



# Positive Handling - The Use of Reasonable Force Policy

## **Learning to Flourish**

To provide Personalised learning experiences so that every child can communicate, interact, grow and develop to the best of their ability. Together with families, we can ensure that our children have the skills and knowledge to manage everyday life as independently as they can and to lead happy and successful lives, through our values of **S**ocialisation, **C**ommunication, **I**nteraction, and **P**lay

This policy is written with reference to Welsh Government Guidance document 097/2013 and the corresponding Cardiff Inter-Agency document, "The Use of Reasonable Force to Control Pupils - Policy and Guidance Framework" and with reference to the UN Convention on the Rights of the Child (1989).

At the Hollies School, we work to ensure every learning opportunity enables pupils to grow, succeed and develop the skills and knowledge to manage everyday life as independently as they can.

The staff at The Hollies School are committed to providing the highest standards in protecting and safeguarding the welfare of the children and young people entrusted to our care. In line with the 1996 Education Act Section 550A, Section 93 of the Education and Inspections Act 2006 and Welsh Government Guidance 2013, article 19 and 36 of the UN Rights of The Child, we recognise there is a need to intervene when there is an obvious risk to safety of pupils, staff and property.

This is achieved through the understanding of the communicative function that behaviour serves for pupils with Autism along with following the principles of TeamTeach. This 'values-based' approach, places emphasis on the use of de-escalation techniques in order to prevent incidents escalating to a point where physical intervention may become unavoidable.

*"It is common for children and people with ASD to have sensory issues, impairment in social imagination and a narrow repetitive pattern of interests. These challenges can cause higher than average levels of stress, anxiety and depression."* – Support for children and Young People with Autistic Spectrum Disorder (ASD) in educational settings (Welsh Government 2019)

Team Teach techniques, including approved guides and restraints (referred to in this document as 'physical intervention'), may on occasion prove necessary. We accept that physical intervention, may be necessary where a pupil may be extremely dysregulated or 'in crisis' and has not responded to de-escalation strategies, or to support with transitions where a pupil may be at an increased risk of harm e.g. running into the school carpark.

Physical intervention can be considered under certain circumstances:

- Pupils in danger of causing serious injury to themselves or another person
- Causing significant damage to property.
- Absconding from the school, especially considering the vulnerable nature of our pupils.

Physical intervention is viewed as a last resort and only to be used where it has been judged to be in the best interest of the pupil at that time. Any physical intervention follows the TeamTeach principles of “minimum force, maximum care” and will only ever be used where it has been considered to be “**necessary, reasonable, and proportionate**”.

It should be further emphasised, that if used at all, physical intervention should be seen in the context of a further positive action of care and concern. In line with School Service advice and guidance, it is only to be used after other de-escalation strategies have been deemed unsuccessful, and in the most extreme circumstances. This would be as part of a graduated response to a dynamic risk assessment of the situation other strategies will always have been attempted first.

As part of de-escalation techniques, the class team may identify an alternative learning or low arousal provision, that the children can opt to access throughout the day. The teacher or teaching assistant will dynamically risk assess situations and determine whether an area is suitable to be used as a safe area. These are any areas, away from the source of stress and anxiety that the pupils can go to with support to de-escalate, for example an outside area, sensory area etc.

As best practice regarding positive handling, this policy should be considered alongside other relevant school policies; specifically, those involving behaviour, health and safety and child protection.

### **What is the Legal Use of Reasonable Force?**

Persons authorised by the Headteacher may use reasonable force, following the approved TeamTeach approach to prevent pupils:

- Causing injury to themselves or others
- Committing a criminal offence (including behaving in a way that would be an offence if the pupil were not under the age of criminal responsibility causing serious damage to property)
- Causing serious damage to property
- Causing disruption by engaging in behaviour which is seriously prejudicial to good order and discipline

Reasonable force has no legal definition but:

- Staff must take into account the circumstances of the incident such as; age, sex and development of the pupil
- The degree of force must be proportional to the seriousness of the situation, behaviour or consequences it is intended to prevent, and will always be applied with the minimum force, for the minimum time and with maximum care as outlined in the TeamTeach principles.
- Force could not be justified for a trivial misdemeanour or a situation that could be resolved without it e.g. because its quicker or more convenient.
- Everyone has the right to self-defence provided they do not use a disproportionate degree of force
- Corporal punishment is illegal
- Using physical intervention for any other purpose but to support the pupil goes against the TeamTeach principles, contravenes article 19 of the UN rights of the child and the values and ethos of the school.

