



## Positive Handling Policy

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| Version                  | Document Title           | Status          | Author | Approved by              | Date              | Reviewed On | Next Review Date |
|--------------------------|--------------------------|-----------------|--------|--------------------------|-------------------|-------------|------------------|
| 0.1                      | Positive Handling Policy | Final           | SLT    | Principal/Vice Principal | August 2023       | August 2026 | August 2027      |
| Regional Director        |                          | Principal       |        |                          | Vice Principal    |             |                  |
| Head of Foundation Stage |                          | Head of Primary |        |                          | Head of Secondary |             |                  |

## Rationale

Newlands is committed to encouraging all students to be self-aware, empathetic and skilled at resolving conflict with peers in a mutually beneficial and acceptable manner. We are also committed to providing a safe environment for students, staff, parents, service providers and school visitors alike. We recognize that at times students become overwhelmed by a situation or their emotions and may have difficulty demonstrating self-control, self-restraint and emotional regulation. This policy seeks to guide staff as to how to support a student when they are in crisis or in conflict and their behavior poses a risk to self, or risk to others. We recognize that it is the collective responsibility of the family, school and community, to ensure the wellbeing of all students, including those in emotional or physical crisis. Staff are invited to familiarize themselves with this policy and to re-visit it on a regular basis. Policy will be communicated to all staff by the Child Protection Officer and Principal.

## Aims

This policy and its associated procedures apply to all phases within Newlands School. Our aim is to promote the wellbeing of all students and staff and to ensure individuals are appropriately supported when in distress or conflict, by acting in the following ways:

- Balancing the safety of staff, students and others with the best interests of the child in crisis.
- Identifying students in crisis and being proactive in responding in a timely manner to de-escalate situations or conflict they are experiencing, using dialogue and diversion.
- Responding appropriately using restrictive physical intervention when all other strategies have been attempted and failed to protect the safety of the student or another person.
- Ensuring a minimum of two staff members are present to safely restrain a child during a planned intervention, acting as assistants and/or witnesses.
- Employing appropriate protective physical intervention or holding as an act of appropriate care, not punishment and relaxing as soon as it is safe to allow student to regain self-control.
- Using appropriate protective physical intervention or holding which is proportionate to the risk in the immediate circumstances taking into account the age, understanding, and competence of the individual child.
- Maintaining accurate records of all incidents and evaluating responses fully, supporting and debriefing children and staff after every incident to safeguard the emotional well-being of all involved.
- Reporting all incidents of protective physical intervention or holding to the Principal (or Vice Principal when the Principal is off-site) using a Positive Handling Incident Report (attached at Appendix 1).
- Ensuring parents are made aware and involved in the review process and strategies implemented using a Positive Handling Plan (attached at Appendix 2) to mitigate the need for similar intervention in the future.

The scope of the policy covers all phases and their subsequent employees, students, parents, and service providers.

## Context

The Policy sits within the context of the Newlands School Behaviour Policy; and has been agreed in consultation with the Executive Management Team, staff, governors, parents/carers, and students. It also connects to, and is consistent with, policies on Health and Safety, Child Protection and Safeguarding, and Pastoral Care.

- At Newlands, we believe that students and staff need to be safe, know how to behave, and, in the case of students, know that the adults around them are able to manage behaviours safely and confidently. For a very small minority of students, in exceptional circumstances, the use of protective physical intervention or holding may be needed, and, on such occasions, appropriate forms of intervention will be used.
- Most students behave well and conform to the expectations of our school. We have a responsibility to operate an effective behaviour policy that encompasses preventative strategies for tackling behaviours of concern in relation to the whole school, each class, and individual students.
- All school staff need to feel able to manage risks to students, themselves and others and behaviours of concern. They have to have an understanding of what constitutes concerning behaviour and how distress might be communicated. They need to understand available options to deal with this behaviour, and they need to be comfortable that they are protected against the risks of legal action against them if they follow Newlands School guidelines when using appropriate physical intervention.

