occurrences. For students this could include the rewriting of any risk assessment, the re-formulating of Positive Handling Plans and the re-setting of targets. For staff this could include the offer of additional support from Senior Staff, the re-allocation of duties for a defined period, referral for counselling or medical advice or support and/or the possibility of additional training.

Daily debriefing sessions at the end of every working day offer support and supervision to staff, provide opportunities for events to be shared with colleagues where this is appropriate and allow for the creation of a log of events. This log does not preclude the need for staff involved to write a

personal account of the events they have participated in or witnessed. Such accounts must be written by hand by each individual concerned. Joint accounts are not acceptable.

Students will normally be required to discuss events with a designated member of staff the next day or as soon as they return to school if an exclusion has been given. A record will be made of their discussion. The discussion will cover the events, the lessons to be learnt from them and the way in which consequences will be applied. The student will be supported to apologise or to make restitution as appropriate. His parents may be invited to some or all of this meeting.

Positive Touch

At Hampden House we recognize that many children find it helpful, reassuring and comforting to receive appropriate positive touch from adults. This could take the form of a reassuring arm around the shoulder or hand on the arm; a congratulatory handshake or “high five”; a brief comforting hug; leading a child by the hand; or other non-invasive positive physical contact. Many of our students experience difficulty in processing their feelings or interpreting verbal communication and body language; for them, positive touch can communicate messages they may otherwise struggle to receive.

Positive touch can be especially important for residential students who are away from their family from Monday to Friday and may well miss the physical affection and affirmation they receive at home.

Prior to admission, when completing the Positive Handling Plan with a child and their parent/carer, the headteacher or other senior member of staff will discuss the use of positive touch, and ascertain whether the parent/carer considers it appropriate. This can be a very helpful conversation, as it will sometimes uncover that a child dislikes being touched and their likely reaction to it; or that they find positive touch very helpful in certain situations. The information from this conversation will be included in the Positive Handling Plan and the individual risk assessment.

Staff are advised to approach positive touch with caution, as it may be unwelcome, could trigger a negative reaction (eg. The child who lashes out because they do not like to be touched), and could be open to misinterpretation or allegation. With this in mind staff must avoid any positive touch that could have a sexual connotation. Under no circumstances should a member of staff kiss a child, engage in extended cuddles, or allow them to sit on their lap.

Complaints and allegations:

Hampden House is committed to involving parents/carers when an incident occurs with their child. We have a clear policy about physical contact with students to which staff members are expected to adhere. This should help to avoid complaints from parents/carers, but this approach will not prevent all complaints. If there is a dispute about the use of positive handling by a member of staff it might lead to an allegation made to the school, to other agencies or to the police. These will be dealt with in accordance with agreed policies and procedures for handling allegations against staff. DfE guidance on Safeguarding Children and Safer Recruitment in Education provides further guidance on safeguarding children and on dealing with allegations against staff.

The possibility that a complaint might result in a disciplinary hearing, or a criminal prosecution, or in a civil action brought by a parent or student, cannot be ruled out. In those circumstances it

would be for the disciplinary panel or the court to decide whether the use and degree of force was reasonable in all the circumstances. It would also be likely to take account of the school's policy on positive handling, whether that had been followed, and the need to prevent injury, damage, or disruption, in considering all the circumstances of the case.

Review:

The Management Committee is responsible for reviewing the application and effectiveness of the policy every two years. All staff will revisit the key principles of this policy and any areas for improvement at staff meetings and on PD Days.

Related policies:

- Child Protection and Safeguarding Policy;
- Behaviour and Discipline Policy;
- Anti-bullying Policy;
- Complaints Policy;
- Risk Assessment Policy;
- Safeguarding Policy;
- Staff Appraisal and Capability Policy;
- Whistleblowing Policy; and
- Health and Safety Policy.

Other sources of support and guidance:

- Suffolk County Council Children and Young Peoples services;
- Educational Psychology Service;
- schoolSAFE / BehaviourSafe
- Suffolk Area Child Protection Committee: Joint Policies and Procedures for the Protection of Children.

Legislative framework underpinning the use of positive handling:

- Section 550a, Education Act 1996;
- DCSF Circular 10/98;
- Criminal Law Act 1966;
- Crime and Disorder Act 1998;
- Human Rights Act;
- Health and Safety Legislation;
- Race Relations (Amendment) Act 2000;
- Education and Inspections Act 2006;

Screening for potential discrimination:

This policy has been considered for its impact on staff, students, parents/carers and members of the public in respect of the current Hampden House equalities schemes and policies. It has been agreed that where the positive handling policy impacts on any people with whom we work or come into contact such that:

- It does not disadvantage any group due to disability, age, race, religion, sexual orientation or gender;
- It has taken into consideration the needs of people with a disability; the needs of different age groups, racial groups, religious affiliations, sexual orientations and gender identification.