In an emergency, supporting adults who have not received TeamTeach training have a **duty of care** to ensure the safety of the pupil, which includes, but is not limited to, calling for help.

When considering physical intervention, it is important to balance the risk of **action** vs the risks of **inaction**. Especially with regards to fulfilling our duty of care.

Health and safety would expect adults to intervene to preserve the safety of children that can't protect themselves. However after the first instance, this becomes a foreseeable risk that must be referenced and included in the pupils' behaviour profile and/or positive handling plan.

### **Objectives of this Policy**

The objective of this policy is to provide all staff, governors, parents and pupils with an understanding of care and control and the use of force.

The policy is to emphasise that the use of positive handling is:

- Part of a positive care and control approach for behaviour management and pupil welfare
- A last resort or a necessary expedient option to be used in extreme circumstances.

The policy is to ensure that all members of staff or authorised persons, who may have to engage in physical intervention, clearly understand the options and strategies open to them.

### **Who Can Use Reasonable Force?**

As a school, we focus on de-escalation strategies that are appropriate to the pupils needs and are outlined in the pupils Positive Behaviour Plan Risk Assessment, this can be found in their Pupil Behaviour Profile. The use of physical intervention only occurs in extreme circumstances and as such will be used infrequently, that is, as a last resort to maintaining a safe environment.

**All staff** have a duty of care to act to preserve the health and safety of pupils. Most teaching staff and teaching assistants within the school have been trained in TeamTeach. The TeamTeach principles of focusing on de-escalation whilst maintaining the dignity of pupils, is embedded within the ethos of the school.

In the presence of trained staff, those who have not received training still have a duty of care to act in the best interest of the pupil this can be achieved by supporting those staff who are trained.

Authorised staff are **certified and trained** staff that have been authorised by the Headteacher to use TeamTeach techniques as part of a graduated response. A list of authorised staff is available and maintained by the school Behaviour Support Team and the Senior Leadership Team.

### **Circumstances When Reasonable Force Might Be Appropriate.**

Children with Autism may find difficulty in regulating their own emotions and behaviours, and therefore, need adult support to help them do so. We treat behaviour as a form of communication and some pupils with ASD have communication difficulties. As a result, they can find regulating their own behaviour difficult and the resulting behaviour may place themselves or others at risk.

As indicated previously, reasonable force might be appropriate when:

- **Action is necessary in self-defence or because of imminent risk of injury**

For example:

- a pupil attacks a member of staff, another pupil, attempts self-injury or pupils are fighting
- a pupil running in stairway or corridor in a way that is likely to cause injury to self or others
- a pupil absconds from class or tries to leave the school and who would be judged at risk if not kept in the classroom or at school

- **There is serious and developing risk of damage to property, including the pupil's own property**

For example:

- a pupil is causing or about to cause deliberate damage or vandalism
- a pupil is causing or at risk of causing injury or damage by accident, rough play, misuse of dangerous materials or objects
- **Where pupil's behaviour is seriously prejudicial to good order and discipline**  
For example:
  - a pupil persistently refuses to obey support and instruction to leave the classroom in exceptional circumstances for example a fire evacuation
  - a pupil is repeatedly and persistently behaving in a way that is seriously disrupting a lesson, impacting on the wellbeing of the other classmates.

**When using physical intervention, early support from colleagues will be sought. Where possible, a 2-person intervention is a preferred response and reduces the risk to all involved. Having the support of a colleague acting as a critical friend is important to the wellbeing of everyone involved in the situation.**

- Strategies other than force will be always considered first.  
For example:
  - The use of alternative provision – identified areas around the school that can be used to provide a quiet area for pupils to go. This should be a low arousal space, where the pupil can be supported by an adult/adults until they have recovered and are feeling calmer. These 'Safe Spaces' are **not** exclusively for the use of pupils in crisis but extensions of the learning environment. Pupils have access to these 'Safe Spaces' throughout the day and should be able to request to use them.
  - Provide the pupil displaying signs of dysregulation with a choice of locations to exit
  - Giving clear directions appropriate to pupil communication levels e.g. **visual supports**
  - Allowing 'time and space' to process information
  - Remove the audience, i.e., removing others from danger or preventing further escalation

- Implementing TeamTeach help scripts e.g. '**more help**' so that another member of staff takes over the strategic lead of the incident, if they feel it is appropriate to do so.