**UAE:** The policy is guided by the directives of UAE government entities and laws:

- Private Defence
- Ministry of Social Affairs
- Article 91 - Safety, Protection and the Health and Social Care of the Employees ~ *Every employer must provide adequate means of protection for the employee from the hazards of injuries that may occur during work.*
- Article 97 – Safety, Protection and the Health and Social Care of the Employees ~ *Employer must keep employees informed of the dangers relating to their profession and preventive measures they have to take.*
- Protection of Student or Peers
- UAE Penal Code
- Article 56 - Private Defence ~ *A person - including staff at school - may use such force if it is necessary in defence of themselves or others, and if it is compatible with the aggression (danger) faced in the circumstances.*
- Compulsion to protect others
- UAE Penal Code – Federal Law 3 of 1987
- Article 324 and 343 – Failure to Act ~ *May be punished for death or injury of another person where the person “refrained at that moment from helping in spite of the fact that he was capable of doing so...[or when]...failure to perform duties imposed on him in the performance of his profession”.*

**Definition of 'protective physical intervention or holding':** Teachers trained in protective physical intervention or holding and other persons authorised by the Principal, may consider use of restrictive interventions to prevent a student from doing or continuing to do any of the following:

- committing a criminal offence
- injuring themselves or others
- in cases of private defence
- causing serious damage to property
- engaging in behaviour prejudicial to good order and discipline at the school or among any of its pupils whether that behaviour occurs in a classroom during a teaching session or elsewhere
- "Protective physical intervention" and "holding" are the terms used to include interventions where bodily contact using reasonable physical force to prevent, restrict or subdue the movement of a child's body or part of their body. It refers to any instance in which a teacher or other adult authorised by the Principal is required to, in exceptional circumstances, use "**reasonable force**" to control or restrain students.

There are two relevant considerations to determine **Reasonable Force**:

- the use of force can be regarded as reasonable only if the circumstances of an incident make it **necessary** and compatible with the danger posed to intervene; and
- the degree of force must be proportionate to the circumstances of the incident and the seriousness of the behaviour or consequences it is intended to prevent.
- Where there is significant danger in a situation, wherever the circumstances allow it to be possible, it is good practice to contain rather than restrain (PCA Guidance, 2002).

### Situations where restrictive physical interventions may be used:

- Protective physical intervention or holding will be used when all other strategies have failed or would fail in the circumstances, and therefore only as a last resort. Situations exist when physical management may be immediately necessary, for example where there is an imminent threat of clear danger or extreme urgency. Certain students may become distressed, agitated, and out of control, and need calming with a brief protective physical intervention or holding.
- The safety and well-being of all staff and students are important considerations for Newlands School under health and safety laws. This legal duty must be a primary factor in decision-making.

### Planning for the use of restrictive physical interventions at Newlands School

Staff will use force which is reasonable in the circumstances and that are believed to be necessary to restore a safe learning environment and appropriate, safe and respectful behaviour. Staff must use only the force necessary to achieve their lawful aim, for the shortest necessary period of time and use only the restraint techniques and associated principles from their training.

The principles relating to the intervention are as follows:

- Restrictive Physical Intervention is an act of appropriate care, not punishment. It is never used to force compliance with staff instructions.
- Staff will only use it when there are **reasonable grounds** for believing that immediate action is necessary. The

safety of all students at the school and the staff team will be balanced with the best interests of the child.

- Staff will take steps in advance to avoid the need for Restrictive Physical Intervention through dialogue and diversion and tailored at the level of understanding of the child or young person.
- Reasonable physical force will only be used where it is **necessary as a last resort** and then in a way which is **proportionate** to the risk in the immediate circumstances.
- Staff will be able to demonstrate that the level of the intervention used was compatible with the degree of the risk in the incident.
- A minimum of two staff are required to safely restrain and hold a child during a planned intervention.
- As soon as it is safe, the protective physical intervention or holding will be relaxed to allow the student to regain self-control.
- A distinction will be maintained between the use of a one-off emergency intervention which is appropriate to a particular circumstance, and the use of the intervention repeatedly as a regular feature of school policy, or an Individual Education/Behaviour Plan.
- Escalation will be avoided where possible, especially if it would make the overall situation more destructive and unmanageable.
- The age, understanding, and competence of the individual child must always be taken into account.
- In developing Individual Education/Behaviour Plans, consideration will be given to approaches appropriate to each student's circumstances.
- Procedures are in place, through the pastoral system of the school, for supporting and debriefing students and staff after every incident of protective physical intervention or holding, as it is essential to safeguard the emotional well-being of all involved at these times.

