



Whitecross Nursery School

Positive Handling Policy

Reviewed by	Claire FitzPatrick
Date of last review	April 2024
Date of next review	April 2027
Ratified by the Governing Body	Next gov body meeting

This policy will be reviewed sooner if there is a change to legislation or guidance which may affect it. Any changes will be communicated to all stakeholders.

Statement of intent

At Whitecross Nursery School, we recognise the uniqueness of each child and that every child has differing needs.

We believe that it is important to establish a safe, secure and stable environment to enable children to grow, develop and learn. To achieve this, the school recognises that, in certain circumstances, managing violence through control and restraint may be necessary.

The school understands that behaviours are a means of communication which may signal that a child is in need of support but does not know how to express this; therefore, the school takes a proactive approach to anticipating, managing and minimising potential triggers of distressed behaviour that may cause harm.

This policy acknowledges that situations may arise in which staff members will be required to use positive handling, and in some cases reasonable force, in order to manage conflict when other measures have failed to do so.

The aim of this policy is to ensure that actions such as positive handling and reasonable force are used in a correct and safe manner, which is in accordance with the relevant legislation and national guidance.

1. Legal Framework

This policy has due regard to all relevant legislation including but not limited to:

- The Education Act 2011
- The Children Act 1989
- The Equality Act 2010

This policy has due regard to the following guidance:

- DfE (2013) 'Use of reasonable positive handling in schools'
- DfE (2018) 'Working Together to Safeguard Children'
- DfE (2023) 'Keeping children safe in education 2023'
- HM Government (2019) 'Reducing the Need for Restraint and Restrictive Intervention'

Legal framework and national guidance often refers to the ‘**use of force**’ – this policy uses the term ‘**positive handling**’ whenever possible.

This policy operates in conjunction with the following school policies:

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- Allegations Against Staff Policy
- Special Educational Needs and Disabilities (SEND) Policy
- Behaviour Policy
- Safeguarding & Child Protection Policy
- Health and Safety Policy
- Staff code of conduct policy
- Complaints procedures policy

2. Roles and responsibilities

The governing board is responsible for:

- Monitoring the overall implementation of this policy.
- Notifying the Headteacher that the Behaviour Policy should include the power to use reasonable force.
- Evaluating, on an annual basis, instances of physical intervention to analyse how and when reasonable force is used and identify any trends.
- Reviewing this policy on an [annual](#) basis.
- Responding to any complaints, in liaison with the Headteacher, from a child or parents regarding the use of reasonable force.

The Headteacher is responsible for:

- Deciding whether members of staff require additional training to enable them to carry out their responsibilities, considering the needs of the children.
- Ensuring all members of staff understand the correct conduct in terms of positive handling.
- Handling any allegations of abuse in line with the Allegations of Abuse Against Staff Policy.
- Maintaining the records of the use of reasonable force and evaluating on a termly basis how reasonable force and physical intervention is used.
- Ensuring that any member of staff who uses reasonable force adds details to COPM’s
- Ensuring that the Behaviour Policy sets out the circumstances in which force might be used.
- Responding to any complaints, in liaison with the governing board, from a child or parents regarding the use of reasonable force.

The SENCO is responsible for:

- Providing training to members of staff on how to handle the needs of a child with SEND.
- Ensuring staff understand how children with SEND may react differently to reasonable force.
- Ensuring that staff understand the additional vulnerability of a child with SEND or medical conditions.
- Developing individual risk assessments for a child with SEND or medical conditions that are agreed with the child’s parents, and ensuring teaching staff are aware of these.

- Ensuring that staff understand how reasonable force principles may need to be adapted for children with medical conditions.
- Evaluating on a termly basis how reasonable force and physical intervention is used with regard to children with SEND, in collaboration with the Headteacher.

The DSL is responsible for:

- Providing staff with annual reasonable force training where the Headteacher deems it necessary.
- Ensuring all members of staff use reasonable force in accordance with this policy.
- Reviewing this policy in liaison with the Headteacher and governing board.

3. What is positive handling?

For the purpose of this policy, 'positive handling' is the positive application of force with the intention of protecting children and limiting damage to property.

Positive handling is used in the school to:

- Restrain a child who has lost emotional self-control until the situation is diffused.
- Limit the amount of harm that the child involved can do to their self or others.
- Demonstrate to children that they are within a safe environment in which adults can contain a child's anger and other erratic emotions.
- Protect all children against any form of physical intervention which is unnecessary, inappropriate, excessive or harmful.

Positive handling will be limited to emergency situations and used only as a measure of last resort.