### **Procedures and Practical Considerations During Specific Incidents**

Wherever practicable staff are expected to:

- Use a calm measured approach
- Recognise the communicative intent of the behaviour
- Use a range of visual supports to help communicate with the pupil
- Tell the pupil to stop and inform them of what will happen if he/she does not stop
- Use preferred items/activities to distract the pupil
- Use a dynamic risk assessment to identify possible dangers to the pupil and/or others
- Identify a "Safe Space" in the classroom/school where the pupil can be supported by an adult/adults until they have regulated and are feeling calmer (pupils must be supported and supervised for the whole time that they are making use of a safe area).
- Seek assistance from other colleagues at as early a stage as possible
- Be aware when another member of staff is intervening physically with a pupil and have a responsibility to provide a presence, and offer support and assistance as a critical friend
- Keep language to a minimum to avoid further dysregulation
- Use a graded response appropriate to the pupil and perceived danger
- Remove other pupils to minimise distress and dangers to others
- Remove the pupil from the peer audience
- Use physical intervention to guide/escort the pupil to the "Safe Space"
- Support and monitor the pupil at all stages of physical intervention.
- Attempt to communicate with the pupil throughout the incident in as calm a manner as possible, in a way that the pupil understands.
- Ensure that physical intervention will stop as soon as the danger to the pupil or others has decreased or can be managed without physical intervention.

It is good practice to:

- Stay calm and in control



- Not lose your temper or act out of anger or frustration
- Call for assistance
- Intervene with the support of a colleague acting as a critical friend
- Use the Team Teach 'help scripts'

### **Application of Force During Specific Incidents**

Where a dynamic risk assessment judgements support it, staff can use methods such as:

- Physically interposing themselves between pupils
- Blocking a pupil's path
- Using classroom furniture to restrict movement
- Support the pupil by using the following approved TeamTeach techniques:
  - Changing Face
  - Friendly Hold
  - Single Elbow
  - Figure of Four
  - Double Elbow (1 and 2 person)
  - Help Hugs/Caring C guides (1 and 2 person)
  - Escorts to Chairs / beanbags
  - Single Elbow in Chairs (2 person)
  - Response to Deliberate Dead Weight
  - Small Child Escorts and restraints e.g. beanbags
  - Response to Deliberate Dead Weight using Chairs

These should always be carried out using the techniques taught in TeamTeach training. The risk of bruising to the pupil is minimised by the use of 'Caring C's' however due to the nature of physical intervention, some marks and/or bruises may still occur. This is not due to bad practice but can be a regrettable side-effect of the preservation of safety.

These techniques should be used with the minimum force, for the minimum time and with the maximum care to the pupil, whilst maintaining the pupil's dignity at all times.

- "Assertive Guiding" - remembering this is the positive application of force to control a pupil and would be used in rare circumstances, e.g., if the pupil is in extreme danger and no other alternative is available, or where reasonable force is used to assist a pupil's movement

When intervening, staff should take care that their actions should in no way be interpreted as being aggressive and adopt the 'calm stance' at all times. All techniques are devised to minimise the risk of injury. They should not cause pain.

Where pupils are presenting with more challenging behaviour, which may require more restrictive holds, it is important that Team Teach instructors have delivered these techniques. Refresher training can be offered/requested at any time to support staff wellbeing.

Staff **are not** to permitted to:

- Hold a pupil around the neck, or by the collar, or in any other way that might restrict the ability to breathe (including positional asphyxiation)
- Slap, punch or kick a pupil
- Twist or force limbs against a joint
- Trip a pupil
- Hold or pull a pupil by the hair

**Physical interventions are always a last resort. Staff should:**

- Try to deal with the situation through other strategies before using force e.g visual supports, distractions change of face etc.
- Try to defuse and calm the situation to establish good order, the use of physical intervention could lead to an escalation in behaviour
- Take into account the age, understanding, communication stage and personal characteristics of the pupil
- Never use force as a substitute for good behaviour management and planned approaches
- Consider carefully whether physical intervention is the right course of action

**The above statements all fall into 'the 95%' of behaviour management according to TeamTeach.**

## **Reporting and Recording Incidents**

Incidents that result in the use of physical intervention will be recorded in line with “**A Guide To Recording and Reporting Incidents**”. All staff have their own Teams logins.