## Acceptable forms of physical contact at Newlands School

There are occasions when staff will have cause to have physical contact with students for a variety of reasons, for example:

- to comfort a student in distress (appropriate to their age and stage)
- to gently direct a student from location to location
- blocking a student's path, if necessary and proportionate
- shepherding a student away from harm
- for curricular reasons (for example in PE, Drama, Music etc)
- in an emergency to avert danger to the student or students
- in rare circumstances, when protective physical intervention or holding is warranted

- In all situations where physical contact between staff and students takes place, staff must consider the following:
- the student's age and level of understanding
- the student's individual characteristics, culture and history
- the location and visibility of where the contact takes place (it should not take place in private without others present)
- Physical contact is never made as a punishment. All forms of corporal punishment are prohibited. Physical contact should not be made with the student's neck, breasts, abdomen, genital area, other sensitive body parts, or to put pressure on joints.

### **Elevated levels of Risk are associated with:**

- holding someone who is lying on the floor or forcing them onto the floor
- any procedure which restricts breathing using pressure through the body, or which impedes the airways
- pupils who already have a known injury or medical condition such as asthma, epilepsy, cardio-vascular or breathing issues
- pupils who are prone to panic attacks
- pupils exhibiting signs of distress such as vomiting, changes in colour and breathlessness, etc.

### **Developing a positive handling plan At Newlands School**

If a student is identified as needing protective physical intervention or holding, then a Positive Handling Plan will be developed. This plan will help the student and staff to avoid difficult situations through understanding the factors that influence the behaviour and identifying the early warning signs that indicate foreseeable behaviours that may be developing.

The Positive Handling Plan will include:

- Any medical conditions or known injuries which the child has that could preclude the use of certain physical interventions or inform a team about decisions they make during an incident.
- Involvement from parents/carers and students to ensure they are clear about what specific action the school may take, when and why and what supporting action may be required by them.
- A risk assessment to ensure staff and others act reasonably, consider the risks, and learn from each incident.
- A record of risk reduction options that have been examined and discounted, as well as those used.
- Strategies to manage the child, strategies to de-escalate a conflict, and stating at which point protective physical intervention or holding is to be used.
- Identifying key staff who know exactly what is expected. It is best that these staff are well known to the child.

- Ensuring a system to summon additional support is in place and is workable.
- Identifying training needs.

## Guidance and training for staff

Guidance and training are essential in this area. In Newlands School, this is arranged at several levels including:

- awareness for governors, staff and parents
- behaviour management for all staff (teaching and ancillary)
- de-escalation and the Crisis Behaviour awareness - all staff
- specific training on protective physical intervention and holding techniques - relevant staff (behaviour team)

**Complaints** It is intended that by adopting this policy and keeping parents and governors informed that we could minimise complaints as far as possible. All complaints that arise about the use of force by a member of staff will be dealt in accordance with Newlands School's Child Protection and Safeguarding policies and Staff Code of Conduct.

## Appendix 1

### POSITIVE HANDLING INCIDENT REPORT

|                                                     |  |
|-----------------------------------------------------|--|
| Names of those involved                             |  |
| Names of witnesses                                  |  |
| Reason for force being necessary                    |  |
| How the incident began and developed                |  |
| The degree and duration of force applied            |  |
| The student's response                              |  |
| The outcome of the incident                         |  |
| Details of any injuries sustained by those involved |  |
| <b>Additional comments:</b>                         |  |

Signed:

\_\_\_\_\_ (Teacher) \_\_\_\_\_ (Parent)

## Appendix 2

### POSITIVE HANDLING PLAN

Name:

Class:

Year:

SEN support: Yes / No

School Counsellor: Yes / No

Additional Information:

*(eg. medical information, existing conditions or injuries, any specific equipment required)*

#### Trigger Behaviours:

*(Describe situations that are known to have led to positive handling being required in the past as well as behaviours that become visible when the child begins to feel agitated)*

#### Step 1: Example Support/De-escalation Strategies

*(Outline strategies which, when and where possible, should be used before positive handling)*

- Verbal prompts and advice [SEP]
- Peer support [SEP]
- Planned positive distractions [SEP]
- Positive reinforcement [SEP]
- Feelings cards [SEP]
- Time out offered/directed [SEP]
- Tactical ignoring [SEP]
- Choices/limits/consequences [SEP]
- Other:

#### Step 2: Remove

*(Remove other children or anything that could be harmed or is hazardous to the child)*

#### Step 3: Preferred Handling Techniques

*(Describe the preferred staff, responses and holds to be used only when the student poses a danger to themselves or others)*

#### Step 4: Repair and Rebuild Strategies following an incident

*(What care is to be provided? How will the child be reintegrated back into class/school? Consequences)*

Review Date:

Signed:

\_\_\_\_\_ (Teacher) \_\_\_\_\_ (Parent)