Where positive handling is required, the school will abide to the following guidance:

- Initial intervention will always be without force.
- Any physical intervention will follow other appropriate actions.
- Staff will take a calm and measured approach in all situations.

Failure to positively handle a child who subsequently gets injured, or injures another child, could lead to an accusation of negligence.

Positive handling will never be invasive, humiliating, flirtatious in nature or take a form which could be seen as punishment.

Positive handling will be applied as an act of care and control with the intention of re-establishing verbal control as soon as possible and, at the same time, allowing the child to regain self-control.

4. What is reasonable force?

There is no statutory definition of reasonable force; it will always depend on the circumstance of the case.

The use of reasonable force is only acceptable to control children or restrain them.

'Control' refers to either passive physical contact, such as blocking a child's path, or active physical contact such as leading a child by the arm.

'Restraint' refers to physically bringing a child under control, such as holding them back. This is typically used in more extreme circumstances, such as to separate two children fighting.

The degree of force that is used will depend on the child's circumstances, e.g. age.

Staff members will always use actions that are appropriate and in proportion to the circumstances of the incidents.

All incidents that involve the use of reasonable force will be reported to the Headteacher, recorded on CPOM's and communicated to the child's parents.

The school is able to use reasonable force in situations when:

- Disruptive children must be removed from the classroom and have previously refused to leave.
- Members of staff need to control disruptive children on school trips, or similar.
- Members of staff must prevent a child from leaving a classroom when doing so would lead to a risk to their safety.
- A child is attacking a member of staff or another child.
- A child is at serious risk of harming themselves and a member of staff must intervene to prevent this.
- Children are fighting
- To restrain a child at risk of harming themselves through a physical outburst
- A child is causing or at risk of causing injury or damage by accident, rough play or by misuse of dangerous materials or objects
- A child accesses an area of the nursery that is not safe without adult supervision e.g. the kitchen and refuses to return to a safe area

Physical intervention will never be used as a substitute for good behavioural management in accordance with the school's Behaviour Policy.

5. Use of positive handling and reasonable force

All members of staff will be permitted to use positive handling where they believe it to be appropriate, as long as all necessary precautions are taken.

The power to positively handle children also applies to any individual whom the Headteacher has identified as temporarily in charge, such as volunteers.

The decision to physically intervene during a situation is down to the professional judgement of the member of staff and always depends on the circumstances.

Staff will always calmly communicate the reasons for their actions to the child and explain why it was necessary in a non-threatening manner.

Staff will never give the impression that they are acting out of anger or are punishing the child.

All staff members are encouraged to develop strategies and techniques for dealing with difficult children and situations, which they will use to diffuse and calm a situation.

In non-urgent situations, staff will always try and deal with a situation through other strategies before using force.

Staff members will always avoid acting in a way that could cause injury; however, dependant on the circumstances, this may not always be possible.

Where a member of staff believes that they are at risk, such as where an injury is likely to occur, they will not intervene in an incident without help and assistance of another staff member.

- Emergency intervention is necessary when there is a high risk of children being injured or property being damaged.
- If emergency intervention is required, a member of staff will use other methods of defusing the situation, without physically intervening, until assistance arrives.
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The following approaches are regarded as reasonable in appropriate circumstances:

- Holding for security and to reduce anxiety where there is potential risk, even if the child is not yet out of control. This is best used when a child is anxious or confused. Its purpose is to defuse or prevent escalation. Staff should take care that their actions should in no way be capable of being interpreted by the child as aggression.
- Physically interposing between children
- Blocking a child's path
- Pushing if restricted to situations where reasonable force is used to resist a child's movement, rather than a forceful push that might cause a child to fall over.
- Escorting a child by the hand or arm.

Following the event, the child involved may be subject to separate disciplinary procedures, in which strategies should be formed to help avoid reoccurrence of such incidents.

Where necessary, external agencies, such as the LA or the police if a crime has been committed, will be informed of the incident.

6. Special Educational Needs & Disabilities (SEND)

The school will have due consideration to the risks posed by the additional vulnerability of children with SEND in terms of positive handling.

The school is aware that children with SEND may sometimes experience meltdowns, which can sometimes manifest in behaviour which may be aggressive or seem uncontrollable. Where it is known that a child is prone to meltdowns, the SENCO and Headteacher will draft a risk assessment to determine planned strategies for managing the child's meltdowns that are tailored to the child's specific needs, to avoid the use of reasonable force.