The staff involved in the use of physical intervention will record the incident in detail on Teams in the ‘Incident Form’ area of the Recording and Reporting tab, as soon as reasonably possible. Staff are to record **exactly what happened** leading up to the incident, during the incident (including what the pupil did and what the adults did), and what happened after the incident. This helps staff to identify what support the child will need in the future. It is best practice for the staff involved to discuss the incident ensuring an accurate reflection of the incident is recorded.

Following an incident involving the use of physical intervention, the class teacher will contact the parents by telephone by the end of the school day – in situations where there is a language barrier, Class Dojo can be used as it offers a translation function. This will be logged in the ‘Parent Communication Log’ tab in Recording and Reporting in Teams. If the teacher is unable to make the call, then the Team Leader, HLTA, SLT or Headteacher can contact parents.

All the information relating to the use of physical intervention will be monitored regularly. Each class teacher should review the pupils Positive Behaviour Plan Risk Assessment (Appendix 2) and amend them if necessary following an incident. Where the frequency of physical intervention has increased or the nature of the physical intervention needed has

changed, the class teacher will review the strategies used and update the Positive Behaviour Plan Risk Assessment. This is to be sent home and parents are to be asked for confirmation of receipt and feedback on the amendments via ClassDojo. If further clarity is needed a phone call can be arranged.

Should an injury occur as a result of an incident or accident at school, immediate steps will be taken to secure appropriate medical attention. This will be reported and recorded in line with Local Authority Procedures.

### **Debriefing Following an Incident Requiring Physical Intervention**

#### **Children**

As a school for children with ASD, we recognise that the debriefing process can be difficult for some students - especially those with communication difficulties. Any debriefing with pupils should be a positive experience for them and help staff support the pupil next time they feel anxious.

- Pupils are given the opportunity to debrief following every incident. This will, over time, increase their emotional awareness and lead to them being more able to identify causes of anxiety before there is an incident, therefore enabling them to choose a calming strategy or enabling us to remove the trigger for anxiety.
- A familiar member of staff, or a member of staff not involved in the main part of the incident, should simply and in a non-blaming way ask the pupil what was wrong and what they could do next time to get help.
- Some pupils may be able to reflect in more detail on the incident – remember that it is crucial that this is done in an open, non-blaming, non-judgemental way, showing genuineness and empathy for the pupil and their feelings/emotions/perspective.
- Children with communication difficulties, and more complex, less cognitively able pupils, will need time to calm after any situation. They will have a short period of time where there are no demands placed on them – this is their debrief. If they have had a difficult time, we need to be aware that their tolerance of demands will be much less than

normal – we need to bear this in mind in terms of what we expect them to do and co-operate with.

At all times, the language used by adults must be kept simple and pupils given time to process the information. Wherever possible, visual support systems are used to reinforce the verbal language and give pupils every opportunity to express themselves to the best of their abilities.

### **Staff**

- Staff involved in the use of physical intervention should be offered time to reflect on the incident in a calm environment. They may also like to discuss the incident with a member of SLT or the Behaviour Support Team.

All staff involved in an incident can be invited to follow the Debrief Protocol (Appendix 3) to reflect on the incident and say that they have done this when recording the information in TEAMS.

All staff involved in the incident are encouraged to contribute towards the recording of the incident in the incident section of the Recording and reporting tab in TEAMS.

All staff should have the opportunity to make suggestions when updating the Positive Behaviour Plan Risk Assessments and the Pupil Behaviour Profiles.

### **Other Procedures Concerning Incidents**

If necessary and appropriate the Chair of Governors, School Service, Children's Services or Police will be informed/consulted.

Help, support and reassurance will be given where appropriate to any victims involved.

Where possible staff will support pupils to identify other ways to express themselves appropriately.

### **Planning for Incidents and Meeting Training Needs**

All children at The Hollies will have a Positive Behaviour Plan Risk Assessment inside their Pupil Behaviour Profiles outlining signs of dysregulation and strategies to use before the

need for physical intervention. This will draw on information from a variety of sources, such as the Sensory Checklist and Sensory Integration Information.

Positive Behaviour Plan Risk Assessments (Appendix 2) will be reviewed termly, updated when necessary, with updates being shared with parents. Parents have the opportunity to contribute to the plan and they will be asked to acknowledge to say that they have read and understood the contents.

If we are aware that the number of times that physical intervention is needed for a pupil has increased significantly, or the severity of the incidents have increased, we will plan how to respond to this. This will include an additional robust risk assessment of intervention and strategies for the pupil and involving the parents to ensure they are clear about what specific actions might need to take (Appendix 4).

### **Physical Contact with Pupils in Other Circumstances**

Staff must be sensitive to matters relating to culture and gender issues and any known individual characteristics or special circumstances relating to pupils for example, some children with ASD may have sensitivity to touch.

Some physical contact may be necessary e.g., during P.E. lessons, or if a member of staff has to administer first aid or medication. Many children with Autism also need additional support to develop toileting and self-care skills.

Our pupils may need staff to provide physical prompts or help. Physical contact must always be age appropriate and done openly.

### **Complaints**

This policy is in accordance with the Schools Services Inter-Agency Policy of the Use of Reasonable Force to Control Pupils. As such, those acting in accordance with it, providing they act in good faith, working within the authority guidelines, will be positively supported in their actions. Involving those with parental responsibility following an incident, and having a clear policy about physical contact with pupils and staff to adhere to, will help avoid complaints from parents.

All complaints will be recorded and followed up by the Headteacher or their representative in the first instance. Where appropriate the Schools Service will be notified/kept informed.

A complaint or dispute about the use of force by a member of staff might lead to an investigation under disciplinary procedures or by the Police and Social Services under Child Protection Procedures.

### **Monitoring, Evaluation and Review**

This policy will be regularly monitored by the SLT, reviewed, and updated annually or sooner if necessary.



## Appendix 1 Positive Behaviour Plan

<b>Antecedent</b>	<b>Behaviour</b> what behaviours will the pupils display	<b>Consequences</b> This is not a consequence to an action but refers to the support you will provide to the pupil
Important Information to be aware of:	Level 1 behaviour – e.g. low level/sensory seeking behaviour	e.g. Soothing tone, preferred toy, distractions, give time to process, visuals
Preferred motivators (including staff):	Level 2 behaviour – Behaviours that may require distraction or redirection, caring c guide (1 person)	e.g. Firm commands, moving others, removing objects, ask for help, Team Teach guide
Triggers and things to avoid:	Level 3 behaviour – Behaviours that could result in injury and more restrictive physical intervention may be needed.	e.g. situations that will require physical intervention escorts and restraints.
Early signs of dysregulation to be aware of:	Level 4 behaviour – Behaviours that require a specific intervention in line with the <b>Enhanced Risk Assessment</b> for example behaviour that may cause significant harm or damage.	Individualised intervention as a result of external support/advice or in line with <b>Enhanced Risk Assessment</b>
All updates to the PBP are in <b>blue</b> text. Shared with parents on _____ ( <u>date</u> ) - see Dojo / Parent communication log *delete as appropriate*		

**Pupil Name:**

**Date Updated:**



## Appendix 2



### A Guide to Recording and Reporting Incidents.

\*This is not designed to be a definitive list – professional judgement should be used wherever possible.