Staff will also be aware that children with SEND may engage in frequent, repetitive self-stimulatory behaviour, known as 'stimming', and that some children may engage in self-injurious stimming, e.g. repeatedly hitting or scratching themselves. While this can be alarming, staff will be aware that stimming is often carried out as a means of emotional regulation or self-soothing in response to stressful or overwhelming stimuli. Staff members will aim to remove distressing stimuli from the environment, where possible, or will support children to engage in less harmful stimming methods, e.g. by providing them with something to play with or demonstrating a less harmful stim, such as hand flapping.

Staff will be aware that restraining a child in a way that prevents them from stimming entirely can cause extreme distress and lead to further aggressive behaviour. Self-injurious stimming and tactics to support a child to engage in safer stims will be included as part of the child's risk assessment.

The school will adhere to its Special Educational Needs and Disabilities (SEND) Policy at all times.

To reduce the occurrence of challenging behaviour that can lead to the use of reasonable force, the SENCO will establish individual behaviour plans for children with SEND.

The SENCO will liaise with the DSL, in terms of using positive handling on children with SEND and establish how training may need to be amended.

7. Safe Touch

The school understands that the following examples are instances of safe touch which may occur between staff and a child:

- Comforting an upset or distressed child
- Congratulating or praising a child
- Holding the hand of a child to guide them, such as when crossing a road or walking to around nursery
- Giving first aid to a child
- Intimate care
- Demonstrating physical skills
- Administering medicine
- Using musical instruments

The school understands that certain types of physical contact between staff and children are inappropriate for older children. Age appropriately, in nursery, very young children will often hold up their hands to be hugged when feeling sad or hurt. Staff will take the lead from children and will not force children to hug, lap-sit with the child facing forwards or hold hands, Safe touch should never be invasive, humiliating or flirtatious.

The school designates that the only appropriate places on a child's body to touch them are their shoulders, arms and upper back. Staff will touch children on other body parts for first aid and intimate care in line with Whitecross Policies.

8. Reporting incidents

A detailed report will be made on CPOM's of any incidents where force is used.

Immediately following an incident, the member(s) of staff involved will verbally report the incident to the Headteacher and provide a comprehensive record of the situation on CPOM's as soon as possible.

The report of the incident must be thorough, including as much detail as possible as to what had happened before, during and after the incident, and describing any injuries incurred due to the event.

The Headteacher will make the decision as to whether it is appropriate to inform the child's parents of the details of an incident. If it is appropriate, the following will be adhered to:

- Parents will be informed in writing and a copy of this letter will be given to the member(s) of staff involved in the incident.
- The letter will inform parents of their right to complain about the use of positive handling and reasonable force.

If a member of staff witnesses or suspects the use of positive handling or reasonable force, where another member of staff is actively involved in physical intervention, they will report this to the Headteacher immediately.

Any allegations against staff will be dealt with as a matter of urgency, and in accordance with the procedures outlined in the school's Allegations against Staff Policy.

The Headteacher will be responsible for conducting a thorough investigation to find out the correct details of what occurred; this may include talking to other staff children about the incident, for instance those who witnessed the event.

9. Complaints

All members of staff will be made fully aware of the consequences and legal retributions that can occur following the incorrect use of positive handling and force.

All complaints regarding the use of positive handling or force will be investigated in a thorough and speedy manner.

The person making the complaint is responsible to prove that their allegations are true, and therefore, it is not for the member of staff to prove that their actions were made reasonably.

In extreme circumstances, parents may take civil action or pursue a criminal prosecution.

In the case where a member of staff has acted within the law, this will provide a defence to any civil or criminal prosecution.

Members of staff accused of using excessive force will not be automatically suspended as a response to the allegations. The following procedure will be adhered to:

- Careful consideration will be given to whether the case warrants a person being suspended until the allegation is resolved.
- The governing board will always take into account whether a staff member has acted within the law when considering whether or not to take disciplinary action against a staff member involved in an incident.
- Where a member of staff is suspended, the school will ensure that the staff member has access to a named contact that can provide support and guidance.
- The school will provide pastoral care to any member of staff who is subject to a formal allegation.

10. Staff Training

All staff will be regularly reminded of the positive handling techniques employed by the school and will communicate these to the children they are in contact with.

Only techniques and strategies that have been previously discussed with the Headteacher and DSL, and have been safely demonstrated, will be used.

Staff will be made aware of subsequent risks of their actions and fully understand when it is appropriate and necessary to use such actions.

In cases where it is known that a child will require positive handling on occasions, the school will ensure that appropriate training is provided. Staff involved will identify their training needs in this area.

Staff trained in positive handling techniques need to update their training on a regular basis and ensure that their training record is kept up to date.

11. Policy Review

This policy will be reviewed on an [annual](#) basis by the Headteacher, DSL, SENCO and governing board, who will consider any necessary changes and communicate the findings of the review to all members of staff.