Level of Behaviour	Description of Behaviour	Recording/Reporting Procedures
Level 1	<ul style="list-style-type: none"> <li>Low level, known behaviour (PHP/RAG)</li> <li>Sensory seeking behaviour with no harm to others.</li> <li>No perceived intent to harm</li> <li>Behaviour could be frequent and/or repetitive.</li> <li>No intervention required.</li> </ul>	<ul style="list-style-type: none"> <li>Not formally recorded on Incident form.</li> <li>Staff may choose to record the frequency of these behaviours for analysis.</li> <li>Several 'level 1' incidents in a week – note home on Dojo to parents in "comments".</li> </ul>
Level 2	<ul style="list-style-type: none"> <li>Several 'level 1' incidents in a day</li> <li>Behaviours that require a team teach guide or escort.</li> <li>Behaviour has left marking to an adult – no serious injury.</li> <li>Behaviour displayed for a short amount of time with pupils redirected quickly and easily.</li> <li>A new behaviour.</li> </ul>	<ul style="list-style-type: none"> <li>Note home on Dojo in "comments" to report behaviour – if another pupil is involved, a note to parents/carers of both pupils is necessary.</li> <li>Update behaviour plan and RAG if necessary e.g. a new behaviour and shared with parents.</li> <li>If behaviour occurs during transition times, consider a transition plan.</li> <li>If this behaviour occurs regularly i.e. reporting daily on a pupil's behaviour, consider asking the Behaviour Support team for support.</li> </ul>
Level 3	<ul style="list-style-type: none"> <li>Behaviour has resulted in injury to the pupil.</li> <li>Behaviour has resulted in an injury to another pupil or adult.</li> <li>Behaviour displayed for a significant amount of time. Restrictive physical intervention may be needed to prevent (further) injury to themselves or others e.g. anything more restrictive than a single elbow escort.</li> </ul>	<ul style="list-style-type: none"> <li>Recorded on Incident form – Incident/Physical Intervention tab. Please see guide to completing an Incident Form in Teams.</li> <li>Phone call to parents, recorded on the incident <a href="#">form</a> – if another pupil is involved, a call to parents/carers of both pupils is necessary and recorded in the incident form.</li> <li>Accident forms completed (if necessary).</li> <li>Review and update PHP/RAG</li> <li>Seek support from the Behaviour Support team if necessary.</li> </ul>
Level 4	<ul style="list-style-type: none"> <li>Behaviour that requires a specific response as outlined in an <b>Enhanced Risk Assessment</b></li> </ul>	<ul style="list-style-type: none"> <li>Recorded on Incident form.</li> <li>Phone call to parents, recorded on the incident form - if another pupil is involved, a call to parents/carers of both pupils is necessary and recorded in the incident form.</li> <li>Accident forms completed (if necessary).</li> <li>Review and update PBP/RAG</li> </ul>

When recording and reporting [incidents](#), records of the telephone conversation with the parents/carers of all pupils involved must be recorded in the parent communication log, If you speak to parents face to face regarding an incident this must also be recorded in the parent communication log. Communication with parents on ClassDojo is also copied and recorded in parent communication log.

Remember that when supporting a pupil, your response needs to be **necessary, reasonable and proportionate**. Any physical intervention must be in the best interest of

## Appendix 3

### Incident form Debrief Protocol – Class led

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Following an incident that requires physical intervention, it is important for those involved to have the opportunity to reflect on what has happened. Not only will this help ensure the wellbeing of those involved but also help to plan any additional support for the pupil involved.

During the debriefing process, staff should consider the following questions. The responses to these questions should inform the incident report (completed on TEAMS), and help staff update the pupils Positive Handling Plan Risk Assessment if necessary.

By ticking the 'debrief' box on the Incident form, those involved are agreeing that they have followed the Debrief Protocol

- Were there any obvious **identifiable** triggers? (Do not guess – keep to the facts. It is possible that there were no obvious identifiable triggers)
  
- What de-escalation strategies did you use? Were these identified on the Physical Intervention Plan Risk Assessment?
  
- How did the pupil respond?
  
- Was your response to the incident reasonable, proportionate and necessary i.e., was the least amount of physical intervention used?
  
- What worked well?
  
- What would you do different if the behaviour occurs again? (responses to this may lead to updates of the Positive Behaviour Plan Risk Assessment)
  
- What support, if any, do you need? (if any support is needed, please talk to Phase Leaders, SLT or Headteacher)

Stress responses can develop over time and follow-up support may be required. For information on where you can access further support, see Kay Hughes -Jo



# Appendix 4

## Enhanced Risk Assessment

Actions	Persons at risk	Likely Consequences	Evaluation of Risk			Actions taken to minimise risk
			High	Medium	Low	
Teacher Signature	Date	SLT Signature	Date	Parents Signature	Date	

This Enhanced Risk Assessment is used to ensure that the specific strategies used to support the individual pupil are reasonable, proportionate and necessary, ensuring the safety of the pupil AND others.

